

IN THE SUPREME COURT OF NEVADA

JASON T. SMITH, an individual,
Appellant,
vs.
KATY ZILVERBERG, an individual; and
VICTORIA EAGAN, an individual,
Respondents.

Supreme Ct. No. 80154
Dist. Ct. Case No.: A-19-798171-C
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JASON T. SMITH, an individual,
Appellant,
vs.
KATY ZILVERBERG, an individual; and
VICTORIA EAGAN, an individual,
Respondents.

Supreme Ct. No. 80348
Dist. Ct. Case No.: A-19-798171-C

On Appeal from the Eighth Judicial Court for the County of Clark in Nevada
Case No. A-19-798171-C
Hon. Jim Crockett

JOINT APPENDIX TO OPENING BRIEF - VOLUME 1

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Dated this 11th day of May, 2020.

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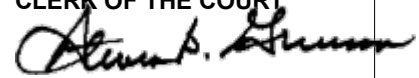
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DISTRICT COURT

COUNTY OF CLARK, NEVADA

JASON T. SMITH, an individual,

Plaintiff,

Case No:
Dept. No.:

COMPLAINT

v.

KATY ZILVERBERG, an individual;
VICTORIA EAGAN, an individual; and DOES I
through X, inclusive, and ROE
CORPORATIONS I through X, inclusive,

Defendants.

**(Arbitration Exemption; Amount in
Controversy Exceeds \$50,000.00; Injunctive
Relief)**

Plaintiff Jason T. Smith (“Plaintiff” or “Smith”), an individual, by and through counsel of record, the law firm of Holley Driggs Walch Fine PuzeY Stein & Thompson, hereby alleges and complains against Defendant Katy Zilverberg (“Zilverberg”) and Victoria Eagan (“Eagan”, collectively with Zilverberg referred to herein as “Defendants”) as follows:

THE PARTIES

1. Plaintiff Jason T. Smith is, and was at all relevant times to this action, an adult resident of Clark County, Nevada.

2. Upon information and belief, Defendant Katy Zilverberg is, and was at all relevant times to this action, an adult resident of Clark County, Nevada.

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3. Upon information and belief, Defendant Victoria Eagan is, and was at all relevant times to this action, an adult resident of Clark County, Nevada.

4. The true names and capacities, whether individual, corporate, associate, or otherwise of Defendants herein designated as Does I through X and Roe Corporations I through X, inclusive, are not known to Plaintiff at this time and are therefore named as fictitious defendants. Plaintiff will seek to amend this Complaint to allege the true names and capacities of Does I through X and Roe Corporations I through X when and as ascertained.

JURISDICTION AND VENUE

5. Court has subject matter jurisdiction over this case and venue is proper in Clark County, because Defendants are Clark County, Nevada residents and because the claims at issue involve defamatory statements that were published in, among many other places, Clark County, Nevada.

GENERAL ALLEGATIONS

6. Plaintiff repeats, realleges, and incorporates by reference the preceding paragraphs of this Complaint as though fully set forth herein.

7. Plaintiff has been coined “America's #1 thrifter” and currently tours the country teaching others how to thrift and buy and sell online.

8. Plaintiff was the star of Spike TV's Thrift Hunters and now hosts two (2) YouTube shows Thrifty Business & Selling Past Your Expiration Date, Being Thrifty Over 50.

9. Plaintiff has well-known and trusted connections with Ebay and WorthPoint, the leading online resource for finding, valuing and pricing your antiques and collectibles with.

10. Plaintiff has also recently made guest appearances on the hit television series, Pawn Stars.

11. Plaintiff is a well-known public figure in the thrifting community and with the general public.

12. Plaintiff has sustained a profitable business as an entrepreneur and expert in the thrifting community, providing advice and expertise to individuals relating to thrifting and buying

and selling online. Plaintiff's business relies on his reputation in the thrifting community and with the public.

13. Defendants are members of the thrifting community are both full-time eBay sellers.

14. Upon information and belief, Defendants are engaged and currently living together in Las Vegas, Nevada.

15. Defendants are also avid YouTubers and have a consistent presence on various social media platforms, including Instagram, Twitter, and Facebook.

16. Plaintiff has a prior relationship with Defendants as members of the thrifting community and was formerly friends with Defendants.

17. Zilverberg also previously worked for Smith in his business.

18. After the fallout of their friendship with Plaintiff, Defendants have engaged in a vengeance to slander and defame Plaintiff.

19. On or about June 14, 2018, Defendant Zilverberg posted a video on YouTube entitled "Jason T Smith is an abusive bully" (the "YouTube Video"), wherein Defendant Zilverberg goes on an approximately 33-minute rant about Plaintiff and makes countless misstatements and false allegations regarding Plaintiff and his character, all in a clear intentional attempt to damage Plaintiff's business.

20. Defendant Zilverberg makes false statements that Plaintiff has and will try to "take people down." Defendant Zilverberg makes false statements that even go as far as to state that Plaintiff has, and will, find out where people live in order to "take them down," inferring that Plaintiff is predatory.

21. Defendant Zilverberg also falsely states that Plaintiff has, and will, intentionally get persons thrown out of various business events, again to allegedly "take people down" and Defendant Zilverberg even makes statements that Plaintiff has caused individuals to want to commit suicide.

///

///

22. These statements made by Defendant Zilverberg falsely infer, among other things, that Plaintiff is predatory and has stalked individuals, which has a severe effect on his reputation and has damaged his business.

23. Defendant Zilverberg has continued to promote and publicize the YouTube video across her social media platforms and Defendant Eagan has continued to endorse Defendant Zilverberg's statements in the YouTube video across her social media platforms.

24. Since the time of the YouTube Video, Defendants and their agents, i.e. close friends and family, have continued to post false and defamatory statements about Plaintiff in an attempt to destroy his reputation and damage his business.

25. Recently, on or about April 25, 2019, Defendant Eagan posted statements on her Facebook that Plaintiff has multiple restraining orders against him. This post was endorsed by Defendant Zilverberg.

26. Defendants have falsely alleged to the public that Plaintiff has a criminal record, which Plaintiff does not. These statements have a severe impact on Plaintiff's reputation and business in the community.

27. Defendants have and will continue to post false and defamatory statements about Plaintiff.

28. The false statements published by Defendants available to countless millions of people with access to Defendants' websites and other media, the exact number of whom actually read and/or heard the defamatory statements being unknown at this time to Plaintiff.

29. The false and defamatory information was published by the Defendants with the intent to harm the Plaintiff's reputation due to the personal history between the Defendants and the Plaintiff. The Defendants made the decision to publish the false information through their websites and social media platforms, and therefore all of the Defendants are the publishers of the information as a matter of law.

30. Defendants knew or should have known that the false and defamatory statements were not true prior to publishing them.

31. Defendants' publication of the false and defamatory statements constitutes defamation per se because the statements were published to harm Plaintiff's personal and business reputation.

32. Defendants' false publications/statements are libelous and slanderous on their face. The statements have a clear tendency to injure Plaintiff personally and in his occupation. Defendants' statements about Plaintiff naturally harm Plaintiff's reputations by impugning and placing into doubt his honesty and integrity, and the false statements have had the natural effect of decreasing the number of people willing to engage in business with Plaintiff, thereby negatively impacting Plaintiff's business.

33. As a proximate result of Defendants' false publications/statements, Plaintiff has suffered loss of his reputation and business relations, all to his general damages in an amount in excess of \$15,000, the exact amount to be proven at trial.

34. As a proximate result of Defendants' false publications/statements, Plaintiff has suffered loss of his reputation and business relations, all to his special damages in an amount in excess of \$15,000, the exact amount to be proven at trial.

35. As a proximate result of Defendants' false publications/statements, Plaintiff has been required to retain the undersigned counsel to prosecute the instant action and is entitled to an award of his reasonable attorneys' fees and costs associated with the instant action.

FIRST CLAIM FOR RELIEF
(Defamation Per Se)

36. Plaintiff repeats, realleges, and incorporates by reference the preceding paragraphs of this Complaint as though fully set forth herein.

37. Plaintiff has enjoyed a good reputation, both generally and in his occupation, for a number of years.

38. Plaintiff is a public figure and a leader in the thrifting community. Plaintiff is well-known and trusted in the thrifting community, as well as in the general public.

39. Plaintiff's business consumes of touring the country to provide advice and expertise to individuals in the area of thrifting, eBay, and buying and selling online.

40. Plaintiff's business depends on his reputation for trustworthiness, honesty, and reliability.

41. Defendants have made and/or endorse false statements that Plaintiff has multiple restraining orders against him, and Defendant have continued to make statements inferring that Plaintiff is predatory and malicious.

42. These statements are all false and defamatory and constitute defamation per se because the statements are harmful to the Plaintiff's personal and business reputation. Defendants' false publications were disseminated to anyone with access to the internet and Defendants' websites and other media.

43. The statements published by Defendants are available to countless millions of people with access to Defendants' websites and social media platforms, the exact number of whom actually read and/or heard the defamatory statements being unknown at this time to Plaintiff.

44. The statements/publications are false as they pertain to Plaintiff, as Plaintiff does not have any restraining orders against him, Plaintiff predatory in any manner, nor has Plaintiff tried to "take anyone down."

45. Defendants' false publications/statements are libelous and slanderous on their face. The statements have a clear tendency to injure Plaintiff personally and in his occupation. Defendants' statements about Plaintiff naturally harm Plaintiff's reputation by impugning and placing into doubt his honesty and integrity, and the false statements have had the natural effect of decreasing the number of people willing to engage in business with Plaintiff, thereby negatively impacting Plaintiff's business.

46. As a proximate result of Defendants' false publications/statements, Plaintiff has suffered loss of his reputation all to his general damages in an amount in excess of \$15,000, the exact amount to be proven at trial.

47. As a further proximate result of Defendants' false publications/statements, Plaintiff has suffered the following special damages: the false publications/statements have had the natural effect of decreasing the number or individuals willing to engage in business with Plaintiff, thereby

decreasing Plaintiff's business. Plaintiff has been specially damaged in an amount in excess of \$15,000, the exact amount to be proven at trial.

48. Further, Plaintiff is entitled to special damages because the publications/statements are defamation per se as they have the natural effect of damaging Plaintiff's professional reputation.

49. Defendants' false publications/statements were published with malice as Defendants knew that these publications/statements were false when made and/or had reason to doubt the truthfulness of these publications/statements when made. Further, Defendants' personal history and animosity toward Plaintiff was the reason for Defendants' publication of these defamatory publications/statements on their websites and social media platforms, again demonstrating Defendants' malice. Thus, Plaintiff is entitled to an award of punitive damages against Defendants.

50. As a result of the aforementioned conduct on the part of Defendants, it has been necessary for Plaintiff to hire an attorney to prosecute this matter, such that an award of reasonable attorney's fees is appropriate in this matter.

SECOND CLAIM FOR RELIEF
(Conspiracy)

51. Plaintiff repeats, realleges, and incorporates by reference the preceding paragraphs of this Complaint as though fully set forth herein.

52. Upon information and belief, Defendant Zilverberg and Defendant Eagan have both explicitly tactically conspired to harm Plaintiff and his reputation and have each made and/or endorsed one another's defamatory statements with the intention of harming Plaintiff.

53. Upon information and belief, Defendants acted in concert, and intended to accomplish the unlawful objectives described herein for the purpose of harming Plaintiff.

54. As a proximate result of the conduct of Defendants as herein alleged, Plaintiff has been damaged in excess of \$15,000.00.

55. Defendants engaged in willful, malicious, intentional, oppressive and despicable conduct and acted with willful and conscious disregard of Plaintiff's rights and welfare, thereby

justifying an award of punitive and exemplary damages.

56. As a result of the aforementioned conduct on the part of Defendants, it has been necessary for Plaintiff to hire an attorney to prosecute this matter, such that an award of reasonable attorney's fees is appropriate in this matter.

THIRD CLAIM FOR RELIEF
(Preliminary and Permanent Injunction)

57. Plaintiff repeats, realleges, and incorporates by reference the preceding paragraphs of this Complaint as though fully set forth herein.

58. Immediate and irreparable injury will result to Plaintiff unless this Court enters an injunction, pursuant to NRCP 65, enjoining Defendants and their agents, servants, employees, attorneys, subsidiaries and any other individual or entity in active concert or participation with it who receives actual notice of the order, from publishing the aforementioned defamatory statements/publications.

59. Defendants' actions in publishing the aforementioned defamatory statements/publications are causing irreparable harm to Plaintiff because (1) injuries related to Plaintiff's potential loss of business cannot be readily quantified and relief may never be forthcoming; and (2) Defendants' continuing conduct in publishing the defamatory statements/publications inflicts injury to Plaintiff's goodwill, reputation, and his business.

60. Plaintiff has a likelihood of success on the merits given that there is no dispute that Defendants have published false statements of fact about Plaintiff that are defamatory on their face. Plaintiff has a likelihood of success as to defamation per se due to the fact that the aforementioned defamatory statements/publications involve misstatements about Plaintiff's criminal history, including misstatements that he has restraining orders against him, as well as misstatements intentionally directed to harm Plaintiff's business and his reputation.

61. In view of the fact that the damage Plaintiff has sustained, and continues to sustain, as a result of Defendants' unlawful activities, Plaintiff has no adequate remedy at law.

62. Accordingly, Plaintiff is entitled to a judgment enjoining Defendants from publishing the aforementioned defamatory statements regarding Plaintiff.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court enter judgment as follows:

1. Awarding Plaintiff actual damages from Defendants in an amount in excess of \$15,000.
2. Awarding Plaintiff special damages from Defendants in an amount in excess of \$15,000.
3. Awarding Plaintiff punitive damages from Defendants in an amount in excess of \$15,000.
4. Issuing an order preliminarily and permanently enjoining Defendants' and their respective agents, servants, officers, directors, employees and all persons acting in concert with them, directly or indirectly, from publishing the defamatory statements about the Plaintiff articulated in this Complaint;
5. Awarding Plaintiff his reasonable attorneys' fees and costs incurred in bringing and maintaining this action;
6. Awarding such other and further relief as this Court may deem just, proper and equitable.

Dated this 9th day of July, 2019.

**HOLLEY, DRIGGS, WALCH,
FINE, PUZEY, STEIN & THOMPSON**

/s/Kimberly P. Stein

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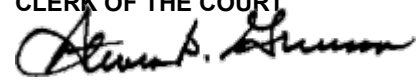
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CLERK OF THE COURT



DISTRICT COURT
CLARK COUNTY, NEVADA

JASON T. SMITH
Plaintiff

vs

KATY ZILVERBERG, ET AL.
Defendant

Case Number: A-19-798171-C

Dept:

PROOF OF SERVICE

Marie A. Scheib, deposes and says: that at all times herein I am a citizen of the United States, over 18 years of age, licensed to serve civil process in the State of Nevada under license #389, and not a party to nor interested in the proceeding in which this statement is made.

Legal Wings, Inc. received on 7/10/2019 a copy of the:
SUMMONS; COMPLAINT

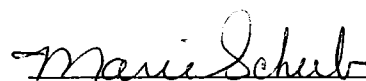
I served the same on **7/10/2019** at **11:37 AM** to:

Defendant VICTORIA EAGAN, AN INDIVIDUAL

by leaving the copies with or in the presence of **VICTORIA EAGAN** at **83 HUNTFIELD DR, HENDERSON, NV 89074**.

Pursuant to NRS 53.045, I declare under penalty of perjury under the law of the State of Nevada that the forgoing is true and correct.

Executed: Thursday, July 11, 2019

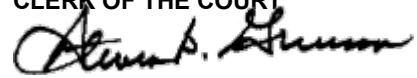


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CLERK OF THE COURT



DISTRICT COURT
CLARK COUNTY, NEVADA

JASON T. SMITH
Plaintiff

vs

KATY ZILVERBERG, ET AL.
Defendant

Case Number: A-19-798171-C

Dept:

PROOF OF SERVICE

Marie A. Scheib, deposes and says: that at all times herein I am a citizen of the United States, over 18 years of age, licensed to serve civil process in the State of Nevada under license #389, and not a party to nor interested in the proceeding in which this statement is made.

Legal Wings, Inc. received on 7/10/2019 a copy of the:
SUMMONS; COMPLAINT

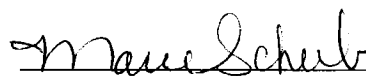
I served the same on **7/10/2019** at **11:37 AM** to:

Defendant KATY ZILVERBERG, AN INDIVIDUAL

by leaving the copies with or in the presence of **VICTORIA EAGAN, FIANCE/CO-RESIDENT** at **83 HUNTFIELD DR, HENDERSON, NV 89074**, pursuant to NRCP Rule 4.2(a)(2) as a person of suitable age and discretion residing therein at the Defendant's usual place of abode.

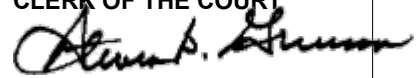
Pursuant to NRS 53.045, I declare under penalty of perjury under the law of the State of Nevada that the forgoing is true and correct.

Executed: Thursday, July 11, 2019



Marie A. Scheib

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10 **DISTRICT COURT**

11 **COUNTY OF CLARK, NEVADA**

12 JASON T. SMITH, an individual,
13
14 Plaintiff,

Case No: A-19-798171-C
Dept. No.: 20

15 v.

16 **NOTICE OF ENTRY OF JOINT**
17 **STIPULATION AND ORDER FOR**
18 **PRELIMINARY INJUNCTION**

19 KATY ZILVERBERG, an individual;
20 VICTORIA EAGAN, an individual; and DOES I
21 through X, inclusive, and ROE
22 CORPORATIONS I through X, inclusive,
23
24 Defendants.

25 YOU, and each of you, will take notice that a Joint Stipulation and Order for Preliminary
26 Injunction in the above-entitled matter was filed and entered on July 19, 2019, a copy of which is
27 attached hereto.

28 Dated this 19th day of July, 2019.

HOLLEY, DRIGGS, WALCH,
FINE, PUZEY, STEIN & THOMPSON

/s/Kimberly P. Stein

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Attorneys for Plaintiff

HOLLEY DRIGGS
WALCH | FINE | PUZEY | STEIN | THOMPSON

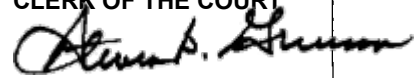
CERTIFICATE OF SERVICE

I hereby certify that a true copy of the **NOTICE OF ENTRY OF JOINT
STIPULATION AND ORDER FOR PRELIMINARY INJUNCTION** was served in
accordance with Administrative Order 14-2, this 19th day of July, 2019, addressed to the
following:

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*Attorneys for Defendants
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/s/Andi Hughes
An employee of Holley Driggs Walch
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DISTRICT COURT
COUNTY OF CLARK, NEVADA

JASON T. SMITH, an individual

Plaintiff,

vs.

KATY ZILVERBERG, an individual;
VICTORIA EAGAN, an individual; and DOES I
through X, inclusive, and ROE
CORPORATIONS I though X, inclusive,

Defendant(s).

Case No.: A-19-798171-C

Dept. No.: 20

**Joint Stipulation and Order for Preliminary
Injunction**

Plaintiff JASON T. SMITH ("Plaintiff"), by and through his counsel, the law firm Holley Driggs Walch Fine Puzey Stein & Thompson, and Defendants KATY ZILVERBERG and VICTORIA EAGAN (collectively, the "Defendants" and collectively with Plaintiff, the "Parties"), by and through their counsel, Paul C. Ray, Chtd., hereby agree as follows:

RECITALS

1. On or about July 9, 2019, Plaintiff filed a Complaint against Defendants in the above-captioned matter, alleging causes of actions against Defendants for defamation per se, conspiracy, and preliminary and permanent injunction.

2. Defendants recently filed an appearance in the above-captioned matter on or about July 16, 2019. Soon hereafter, Defendants plan to file an answer and/or counterclaim to Plaintiff's Complaint, which will include similar claims.

3. The Parties have conferred in this matter, and in lieu of Plaintiff or Defendants filing a Motion for Preliminary Injunction, the parties have agreed to enter into a preliminary injunction in order to preserve the status quo and avoid potential further damages related to this matter.

STIPULATION

IT IS HEREBY STIPULATED that in order to preserve the status quo in the above-captioned matter, the Parties will enter into a preliminary injunction, whereby the Parties agree that:

Defendants – Defendants and/or their agents are enjoined from making any verbal comments or statements, and from directing or requesting others to make any verbal comments or statements, about Plaintiff and/or his businesses to any third parties at any time, including at any conventions attended by the Defendants. If any persons specifically ask Defendants about the above-captioned litigation and/or Plaintiff's involvement therein, Defendants agree to not provide any comment to such persons regarding Plaintiff or the above-captioned litigation.

Additionally, given that Plaintiff's reputation is a unique and valuable asset, Defendants and/or their agents are further enjoined from making any posts regarding the Plaintiff and/or his businesses on any social media platforms or any online websites and from directing or requesting others to make any such posts, and will remove any current posts no later five (5) days from entry of this Order.

Plaintiff - Plaintiff and/or his agents are enjoined from making any verbal comments or statements, and from directing or requesting others to make any verbal comments or statements, about Defendants and/or their businesses to any third parties at any time, including at any conventions attended by the Plaintiff. If any persons specifically ask Plaintiff about the above-captioned litigation and/or Defendants' involvement therein, Plaintiff agrees to not provide any comment to such persons regarding Defendants or the above-captioned litigation.

Additionally, Plaintiff and/or his agents, are further enjoined from making any posts regarding the Defendants or their businesses on any of social media platforms or any online

websites and from directing or requesting others to make any such posts, and will remove any current posts, if any, no later five (5) days from entry of this Order.

IT IS FURTHER STIPULATED that the provisions of this agreement will not be construed to limit, impede, prevent, or affect any parties' trial preparation, investigation, course of fact-finding, attorney work product, or other necessary investigative actions in connection with preparation for and to fully litigate this action including to establish any claims, counterclaims, or defenses. The parties agree to use their best efforts to abide by the terms of this stipulation as to not disparage the other party or its business in the course of their investigative activities.

IT IS FURTHER STIPULATED that by entering into this preliminary injunction is not an admission of any wrongdoing by either Plaintiff or Defendants, nor is it a waiver of the Parties' rights to any claims and/or defenses in the above-captioned matter.

IT IS FURTHER STIPULATED that the Parties will each post a nominal bond in the amount of one-hundred dollars (\$100.00), and this preliminary injunction shall not be in effect until the bond is posted. The failure of either party to post said bond, will not have an effect on the other party who does post.

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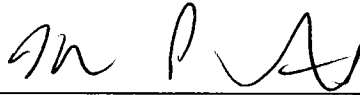
1 IT IS FURTHER STIPULATED that this preliminary injunction shall expire at the
2 conclusion of the trial on the merits.

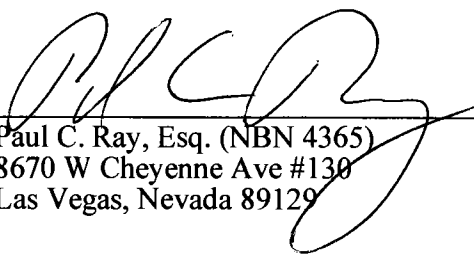
3
4 Dated: 7-17-19

Dated: 7-16-2019

5
6 **HOLLEY DRIGGS WALCH**
FINE PUZEY STEIN & THOMPSON

PAUL C. RAY, CHTD.

7
8 By 
9 Kimberly P. Stein, Esq. (NBN 8675)
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Attorneys for Plaintiff

Attorneys for Defendants

CASE NAME: *Jason T. Smith v. Katy Zilverberg, et. al.*

CASE NUMBER: A-19-798171-C

ORDER

Based upon the foregoing Stipulation of the Parties,

IT IS HEREBY ORDERED that:

Defendants – Defendants and/or their agents are enjoined from making any verbal comments or statements, and from directing or requesting others to make any verbal comments or statements, about Plaintiff and/or his businesses to any third parties at any time, including at any conventions attended by the Defendants. If any persons specifically ask Defendants about the above-captioned litigation and/or Plaintiff's involvement therein, Defendants agree to not provide any comment to such persons regarding Plaintiff or the above-captioned litigation.

Additionally, given that Plaintiff's reputation is a unique and valuable asset, Defendants and/or their agents are further enjoined from making any posts regarding the Plaintiff and/or his businesses on any social media platforms or any online websites and from directing or requesting others to make any such posts, and will remove any current posts no later five (5) days from entry of this Order.

Plaintiff - Plaintiff and/or his agents are enjoined from making any verbal comments or statements, and from directing or requesting others to make any verbal comments or statements, about Defendants and/or their businesses to any third parties at any time, including at any conventions attended by the Plaintiff. If any persons specifically ask Plaintiff about the above-captioned litigation and/or Defendants' involvement therein, Plaintiff agrees to not provide any comment to such persons regarding Defendants or the above-captioned litigation.

Additionally, Plaintiff and/or his agents are further enjoined from making any posts regarding the Defendants or their businesses on any of social media platforms or any online websites and from directing or requesting others to make any such posts, and will remove any current posts if any, no later five (5) days from entry of this Order.

1 **IT IS FURTHER ORDERED** that the provisions of this agreement will not be construed
2 to limit, impede, prevent, or affect any parties' trial preparation, investigation, course of fact-
3 finding, attorney work product, or other necessary investigative actions in connection with
4 preparation for and to fully litigate this action including to establish any claims, counterclaims, or
5 defenses. The parties agree to use their best efforts to abide by the terms of this stipulation as to
6 not disparage the other party or its business in the course of their investigative activities.

7 **IT IS FURTHER ORDERED** that this preliminary injunction is not an admission of any
8 wrongdoing by either Plaintiff or Defendants, nor is it a waiver of the Parties' rights to any claims
9 and/or defenses in the above-captioned matter.

10 **IT IS FURTHER ORDERED** that the Parties will each post a nominal bond in the amount
11 of one-hundred dollars (\$100.00), and this preliminary injunction shall not be in effect until the
12 bond is posted. The failure of either party to post said bond, will not have an effect on the other
13 party who does post.

14 **IT IS FURTHER ORDERED** that this preliminary injunction shall expire at the
15 conclusion of the trial on the merits.

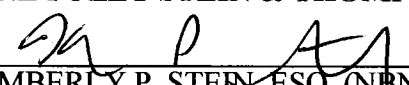
16 DATED this 17 day of July, 2019.

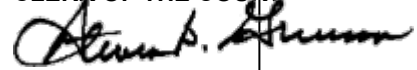
17
18 
19 _____
20 **DISTRICT COURT JUDGE**

ERIC JOHNSON KM

21 Submitted by:

22 **HOLLEY DRIGGS WALCH**
23 **FINE PUZEY STEIN & THOMPSON**

24 
25 **KIMBERLY P. STEIN, ESQ. (NBN 8675)**
26 **MIKKAELA N. VELLIS, ESQ. (NBN 14294)**
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Counsel for Defendants Katy Zilverberg

and Victoria Eagan

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

JASON T. SMITH, an individual,

Plaintiff,

vs.

KATY ZILVERBERG, an individual;
VICTORIA EAGAN, an individual; and
DOES I through X, inclusive, and ROA
CORPORATIONS I through X, inclusive,

Defendants.

Case No.: A-19-798171-C

Dept. No.: XIV

HEARING REQUESTED

SPECIAL MOTION TO DISMISS
PURSUANT TO NEV. REV. STAT.
§ 41.660 (ANTI-SLAPP)

**[MUST BE RULED ON WITHIN 20
DAYS PURSUANT TO NEV. REV.
STAT. § 41.660(3)(f)]**

Defendants Katy Zilverberg and Victoria Eagan hereby move to dismiss Plaintiff's complaint pursuant to Nev. Rev. Stat. § 41.660. This motion is based on the following Memorandum of Points and Authorities and exhibits attached thereto, the papers and pleadings already on file herein, and any oral argument the Court may permit at the hearing of this Motion.

Dated this the 6th day of September, 2019.

/s/ Margaret A. McLetchie

MARGARET A. MCLEATCHIE, Nevada Bar No. 10931

MCLEATCHIE LAW

Counsel for Defendants Katy Zilverberg

and Victoria Eagan

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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

In the modern economy, thrifting and selling items online is a booming business—for fashion items alone, it is a \$24 billion market that is growing 21 times faster than its analogous retail market.¹ Few individuals have gained more notoriety from the rapid growth of online thrifting than Plaintiff Jason Todd Smith. In his Complaint, he brags that “has been coined ‘America’s #1 thrifter’ and currently tours the country teaching others how to thrift and buy and sell online.” (Complaint, ¶ 7.) In addition to making “guest appearances on the hit television series, *Pawn Stars*,” (*Id.*, ¶ 10) he “was the star of Spike TV’s *Thrift Hunters* and now hosts two (2) YouTube shows.” (*Id.*, ¶ 8.) Furthermore, Mr. Smith brags about his clout in the thrifting community, touting his “well-known and trusted connections with Ebay and WorthPoint,” two of the “leading online resource[s]” for thrifting and antiquing. (*Id.*, ¶ 9.) In short, thrifting and the thrifting community have made Mr. Smith famous and powerful—in his own words, he is “a well-known public figure in the thrifting community and with the general public.” (*Id.*, ¶ 11.)

As Mr. Smith correctly alleges, his thrifting business “relies on his reputation in the thrifting community and with the public.” (*Id.*, ¶ 12.) However, there is much more to Mr. Smith’s reputation than can be gleaned from his carefully cultivated public persona. For years, Mr. Smith succeeded in keeping his anti-social behavior—such as retaliating against, harassing and intimidating other thrifters over petty grievances and perceived slights—a mere “open secret” within the thrifting community that nobody had the courage to speak about publicly. That is, until the Defendants in this matter, Katy Zilverberg and Victoria Eagan, decided enough was enough. In a YouTube video and a Facebook post, Defendants leveled harsh criticism at Mr. Smith’s hypocritical behavior, warning the thrifting community and the general public that, despite his public-facing façade, Mr. Smith has a history of betraying and bullying other members of the thrifting community.

¹ See Renae Reints, “The Resale Market Is Taking Over Fast Fashion, Report Says,” <https://fortune.com/2019/03/19/resale-clothing-economy-growth/> (last accessed September 5, 2019).

1 It is well-established that public figures are not immune from criticism. Indeed, the
2 law reflects that to establish a claim for defamation, a public figure must carry the heavy
3 burden of establishing actual malice on the part of the speaker—*i.e.* not merely that the
4 speaker harbors ill-will or animus toward her subject, but that the speaker actually doubted
5 the veracity of her claims and decided to publish them anyway. Likewise, Nevada’s strong
6 anti-SLAPP statute is designed in significant part to protect against powerful figures using
7 their clout to squelch criticism—criticism that public figures should expect as an incident to
8 being famous. Both defamation law and anti-SLAPP law is aimed at bolstering the principle
9 underlying the First Amendment that the powerful should not be able to use the courts as
10 tools of censorship against those who dare speak truth to them.

11 Mr. Smith ignores this legal landscape. His Complaint against Ms. Zilverberg and
12 Ms. Eagan is a transparent effort to hijack the court system to silence and punish them for
13 exposing his checkered past of abhorrent conduct in the thrifting community. Indeed, Mr.
14 Smith’s baseless lawsuit itself puts truth to Defendants’ contentions that Mr. Smith goes to
15 great lengths to “take down” those who cross him. As detailed below, Defendants’
16 complained-of statements are all unactionable because they are matters of opinion, true,
17 substantially true, or were made without knowledge of their falsehood. Ms. Zilverberg and
18 Ms. Eagan criticized Mr. Smith in good faith as a warning to the massive online thrifting
19 community, any member of which could be Mr. Smith’s next target.

20 In this anti-SLAPP Motion to Dismiss, Ms. Zilverberg and Ms. Eagan establish, by
21 a preponderance of the evidence, that Mr. Smith’s lawsuit against them arises from them
22 exercising their right to free speech in direct connection with an issue of public concern. This
23 satisfies the first prong of Nevada’s anti-SLAPP analysis and shifts the burden to Mr. Smith
24 to demonstrate with *prima facie* evidence a probability of prevailing on his claims. This he
25 will not and cannot do. His defamation claim (and his other claims predicated on that tort)
26 must fail for much the same reasons Defendants’ statements are entitled to anti-SLAPP
27 protection. First, they are all truthful or statements of opinion, and therefore cannot form the
28 basis of a defamation claim. Second, even if, *arguendo*, the statements were not truthful,

1 Defendants had independent bases for the complained-of communications and sincerely
2 believed in their veracity when they made them (and still do today). (*See* Exh. 1 (Declaration
3 of Katy Zilverberg), ¶¶ 16-17; Exh. 2 (Declaration of Victoria Eagan), ¶¶ 15-16.) Therefore,
4 Mr. Smith cannot establish “actual malice” and his defamation claim must fail as a matter of
5 law.

6 Because Defendants satisfy both prongs of Nevada’s anti-SLAPP analysis, this
7 Court must dismiss Mr. Smith’s lawsuit with prejudice and put an expedient end to this
8 frivolous lawsuit. Additionally, this Court must award Defendants attorney’s fees and costs,
9 and should exercise its discretion to award \$10,000 each to Ms. Zilverberg and Ms. Eagan to
10 deter Mr. Smith and others from misusing the courts to silence critics.

11 **II. FACTUAL PROCEDURAL HISTORY**

12 **A. Summary of Relevant Facts**

13 All parties to this litigation are heavily involved in “thrifting,” *i.e.* the business and
14 pastime of buying items from thrift and antique stores, then reselling those items, particularly
15 on online marketplaces such as eBay. (Compl., ¶¶ 7-13.) Mr. Smith thus correctly alleges
16 that he “has a prior relationship with Defendants as members of the thrifting community and
17 was formerly friends with Defendants.” (Compl., ¶ 16.) However, Mr. Smith’s allegation that
18 “[a]fter the fallout [sic] of their friendship with [him], Defendants have engaged in a
19 vengeance [sic] to slander and defame [him]” (Compl., ¶ 18) is patently false. As argued
20 more fully below, Ms. Zilverberg and Ms. Eagan have neither slandered nor defamed Mr.
21 Smith—rather, they have done a great public service to the thrifting community by sharing
22 substantially true stories of Mr. Smith’s vindictive, bullying behavior in the business world
23 they all operate in. Indeed, as evidenced by this very lawsuit, Mr. Smith has repeatedly gone
24 to great lengths in attempting to silence his critics in his business community.

25 Each of the statements at issue in Mr. Smith’s Complaint is detailed below, along
26 with factual support for Defendants’ assertion that the claims at issue are “based upon a good
27 faith communication ... in direct connection with an issue of public concern” and that Mr.
28

Smith does not have a probability of prevailing. Nev. Rev. Stat. § 41.660(3)(a)-(b).² The Court may consider this evidence pursuant to Nev. Rev. Stat. § 41.660(3)(d).

B. Procedural History

On July 9, 2019, Mr. Smith filed his Complaint against Ms. Zilverberg and Ms. Eagan alleging causes of action for defamation, conspiracy, and injunctive relief. It was served on both Defendants on July 10, 2019.

On August 19, 2019, Defendants filed notice with this Court that the undersigned would be substituting as counsel in the instant matter. Now, Defendants move to dismiss Mr. Smith's suit pursuant to Nev. Rev. Stat. § 41.660. *See* Nev. Rev. Stat. § 41.660(2) (providing that a special anti-SLAPP motion to be dismiss may be filed within 60 days of service of a complaint).

III. LEGAL STANDARD

Nevada's anti-SLAPP statute, Nev. Rev. Stat. § 41.635 *et seq.*, provides: if "an action is brought against a person based upon a good faith communication in furtherance of ... the right to free speech in direct connection with an issue of public concern, [t]he person against whom the action is brought may file a special motion to dismiss." Nev. Rev. Stat. § 41.660(1)-(1)(a). Courts evaluate a special anti-SLAPP motion to dismiss using a two-step process. First, the defendant bears the initial burdens of persuasion and production: they must show, by a preponderance of the evidence, that the plaintiff's claim "is based upon a good faith communication in furtherance of the right to petition or the right to free speech in direct connection with an issue of public concern." Nev. Rev. Stat. § 41.660(3)(a), *see also John v. Douglas County Sch. Dist.*, 125 Nev. 746, 754, 219 P.3d 1276, 1282 (2009). Second, assuming the defendant satisfies the initial threshold showing, the court must then "determine whether the plaintiff has demonstrated with *prima facie* evidence of a probability of prevailing on the claim." Nev. Rev. Stat. § 41.660(3)(b).

If a court grants a special anti-SLAPP motion to dismiss, each defendant is entitled to an award of reasonable costs and attorneys' fees, as well as an award of up to \$10,000.00.

² In the interests of brevity, these facts are not additionally detailed here.

1 Nev. Rev. Stat. § 41.670(1)(a)-(b). Additionally, upon the granting of a special anti-SLAPP
2 motion to dismiss, a defendant can bring a separate cause of action against SLAPP plaintiffs
3 for compensatory damages, punitive damages, and attorney’s fees and costs of bringing the
4 separate action. Nev. Rev. Stat. § 41.670(c).

5 Both the Nevada Legislature and the Nevada Supreme Court have recognized that
6 it is instructive to look to case law regarding California’s anti-SLAPP statute. *See John*, 125
7 Nev. 746 at 756 (“we consider California caselaw because California’s anti-SLAPP statute
8 is similar in purpose and language to Nevada’s anti-SLAPP statute”); *see also* Nev. Rev.
9 Stat. § 41.665(2) (“the Legislature intends that in determining whether the plaintiff ‘has
10 demonstrated with prima facie evidence a probability of prevailing on the claim’ the plaintiff
11 must meet the same burden of proof that a plaintiff has been required to meet pursuant to
12 California’s anti-Strategic Lawsuits Against Public Participation law as of June 8, 2015”).

13 **IV. ARGUMENT**

14 Mr. Smith’s suit—a bald-faced attempt to silence Defendants’ criticism and make
15 an example of them so no other member of the community (of which he considers himself
16 king) ever dares to speak out against him—is a quintessential SLAPP, a desperate attempt to
17 keep his long history of abhorrent behavior hidden from the thrifting community and the
18 general public. Defendants’ warnings that the self-proclaimed number-one thrifter in
19 America behaves far differently from how he portrays himself in public-facing media, meet
20 the first prong of Nevada’s anti-SLAPP statute by a preponderance of the evidence. The
21 communications—which are factual, made without knowledge of falsehood, or are opinions
22 incapable of being true or false—are important not only to members of the thrifting
23 community (*i.e.* Mr. Smith’s past, present and future targets) but to the general public who
24 interacts with Mr. Smith and purchases Mr. Smith’s products based on a trustworthy,
25 progressive façade that, in Defendants’ (and many others’) opinions, is phony.

26 Furthermore, Mr. Smith cannot meet his burden of demonstrating any probability
27 of prevailing on any of his claims. Mr. Smith has not adequately pleaded the first element of
28 defamation, *i.e.* that the communications at issue were false statements of fact. Even if he

1 had pleaded that element adequately, he has not and cannot plead—much less demonstrate
2 by clear and convincing evidence—that such statements were made with actual malice.
3 Therefore, Mr. Smith’s claim for defamation per se must fail, as must his derivative claims
4 for conspiracy and injunctive relief. Because Defendants satisfy both prongs of Nevada’s
5 anti-SLAPP dismissal calculus, this Court must dismiss Mr. Smith’s suit with prejudice and
6 award attorney’s fees and costs to Defendants.

7 **A. Mr. Smith’s Suit Arises from Defendants’ Good Faith Communication in**
8 **Furtherance of the Right to Free Speech in Direct Connection with an Issue**
9 **of Public Concern.**

10 As noted above, to prevail on a special motion to dismiss, a defendant must first
11 “establish[], by a preponderance of the evidence, that the claim is based upon a good faith
12 communication in furtherance of the right to petition or the right to free speech in direct
13 connection with an issue of public concern.” Nev. Rev. Stat. § 41.660(3)(a). Nevada anti-
14 SLAPP law defines a “good faith communication in furtherance of the right to free speech in
15 direct connection with an issue of public concern” as, *inter alia*, a communication: (1) “made
16 in direct connection with an issue of public interest”; (2) “made in a place open to the public
17 or in a public forum;” and (3) “which is truthful or is made without knowledge of its
18 falsehood.” Nev. Rev. Stat. § 41.637. In the instant case, Defendants meet these three
19 requirements by a preponderance of the evidence. First, Defendants’ communications were
20 directly connected to an issue of public concern. Specifically, they were criticism of (and
21 warnings about) the anti-social behavior that Mr. Smith—a public figure—has long inflicted
22 upon members of the ever-growing thrifting community. Second, Defendants’ complained-
23 of communications were made on the Internet, a public forum. Third, Defendants’
24 communications are all either truthful or opinion incapable of being true or false, and were
25 thus made without knowledge of falsehood.

26 ///

27 ///

28 ///

1 **1. Defendants’ Communications Are Directly Connected to**
2 **Matters of Public Interest.**

3 Nevada has adopted California’s five-factor *Weinberg* test³ for determining what
4 constitutes “an issue of public interest” in the anti-SLAPP context. *Shapiro v. Welt*, 133 Nev.
5 35, 389 P.3d 262, 268 (2017). Specifically:

- 6 (1) “public interest” does not equate with mere curiosity;
7 (2) a matter of public interest should be something of concern to a
8 substantial number of people; a matter of concern to a speaker and a
9 relatively small specific audience is not a matter of public interest;
10 (3) there should be some degree of closeness between the challenged
11 statements and the asserted public interest—the assertion of a broad and
12 amorphous public interest is not sufficient;
13 (4) the focus of the speaker’s conduct should be the public interest rather
14 than a mere effort to gather ammunition for another round of private
15 controversy; and
16 (5) a person cannot turn otherwise private information into a matter of
17 public interest simply by communicating it to a large number of people.⁴

18 *Id.* (citing *Piping Rock Partners, Inc. v. David Lerner Assocs., Inc.*, 946 F. Supp. 2d 957, 968
19 (N.D. Cal. 2013)). Furthermore, Nevada courts “define an issue of public interest broadly.”
20 *Coker v. Sassone*, 135 Nev. Adv. Op. 2, 10, 432 P.3d 746, 751 (2019). As argued below,
21 under this five-factor test, the statements at issue in this case necessarily pertain to a matter
22 of “public concern.”⁵

23

24 ³ See *Weinberg v. Feisel*, 2 Cal. Rptr. 3d 385, 392-93 (Cal. Ct. App. 2003).

25 ⁴ The California court deciding *Weinberg* originally phrased this prong as “those charged
26 with defamation cannot, by their own conduct, create their own defense by making the
27 claimant a public figure. A person cannot turn otherwise private information into a matter of
28 public interest simply by communicating it to a large number of people.” *Weinberg*, 2 Cal.
Rptr. 3d at 392-93 (citations omitted). Of course, this Court need not look to Defendants’
conduct to determine whether their communications or conduct have “made” Mr. Smith a
public figure—Mr. Smith himself insists that he is a “well-known public figure.” (Compl., ¶
11.)

⁵ While California’s anti-SLAPP statute uses the language “public interest” and Nevada’s
anti-SLAPP statute uses the language “public concern” (*compare* Cal. Code § 425.16 and
Nev. Rev. Stat. 41.637), as reflected by the Nevada Supreme Court’s reliance on the
Weinberg test, the terms are interchangeable. *See also* Nev. Rev. Stat. § 41.637(4) (explicitly
noting that a “good faith communication in furtherance of the right to petition or the right to
free speech in direct connection with an issue of public concern may mean ... communication
made in direct connection with an issue of public interest...”).

a) Defendants' Communications Pertain to Mr. Smith's Professional Conduct as an Educator and Administrator of Online Thrifting Groups.

Courts have held that criticism of a professional's on-the-job performance is a matter of public interest. *See Piping Rock*, 946 F. Supp. 2d at 969 (holding that a warning to consumers not to do business with investment firm due to allegedly faulty business practices meets public interest standard); *see also Chaker v. Mateo*, 209 Cal. App. 4th 1138, 1146, 147 Cal. Rptr. 3d 496, 502 (Cal. App. 2012) (criticism of plaintiff's character and business practices plainly fall within in the rubric of consumer information and are thus public interests); *see also Wilbanks v. Wolk*, 121 Cal. App. 4th 883, 899, 17 Cal. Rptr. 3d. 497, 506 (Cal. App. 2004) ("Consumer information, however, at least when it affects a large number of persons, also generally is viewed as information concerning a matter of public interest."); *see also Healthsmart Pacific, Inc. v. Kabateck*, 7 Cal. App. 5th 416, 430, 212 Cal.Rptr.3d 589, 599 (Cal. App. 2016) ("members of the public, as consumers of medical services, have an interest in being informed of issues concerning particular doctors and healthcare facilities").

Just as the California court in *Healthsmart Pacific* held that consumers' concerns about particular doctors and healthcare facilities were matters of public interest, this Court should find that consumers' concerns about particular thrifters' on-the-job performance are matters of public interest. Even though the complained-of statements do not pertain to whether Mr. Smith is effective at the business of thrifting itself, they do pertain to other products he sells—educational materials, how-to guides, and access to a closed community⁶ of individuals who can take in Mr. Smith's "advice and expertise ... relating to thrifting and buying and selling online." (Compl., ¶ 12.) Defendants' complained-of statements naturally call into question Mr. Smith's credibility and trustworthiness, which are two essential factors when a consumer of educational materials decides whom to learn from. Indeed, knowing

⁶ Although Mr. Smith's Facebook group, The Thrifting Board, is ostensibly free to join, Mr. Smith and his group's administrators (also known as "lifeguards") can, and have, excluded and banned many individuals from said group. (Exh. 1, ¶ 6; Exh. 2, ¶ 6.)

whether one might be subjected to abuse and bullying by a group’s leader—especially when that leader projects himself as a friendly, progressive person—*should* influence a consumer’s decision to join said group. Thus, there is a degree of closeness between the challenged statements and the interest in warning the public about Mr. Smith’s behavior asserted by Defendants.

b) Defendants’ Communications are of Concern to a Substantial Number of People, Focus on the Asserted Public Interest, and Do Not Merely Turn “Private Information” About Mr. Smith Into a Matter of Public Interest.

In analyzing these factors, it is instructive to contrast the instant matter with one in which the Nevada Supreme Court recently upheld the district court’s denial of an anti-SLAPP motion to dismiss. In *Pope v. Fellhauer*, the parties were neighbors who did not get along. *Pope v. Fellhauer*, 2019 WL 1313365, *1 (Nev. 2019). The defendant took to social media sites, such as Twitter and AlertID (a neighborhood crime-reporting website) to voice his complaints about the plaintiffs, accusing them of verbal abuse and threats, taking pictures of his chef’s 1-year old child swimming naked in his pool, and calling plaintiffs “‘weird,’ ‘wack-jobs,’ ‘EXTREMELY MENTALLY UNSTABLE,’ ‘crazy,’ and ‘sick.’” *Id.* The plaintiffs (who, unlike Mr. Smith, were private citizens rather than public figures) “had their attorney mail [defendant] a letter asking him to retract the statements, which they alleged had harmed their reputation, to avoid a lawsuit,” but defendant did not respond and plaintiffs filed suit for, *inter alia*, defamation. *Id.* Defendant then moved to dismiss under Nevada’s anti-SLAPP statute, arguing “that his comments were protected speech under the First Amendment because the posts were about an issue of public concern because he was alerting the community about the unsafe neighborhood.” *Id.* The district court denied the motion, holding that defendant’s social media posts did not concern an issue of public interest. *Id.* Although the decision was initially reversed and remanded in light of the new guidelines for determining whether a communication concerns issues of public interest adopted in *Shapiro v. Welt*, the district court reached the same conclusion under the *Weinberg* factors: the

1 communications did not concern an issue of public interest. *Id.*

2 In upholding the district court’s decision, the Supreme Court applied the *Weinberg*
3 factors and determined there was “not a sufficient connection between [defendant’s]
4 statements and his asserted public interest of warning potential neighbors and others about
5 the [plaintiffs’] ‘abusive and potentially illegal behavior.’” *Id.* at *2. The Supreme Court
6 noted that there was “no evidence that anyone—other than his two friends—were concerned
7 with [defendant’s] commentary or that [defendant] was adding to a preexisting discussion.”
8 *Id.* The Court further went on to characterize defendant’s statements as “a single [person
9 being] upset with the status quo” and that defendant “was using the online forums as
10 “ammunition for another round of [the] private controversy” with [plaintiffs].” *Id.* at *3.

11 In the instant case, by contrast, Defendants’ truthful allegations regarding Mr.
12 Smith (a public figure) touch on a matter of concern to a substantial number of people, as the
13 already-massive online thrifting community continues to grow. Indeed, as of this date, Mr.
14 Smith’s closed Facebook group, The Thrifting Board, has over 55,000 members⁷, any one of
15 whom could be subjected to Mr. Smith’s wrath. And that already-large number represents a
16 mere sliver of the potential audience for Mr. Smith’s thrifting-related products. Furthermore,
17 as a public figure, Mr. Smith’s conduct in the community is *automatically* of concern to a
18 large number of people. *See Serova v. Sony Music Entm’t*, 26 Cal. App. 5th 759, 772, 237
19 Cal. Rptr. 3d 487, 496 (Ct. App. 2018), *as modified on denial of reh’g* (Sept. 13, 2018)
20 (internal citations and quotation marks omitted) (“Public interest in the life and work of
21 entertainers and other celebrities can create an ‘issue of public interest’ for purposes of
22 [California’s anti-SLAPP statute]. There is a public interest which attaches to people who,
23 by their accomplishments, mode of living, professional standing or calling, create a
24 legitimate and widespread attention to their activities.”).

25 Furthermore, in the instant case, there is a wealth of evidence that the complained-
26 of statements added to a preexisting (albeit hushed) discussion of Mr. Smith’s behavior and
27

28 ⁷ See <https://www.facebook.com/groups/TheThriftingBoard/> (last accessed September 5, 2019).

1 elicited significant concern and further commentary. Indeed, even though Ms. Zilverberg's
2 widely viewed YouTube Video was only public for five days (Exh. 1, ¶¶ 7, 14-15) it was
3 commented on hundreds of times. (*See generally* Exh. 3 (full collection of comments posted
4 to the YouTube Video); Exh. 1, ¶ 15.) Although some commenters took Mr. Smith's side
5 and leveled criticism (and vitriol) at Ms. Zilverberg, many of these comments expressed
6 support for Defendants and gratitude for their courage in exposing Mr. Smith's behavior.
7 (*See generally id.*) Several members of the thrifting community shared their own stories of
8 being subjected to Mr. Smith's anti-social behavior.⁸ The voluminous online discussion

9
10 ⁸ (*See, e.g., id.*, p.1 (comment from Kat Swaggerty stating that the video made her "feel
11 vindicated as he has done this to me over something so simple it was ludicrous"); *id.*, p.1
12 (comment from "TheFazzyBustle" stating that Mr. Smith "bullied my brother & then we
13 realized he was doing this to many people"); *id.*, p. 6 (comment from "313" stating that Mr.
14 Smith "attacked me everytime I posted something"); *id.*, p. 9 (comment from "TK-421"
15 stating that Mr. Smith "screwed Bryan Goodman, after they made it 'big' on Thrift Hunters
16 ... basically stole the entire concept for himself"); *id.*, p. 10 (comment from Danni Ackerman
17 stating that "As someone who was also a victim of his abuse it is a good thing to see someone
18 else speak out"); *id.*, p. 10 (comment from "fizzfizzbang" stating that after blocking the user
19 from his Facebook group, Mr. Smith "proceeded to say the nastiest, meanest shit for about
20 twenty minutes straight"); *id.*, p. 15 (comment from Ladan Miller stating, "I was bullied and
21 stalked by him last year on Facebook"); *id.*, p. 21 (comment from Cindy Sorley stating, "I
22 am a victim of this total narcissists behavior"); *id.*, p. 23 (comment from Janet Lesley stating
23 that her husband "was on the brink of suicide after putting up with [Mr. Smith's] libel, slander
24 and bullying"); *id.*, p. 25 (comment from "ChickPicker" stating that "As a new reseller I also
25 experienced Jason T. Smith's awful wrath."); *id.*, p. 26 (comment from Lynn Dumont stating
26 that "I was always afraid to comment [on Mr. Smith's Facebook group] anyway, worried to
27 get reamed out"); *id.*, p. 33 (comment from Julie Green stating that Mr. Smith "cursed" her
28 and that "absolutely he called [her] a b... and a c..."); *id.*, p. 40 (comment from Caroline
Drake stating that she "was sent to 'walk the plank' along with several others when he had a
'spy' report back with screenshots from a PRIVATE and very small group ... where were
discussing a post where he was being a complete ass"); *id.*, p. 50 (comment from Jabus Spires
stating, "I had a bad experience with him a few years ago"); *id.*, p. 51 (comment from Aimee
Rogers stating that she has "screen shots of a conversation with him in 2013 where he
contacted me on Facebook and told me I was not allowed in his Facebook group because I
was in a group of someone he didnt like"); *id.*, p. 53 (comment from Sarah Bennett stating
that she "was in his old group. He bullied me and kicked me out"); *id.*, p. 67 (comment from
Candace Pitt stating that Mr. Smith "told people in his group when he threw me out that I
faked my illness for attention"); *id.*, p. 68 (comment from Cindy Sorley stating that Mr. Smith
"trashed me after I called him on his BS behavior of putting a person's mugshot as his avatar
to troll her"); *id.*, p. 69 (comment from Janet Lesley stating that Mr. Smith "trashed my
husband"); *id.*, p. 78 (comment from Hunter Jessica stating, "I too have been bullied by

1 spurred by Ms. Zilverberg’s YouTube Video demonstrates that—unlike the complained-of
2 statements in *Pope*—the statements at issue in this matter were of concern to a substantial
3 number of people and thus, directly connected to an issue of public concern. *See Nygard,*
4 *Inc. v. Uusi-Kerttula*, 159 Cal. App. 4th 1027, 1042, 72 Cal. Rptr. 3d 210, 220 (2008) (“‘an
5 issue of public interest’ within the meaning of [California’s anti-SLAPP statute] is *any issue*
6 *in which the public is interested*. In other words, the issue need not be “significant” to be
7 protected by the anti-SLAPP statute—it is enough that it is one in which the public takes an
8 interest.” (emphasis in original)).

9 Finally, anti-SLAPP law has long stood for the principle that those who profit from
10 their public persona should not be able to sue critics into silence when it turns out that persona
11 is based on a lie. In *Sipple v. Foundation for Nat. Progress*, 71 Cal.App.4th 226, 83
12 Cal.Rptr.2d 677 (1999), the plaintiff—a political consultant who devised media strategy
13 based on gender-based advertising against domestic violence—sued the publishers of Mother
14 Jones magazine for defamation after they published an article describing his ex-wives’
15 testimony that he had physically and verbally abused them. In upholding the trial court’s
16 grant of defendant’s motion to strike, it explained that plaintiff “was able to capitalize on
17 domestic violence issues in order to further his career” and therefore “the details of
18 [plaintiff’s ...] ability to capitalize on domestic violence issues in his advertising campaigns
19 for politicians known around the world, while allegedly committing violence against his
20 former wives, are public issues, and the article is subject to the protection of [California anti-
21 SLAPP law].” *Id.* at 239–240, 677. In the instant case, just as in *Sipple*, Mr. Smith has

22
23 him”); *id.*, p. 79 (comment from Danni Ackerman stating, “I just wanted him to go away but
24 he didn’t until he had worked hard to destroy my reputation in the eBay higher ups eyes”);
25 *id.*, p. 81 (comment from Monet Court stating “I had to block him on FB because of his
26 stalking and I have never blocked anybody” and that Mr. Smith “verbally assaulted a good
27 friend of mine”); *id.*, p. 84 (comment from “Babe on a Budget” stating that Mr. Smith “sic’d
28 10,000 people on me ... went completely nuts and made it his mission to ruin my business”);
id., p. 88 (comment from Kim Reed stating that Mr. Smith’s “outright rudeness to new eBay
sellers and bullying tactics made me leave [Mr. Smith’s Facebook group] of my own
volition”).)

1 profited from projecting a progressive, trustworthy image he fails to uphold off-camera.
2 Therefore, Defendants' allegations that Mr. Smith does not live up to what he projects are
3 directly connected with a matter of public concern.

4 **2. Defendants' Communications Were Made in a Public Forum.**

5 Nevada's anti-SLAPP statute requires that the communications giving rise to the
6 suit must be made "in a place open to the public or in a public forum." Nev. Rev. Stat. §
7 41.637. The communications which give rise to Mr. Smith's suit were made on the public
8 forum of the Internet. See *Wilbanks*, 121 Cal. App. 4th at 897 ("[the Web] is public because
9 it posts statements that can be read by anyone who is interested, and because others who
10 choose to do so, can post a message through the same medium..."). Here, the complained-of
11 statements were published in a publicly-accessible video on youtube.com (Compl., ¶¶ 19,
12 23) and a on publicly-accessible post on facebook.com (*Id.*, ¶ 25.). Until Ms. Zilverberg took
13 down the YouTube Video approximately five days after posting it, the public was able to
14 comment directly on the video's contents. (*See generally* Exh. 3.) Finally, Mr. Smith himself
15 admits that the statements were "available to countless millions of people with access to
16 Defendants' websites." (Compl., ¶¶ 28, 43.) Thus, it is beyond question that Defendants'
17 communications were made on a public forum.

18 **3. Defendants' Communications Are All Either Truthful, Made** 19 **Without Knowledge of Falsehood, or Opinions Incapable of Being** 20 **Either True or False.**

21 Nevada's anti-SLAPP statute requires that a good faith communication is "truthful
22 or made without knowledge of its falsehood." Nev. Rev. Stat. § 41.637. Statements of
23 opinion cannot be defamatory because there is no such thing as a false idea. *Pegasus v. Reno*
24 *Newspapers, Inc.*, 118 Nev. 706, 714, 57 P.3d 82, 87 (2002) (internal quotation omitted).
25 However pernicious opinions may seem, courts depend on the competition of other ideas,
26 rather than judges and juries, to correct them. *Id.* The Court must therefore ask "whether a
27 reasonable person would be likely to understand the remark as an expression of the source's
28 opinion or as a statement of existing fact." *Id.* at 715. As demonstrated below, Defendants'

communications meet the threshold of good faith communication protected by Nev. Rev. Stat. § 41.637.

a) The Complained-Of YouTube Video Statements are Good Faith Communications.

Mr. Smith alleges that on or about June 14, 2018, Ms. Zilverberg “posted a video on YouTube entitled ‘Jason T Smith is an abusive bully’”⁹ which was an “approximately 33-minute rant about Plaintiff.”¹⁰ (Compl., ¶ 19.) Despite claiming that this video contained “countless misstatements and false allegations regarding Plaintiff and his character,” (*id.*) Mr. Smith only enumerates four allegedly defamatory remarks made by Ms. Zilverberg in the video:

- That Mr. Smith has and will try to “take people down.” (Compl., ¶ 20.)
- That Mr. Smith has and will “find out where people live in order to ‘take them down.’” (*Id.*)
- That Mr. Smith has, and will, intentionally get persons thrown out of various business events, again to “take people down.” (*Id.*, ¶ 21.)
- That Mr. Smith has caused individuals to want to commit suicide. (*Id.*)

Mr. Smith’s Numerous Attempts to “Take People Down”

As a threshold matter, whether or not Mr. Smith is a vindictive person who repeatedly attempts to “take people down” is a matter of opinion. What one observer may perceive as acceptable (albeit aggressive) marketing, expressions of unflattering opinions of competitors, another may perceive as an attempt at “taking people down.”

However, even if allegations that Mr. Smith attempts to “take people down” were statements of fact, they cannot be defamatory because Mr. Smith has, in fact, made numerous attempts to harm others’ reputations and damage their businesses in the thrifting community. This is evidenced both by Mr. Smith’s release of personal information to harm and embarrass

⁹ As a threshold matter, whether or not someone is an “abusive bully” is a matter of opinion, and thus not actionable as defamatory.

¹⁰ Contrary to this assertion, Ms. Zilverberg posted the YouTube Video on June 6, 2018 and made it private on June 11, 2018. (Exh. 1, ¶¶ 7, 14.)

1 his enemies in the eyes of the propensity for having people excluded from prestigious
2 business events. *See infra*. Thus, these statements are protected by Nevada’s anti-SLAPP
3 law.

4 ***Mr. Smith Has Stalked Targets and Released Their Personal Information in Order to***
5 ***“Take Them Down”***

6 In the YouTube Video, Ms. Zilverberg stated that Mr. Smith “has people who will
7 look up people's home addresses, where they work, how to contact them so that he can go
8 after them.” This statement is substantially true—a wealth of evidence, much of it in Mr.
9 Smith’s own words, reflects that he has engaged in stalker-like tactics to silence his enemies
10 within the thrifting community for years.

11 One such incident took place on or about May 2-3, 2017. Mr. Smith got into an
12 online altercation with an intentionally pseudonymous Facebook user, “Madelon
13 Schmadelon,” resulting in Mr. Smith calling this user a “dumb bitch” in his Facebook group,
14 The Thrifting Board. (*See* Exh. 4 (Screenshot of Facebook post made by Jason T. Smith to
15 The Thrifting Board).) In response to that user “blocking” him, Mr. Smith first encouraged
16 his cohorts to attack that user on his behalf. (*See* Exh. 5 (Screenshot of May 2, 2017 Facebook
17 Group Chat).) To make those attacks more potent, he revealed that user’s real name, phone
18 number, address, and court records to administrators (or “lifeguards”) of his Facebook group,
19 The Thrifting Board.¹¹ (*See* Exh. 6 (Screenshots of “The Lifeguard Pool” group chat.) Indeed,
20 Mr. Smith privately bragged that “we have a former [private investigator] and here is
21 Madleon [sic] Schmadelon’s address, phone number AND her arrest for writing bad checks.”
22 (*Id.*) Publicly, Mr. Smith proceeded to reveal her real name in the context of calling her a
23 “sad, pathetic human being.” (*See* Exh. 8 (Screenshot of Mr. Smith’s “edit history” of May
24 2-3 Facebook post).) Then, Mr. Smith posted a Facebook video gleefully revealing “Madelon
25

26 ¹¹ One person even congratulated Mr. Smith on his “Nice detective work” and asked if
27 “Detective Joy” found the information for him. (*See* Exh. 7 (Screenshot of Facebook group
28 chat).) This further proves the veracity of Ms. Zilverberg’s statement that Mr. Smith has
gotten others to do the dirty work of digging up and releasing his targets’ personal
information.

Schmadelon’s” name and hometown, mocking her, and calling out several people he was going to make “walk the plank”—*i.e.* ban from The Thrifting Board.¹²

In another instance, a member of the thrifting community known as “Isabel Marina RN” alleged that Mr. Smith found her arrest record and proceeded to contact her husband, telling him to “put your wife on a leash.” (Exh. 9, p. 3 (Screenshot of Facebook post and comments).) As these incidents illustrate, Ms. Zilverberg’s statements regarding Mr. Smith’s propensity for gathering and revealing information to embarrass and harass his enemies are substantially true, and thus entitled to anti-SLAPP protection.

Mr. Smith Has Attempted and Succeeded in Having People Pulled from Business Events to “Take Them Down”

In the YouTube Video, Ms. Zilverberg stated that when Mr. Smith “doesn’t like someone who is going to make an appearance somewhere, he will go out of his way to get them pulled from the event.” This statement is substantially true; indeed, the evidence reflects that Mr. Smith has a history of engaging in this exact behavior.

Ms. Zilverberg was informed by Theresa Cox that in 2017, Mr. Smith “dug up dirt” on a rival thrifter, Nicole State, and sent it to eBay to “prove she was a bad seller,” resulting in eBay rescinding its invitation to have Ms. State speak at eBay Open, a large annual convention of eBay sellers. (Exh. 10 (communication from Theresa Cox to Ms. Zilverberg); Exh. 1, ¶ 20.) This Court need not merely take Defendants’ word for it—on June 30, 2017, Mr. Smith himself told fellow administrators of The Thrifting Board that he did exactly that, sharing that he “tried to gently persuade that [Nicole State] shouldn’t be” involved “with Ebay Open” but was subsequently told that she was “still going to be part of Open.” (*See* Exh. 11 (screenshots of The Thrifting Board administrator group chat from June 30, 2017).) But then, Mr. Smith’s fortunes were reversed at the expense of Ms. State—he bragged that that very night, a “source told [him] that she was uninvited.” (*Id.*) Thus, the evidence reflects that Mr. Smith revels in having his enemies and rivals “pulled” from thrifting events, and

¹² This video, while no longer available on Mr. Smith’s Facebook pages, is available at <https://www.youtube.com/watch?v=oybDF7L7gQo>. (last accessed September 6, 2019).

1 that Ms. Zilverberg's statements to that effect are true.

2 Additionally, Mr. Smith himself has, at the very least, communicated his plans to
3 have individuals barred from business events to Ms. Zilverberg. For instance, Mr. Smith
4 contemplated talking "with those in charge of Ecom Chicago," a then-upcoming ecommerce
5 conference, to have his enemy Lynn Hudziak barred. (Exh. 12 (Screenshots of August 8,
6 2017 Facebook chat between Ms. Zilverberg and Mr. Smith).) Thus, a preponderance of the
7 evidence demonstrates that Ms. Zilverberg's contention that Mr. Smith has worked to have
8 speakers "pulled" from thrifting events is based in fact, and therefore entitled to anti-SLAPP
9 protection.

10 ***Mr. Smith's Harassment Has Caused Individuals to Contemplate Suicide***

11 In the YouTube Video, Ms. Zilverberg stated that there had "been a couple people
12 who were pushed to the point where they felt like maybe it was the best thing they could do
13 was just kill themselves," implying that Mr. Smith's bullying had caused them to contemplate
14 suicide. While speculation regarding future, unknown, victims of abuse cannot be capable of
15 defamatory interpretation, the statement that Mr. Smith induced suicidal ideation in his
16 victims is either true or, at the very least, was made without knowledge of its falsehood.

17 Specifically, in early 2018, Mr. Smith alleged that a member of the thrifting
18 community, Robyn Yednock-Haas, had previously been convicted of crimes and
19 incarcerated; subsequently, in a March 16, 2018 group text to which Mr. Smith was a party,
20 Ms. Yednock-Haas's husband, Jim, expressed hope to Mr. Smith that the thrifting
21 community would not "know about Robyn's jail thing." (Exh. 13 (Screenshots of March 16,
22 2018 text message conversation between Jim Haas and Jason T. Smith).) In response, Mr.
23 Smith practically bragged that Ms. Yednock-Haas "may be doing something Drastic" and
24 that "She left these goodbye messages to Kim and Debbie," implying that Mr. Smith himself
25 believed she was contemplating suicide as a result of his exposing her potentially-
26 embarrassing past to the thrifting community. (*Id.*)

27 Furthermore, on June 10, 2018, a member of the thrifting community named
28 Christopher E. Lesley shared the story of how his and Mr. Smith's friendship fell apart due

1 to Mr. Smith’s bullying. (*See generally* Exh. 14 (June 10, 2018 Facebook chat between Ms.
2 Zilverberg and Christopher E. Lesley).) Specifically, Mr. Lesley claimed that Mr. Smith told
3 him he had to “make a choice” between being on “Team Jason” or “Team Danni
4 [Ackerman].” (*Id.*, p. 9.) According to Mr. Lesley, after he refused to choose between his
5 friends in the thrifting community, Mr. Smith threatened that unless Mr. Lesley—whose
6 wife, Janet, is black—chose him, he would out him as a “n*gger lover” to hate groups, who
7 would presumably target him for even more harassment. (*Id.*, p. 8.) When Mr. Lesley refused
8 to give in to these racist threats, Mr. Smith told Mr. Lesley’s LinkedIn associates that he was
9 a pedophile. (*Id.*, p. 7.) Mr. Lesley was forced to create new social media profiles, new email
10 addresses, and change his phone number as a result of Mr. Smith’s harassment. (*Id.*)

11 Mr. Lesley revealed to Ms. Zilverberg that the “hate and threats” he “had to endure
12 were pushing [him] over the edge” and that the whole incident with Mr. Smith made him
13 “very depressed.” (*Id.*, p. 8.) In the context of a “very depressed” person, it is not
14 unreasonable to infer that said person being “pushed over the edge” means he is having
15 thoughts of suicide. This inference is confirmed by Janet Lesley’s comment on Ms.
16 Zilverberg’s YouTube Video, in which she stated that her husband “was on the brink of
17 suicide after putting up with [Mr. Smith’s] libel, slander and bullying.” (Exh. 3, p. 23.)

18 Ms. Zilverberg’s statement that Mr. Smith’s behavior drives people to suicidal
19 thoughts were further vindicated when Cindy Sorley commented on the YouTube Video,
20 stating that she knew “one person that was ready to commit suicide over his behavior.” (Exh.
21 3, p. 21.) Thus, the preponderance of the evidence indicates that Ms. Zilverberg’s
22 implication—that Mr. Smith’s bullying has driven individuals to suicidal ideation—is either
23 substantially true or was made without knowledge of falsehood, and is therefore a good faith
24 communication entitled to anti-SLAPP protection.

25 **b) The Allegedly Defamatory Statement in Ms. Eagan’s**
26 **April 25, 2019 Facebook Post Was a Good Faith**
27 **Communication.**

28 Mr. Smith alleges that “on or about April 25, 2019, Defendant Eagan posted

1 statements on her Facebook that Plaintiff has multiple restraining orders against him” and
2 that this post was “endorsed by Defendant Zilverberg.” (Compl., ¶ 25.) While Ms. Eagan did
3 post on Facebook that multiple restraining orders were sent by others who had similar
4 experiences with Mr. Smith (and Ms. Zilverberg “liked” said post), this statement is either
5 true or was made without knowledge of its falsehood.

6 Indeed, an individual named Cindy Sorley¹³ informed Ms. Zilverberg that Mr.
7 Smith had been the subject of restraining orders filed in 2013 by one of his harassment
8 victims, Danni Ackerman, and Ms. Ackerman’s mother. (Exh. 15 (August 20, 2019 email
9 from Cindy Sorley to Katy Zilverberg).) Another member of the community, Bryan
10 Goodman, informed Ms. Eagan that he too believed that Danni Ackerman (and her mother)
11 had filed restraining orders against Mr. Smith out of concern for their safety.¹⁴ (See Exh. 2,
12 ¶¶ 14-15.) Based on these identical allegations from two different sources, Defendants had
13 ample reason to believe that multiple people—Ms. Ackerman and her mother—had
14 petitioned a court for protective orders against Mr. Smith, even if those petitions were not
15 ultimately granted by the court. Thus, this allegedly defamatory statement is true or was made
16 without knowledge of its falsehood, it is entitled to anti-SLAPP protection.

17 **c) The Allegedly Defamatory Statements that Mr. Smith**
18 **Has a Criminal Record, If They Were Ever Made at All, Were**
19 **Good Faith Communications.**

20 Mr. Smith claims that “Defendants have falsely alleged to the public that Plaintiff
21 has a criminal record, which Plaintiff does not.” (Compl., ¶ 26.) This allegation—unlike
22 others in his Complaint—does not indicate when any such statement was made, which
23 Defendant made such a statement, where that statement was published, or how it was
24

25 ¹³ Indeed, Ms. Sorley herself contemplated filing a restraining order against Mr. Smith while
26 she was in Las Vegas for eBay events, but did not follow through on it due to the difficulty
27 of obtaining one and the fact that she would only be in Las Vegas for two to three days at a
28 time. (See Exh. 15.)

¹⁴ This veracity of this contention is further bolstered by Ms. Ackerman’s comment on Ms.
Zilverberg’s YouTube Video stating that she and her mother had “had police involved” in
her encounters with Mr. Smith. (Exh. 3, p. 48.)

1 communicated. Nevertheless, assuming, *arguendo*, that Defendants stated Mr. Smith has a
2 criminal record, any such alleged statements are substantially true. Indeed, a background
3 check reveals that Mr. Smith—or someone with his identical name—was arrested for
4 multiple crimes in Ohio, where Mr. Smith lived before moving to Nevada. (*See* Exh. 16
5 (Screenshots of January 22, 2019 background report performed on Jason Todd Smith).)
6 Furthermore, Mr. Smith himself admitted to committing “a few felonies before 18,” and that
7 his mother had to pick him up “twice from being arrested before 18.” (*See* Exh. 17
8 (Screenshot of September 19, 2017 Facebook chat).) Because the evidence reflects that Mr.
9 Smith has had numerous run-ins with police, resulting in a record of arrests and charges, the
10 statement that Mr. Smith has a “criminal record” (if such a statement was published at all) is
11 substantially true, and therefore entitled to anti-SLAPP protection.

12 In summary, because Defendants’ communications were in direct connection with
13 an issue of public concern, were made in a public forum, and were truthful, made without
14 knowledge of their falsehood, or unactionable opinions, Defendants have satisfied their
15 burden of establishing by a preponderance of the evidence that Mr. Smith’s claim is based
16 upon communications entitled to anti-SLAPP protection under Nev. Rev. Stat. §
17 41.660(3)(a).

18 **B. Mr. Smith Cannot Demonstrate a Probability of Success on Any Causes of**
19 **Action.**

20 The second step in evaluating an anti-SLAPP Motion to Dismiss requires that the
21 Court “determine whether the plaintiff has demonstrated with prima facie evidence a
22 probability of prevailing on the claim.” Nev. Rev. Stat. § 41.660(3)(b). As set forth below,
23 Mr. Smith fails to meet this burden for each and every cause of action alleged, as he cannot
24 demonstrate any probability of succeeding on his claims. Therefore, this Court must grant
25 the instant Motion.

26 **1. Defamation *Per Se***

27 In Nevada, the elements of a defamation *per se* claim are: (1) a false and defamatory
28 statement by a defendant concerning the plaintiff; (2) an unprivileged publication of this

1 statement to a third person; (3) fault of the Defendant; and (4) presumed damages. *Pegasus*,
2 118 Nev. 706 at 718. As discussed at length in § IV(A)(3), *supra*, Defendants’ alleged
3 statements consist of true (or substantially true) facts and opinions, none of which satisfy the
4 first element of a defamation claim.

5 Mr. Smith cannot demonstrate Defendants’ fault, and therefore cannot satisfy the
6 third element of defamation. Mr. Smith is by his own admission “a well-known public figure
7 in the thrifting community and with the general public” (Compl., ¶ 11) and thus bears the
8 burden of demonstrating that Defendants made defamatory statements with actual malice,
9 *i.e.* “knowledge that [the statement] was false or [published] with reckless disregard of
10 whether [the statement] was false or not.” *N.Y. Times Co. v. Sullivan*, 376 U.S. 254, 279
11 (1964). This, in turn, “is not measured by whether a reasonably prudent man would have
12 published, or would have investigated before publishing. There must be sufficient evidence
13 to permit the conclusion that the defendant in fact entertained serious doubts as to the truth
14 of his publication.” *Time, Inc. v. Pape*, 401 U.S. 279, 291–92 (1971).

15 Although Mr. Smith nakedly pleads that “Defendants’ false
16 publications/statements were published with malice as Defendants knew that these
17 publications/statements were false when made and/or had reason to doubt the truthfulness of
18 these publications/statements when made,” (Compl., ¶ 49) this legal conclusion is wholly
19 devoid of any factual allegations—let alone evidence—demonstrating that Defendants did
20 not believe what they said. In fact, Ms. Zilverberg and Ms. Eagan have never entertained any
21 doubts—let alone serious ones—as to the truth of what they said about Mr. Smith; they
22 believed in the veracity of their allegations when they made them, and still believe in the
23 veracity of their allegations today. (Exh. 1, ¶¶ 16-17; Exh. 2, ¶¶ 8, 15-16.)

24 Furthermore, Mr. Smith attempts to mislead this Court by conflating the legal term
25 “actual malice” with its colloquial meaning—*i.e.* that “personal history and animosity toward
26 Plaintiff was the reason for Defendants’ [allegedly defamatory statements] ... again
27 demonstrating Defendants’ malice.” (Compl., ¶ 49) As noted above, that is not the “actual
28

malice”¹⁵ standard, which focuses on whether the defendant believes in the truth of her statements, not whether the defendant dislikes the subject of her speech. Thus, Mr. Smith cannot make a prima facie case of defamation.

2. Conspiracy

The elements of a claim for civil conspiracy are: (1) Defendants, by acting in concert, intended to accomplish an unlawful objective for the purpose of harming plaintiff; and (2) Plaintiff sustained damage resulting from defendants’ act or acts. *Consol. Generator-Nevada, Inc. v. Cummins Engine Co.*, 114 Nev. 1304, 1311, 971 P.2d 1251, 1255 (Nev. 1999). As set forth above, Mr. Smith cannot make a prima facie case of the only tort on which his conspiracy claim is predicated: defamation. There was nothing illegal or tortious about Defendants engaging in free speech critical of Mr. Smith’s outlandish and disturbing behavior. Mr. Smith cannot rely on the conclusory claim—shielded by the fig leaf of “information and belief”—that Ms. Zilverberg and Ms. Eagan “have both explicitly tactically conspired to harm Plaintiff and his reputation and have each made and/or endorsed one another’s defamatory statements with the intention of harming Plaintiff” (Compl., ¶ 52) to satisfy his pleading burden for conspiracy. Thus, Mr. Smith does not have any probability of prevailing on this claim.

3. Preliminary and Permanent Injunction

Mr. Smith incorrectly alleges that “Preliminary and Permanent Injunction” is a cause of action. (Compl., ¶¶ 57 – 62.) However, “an injunction is a remedy, not a separate claim or cause of action ... a separately pled claim or cause of action for injunctive relief is inappropriate.” *Jensen v. Quality Loan Serv. Corp.*, 702 F. Supp. 2d 1183, 1201 (E.D. Cal. 2010). Because injunctive relief is not a cause of action, Mr. Smith does not have any chance of succeeding on it—and because his other claims fail, he will not be entitled to an

¹⁵ Although Nevada statute defines “actual malice” as “that state of mind arising from hatred or ill will toward the plaintiff,” it specifically exempts “that state of mind occasioned by a good faith belief in the truth of the publication or broadcast.” Nev. Rev. Stat. §41.332. Thus, even under Nevada law, a speaker’s personal feelings of animus are not relevant to a determination of “actual malice” if the speaker sincerely believes

1 injunction.¹⁶

2 Moreover, an injunction is a prior restraint, and is generally impermissible to
3 silence speech. Both the U.S. Constitution and the Nevada Constitution protect the right to
4 speak freely, which includes the right to engage in speech critical of businesses and their
5 proprietors. The First Amendment, applied to the states through the Fourteenth Amendment,
6 of course protects “free speech.” Similarly, Article 1, section 9 of the Nevada Constitution
7 unequivocally provides that “every citizen may freely speak, write and publish his sentiments
8 on all subjects, being responsible for the abuse of that right.” The Nevada Supreme Court
9 has observed “the constitutional right to free speech . . . embraces every form and manner of
10 dissemination of ideas held by our people” and that “[f]ree speech . . . must be given the
11 greatest possible scope and have the least possible restrictions imposed upon it, for it is basic
12 to representative democracy.” *Culinary Workers Union v. Eighth Judicial Dist. Court*, 66
13 Nev. 166, 207 P.2d 990, 993, 994 (1949);¹⁷ see also *People for the Ethical Treatment of*
14 *Animals (PETA) v. Bobby Berosini, Ltd.*, 111 Nev. 615, 625 (Nev. 1995) (reversing
15 injunctive relief in a defamation case and holding that the “the constitutional privilege
16 provided by the Nevada Constitution protects the animal rights activists [speakers] from
17 defamation liability.”); see also *First National Bank of Boston v. Bellotti*, 435 U.S. 765, 783,
18 98 S.Ct. 1407, 1419, 55 L.Ed.2d 707 (1978) (“the First Amendment goes beyond protection
19 of the press and the self-expression of individuals to prohibit government from limiting the
20 stock of information from which members of the public may draw.”).

21 An order granting injunctive relief in a defamation case prevents speech before it
22 even occurs and, thus, constitutes a prior restraint. See Erwin Chemerinsky, *Injunctions*
23 *in Defamation Cases*, 57 Syracuse L. Rev. 157, 163 (2007); see also *Alexander v. United*
24 *States*, 509 U.S. 544, 550 (1993); *Balboa Island Village Inn, Inc. v. Lemen*, 57 Cal. Rptr. 3d

25 _____
26 ¹⁶ Defendants also intend to move this Court to have the preliminary injunction stipulated to
in this matter set aside.

27 ¹⁷ In *Culinary Workers*, on a writ of prohibition, the Nevada Supreme Court overturned a
28 district court injunction against peaceful picketing that had been based in part on the fact that
an “unfair” sign was untruthful. *Id.* at 995. The Supreme Court noted that statements of
opinion “are not subject to judicial restraint.” *Id.*

320, 355 (Cal. 2007) (“A prohibition targeting speech that has not yet occurred is a prior restraint.”); *Near v. Minnesota ex rel. Olson*, 283 U.S. 697, 706 (1931) (holding that an injunction prohibiting the publication of expressive material was a prior restraint, and reversing a court order that indefinitely enjoined a court order that enjoined any future “malicious, scandalous or defamatory” publication). An injunction restraining speech is thus presumptively unconstitutional. *See, e.g., Nebraska Press Ass’n v. Stuart*, 427 U.S. 539, 559 (1976) (prior restraints on speech and publication are the most serious and the least tolerable infringement on First Amendment rights and are thus presumptively unconstitutional).¹⁸

Indeed, any prior restraint carries a “heavy presumption” against its constitutional validity. *Carroll v. Princess Anne*, 393 U.S. 175, 181 (1968); *Bantam Books, Inc. v. Sullivan*, 372 U.S. 58, 70 (1963). Due to the inherent First Amendment problems, courts rarely, if ever, grant injunctions enjoining defamatory speech.¹⁹ Under early English and American common law, injunctions were never permissible in defamation cases. *See Chemerinsky, supra*, at 167. Not once has the United States Supreme Court ever departed from this precedent.²⁰

¹⁸ Even where a criminal defendant’s Sixth Amendment rights are alleged to be at issue, a court is strictly limited in its ability to limit publication, “one of the most extraordinary remedies known to our jurisprudence.” *Hunt v. National Broadcasting Co.*, 872 F.2d 289, 293 (9th Cir. 1989) (citing *Nebraska Press Ass’n*, 427 U.S. at 562).

¹⁹ “The thread running through all these cases is that prior restraints on speech and publication are the most serious and the least tolerable infringement on First Amendment rights. A criminal penalty or a judgment in a defamation case is subject to the whole panoply of protections afforded by deferring the impact of the judgment until all avenues of appellate review have been exhausted. Only after judgment has become final, correct or otherwise, does the law’s sanction become fully operative. A prior restraint, by contrast and by definition, has an immediate and irreversible sanction. If it can be said that a threat of criminal or civil sanctions after publication “chills” speech, prior restraint “freezes” it at least for the time. The damage can be particularly great when the prior restraint falls upon the communication of news and commentary on current events.” *Nebraska Press Ass’n v. Stuart*, 427 U.S. 539, 559, 96 S. Ct. 2791, 2803, 49 L. Ed. 2d 683 (1976).

²⁰ The United States Supreme Court was poised to consider the question of whether an injunction should ever be available to enjoin false and defamatory speech but decided not to after the plaintiff’s death. *See Tory v. Cochran*, 544 U.S. 734, 736 (2005) (while the Court did not find it moot, it held that the plaintiff’s “death makes it unnecessary, indeed unwarranted, for us to explore ... [whether] the First Amendment forbids the issuance of a permanent injunction in a defamation case.”). In a case that is almost 50 years old, the Nevada

Business interests such as those asserted by Mr. Smith also cannot serve as the basis for an injunction against free expression. In *Organization for a Better Austin v. Keefe*, 402 U.S. 415 (1971), the United States Supreme Court reversed an injunction against distributing pamphlets critical of a realtor's business practices. The Court noted:

No prior decisions support the claim that the interest of an individual in being free from public criticism of his business practices in pamphlets or leaflets warrants use of the injunctive power of a court. ...Among other important distinctions, respondent is not attempting to stop the flow of information into his own household, but to the public.

Id. at 419-420. Just like the plaintiff in *Better Austin*, Mr. Smith is trying to stop the flow of criticism about its practices to the public and an injunction would not withstand constitutional scrutiny. For all these reasons, even if there were defamatory speech at issue in this case (which there is not, as detailed above), it cannot be enjoined.

C. Defendants Are Entitled to an Award of Attorney's Fees and Costs, as well as an Additional Award of \$10,000.00.

Nevada law provides that, after granting a special motion to dismiss pursuant to Nev. Rev. Stat. § 41.660, the Court shall award "reasonable costs and attorney's fees to the person against whom the action was brought" and may additionally award "an amount of damages up to \$10,000.00 to the person against whom the action was brought." Nev. Rev. Stat. § 41.670(1)(a)-(b). As Defendants have satisfied both prongs of the anti-SLAPP analysis, Defendants are entitled to recover attorney's fees and costs, and further request that the Court award \$10,000.00 in damages to both Ms. Zilververg and Ms. Eagan.²¹

V. CONCLUSION

The First Amendment and Nevada's anti-SLAPP statute both reflect the sound principle that criticism of a public figure's behavior is a matter for the marketplace of ideas—not the courts. This Court should not countenance a thin-skinned bully's attempt to

Supreme Court did grant a preliminary injunction concerning allegedly defamatory conduct; however, that case did not address First Amendment issues. *See Guion v. Terra Marketing of Nevada, Inc.*, 90 Nev. 237 (1974).

²¹ A separate motion for fees and costs, and for \$20,000.00 in statutory awards, shall be submitted if this Court grants this Motion.

1 commandeer the legal system to silence those who speak out about his repugnant conduct in
2 the community which made him famous. Defendants have met their burden of demonstrating
3 that their communications are protected by Nevada's anti-SLAPP statute, and Mr. Smith
4 cannot meet his burden of demonstrating any probability of prevailing on his claims. Thus,
5 this Court should dismiss Mr. Smith's suit with prejudice, award attorney's fees and costs to
6 Defendants, and award an additional \$10,000 to both Ms. Zilverberg and Ms. Eagan to deter
7 Mr. Smith (and future plaintiffs) from abusing the legal system with baseless SLAPPs.

8 Respectfully submitted this 6th day of September, 2019.

9
10 /s/ Margaret A. McLetchie

11 MARGARET A. MCLETCHE, Nevada Bar No. 10931

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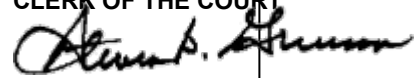
18 Email: maggie@nvlitigation.com

19 *Counsel for Defendants Katy Zilverberg*
20 *and Victoria Eagan*

CERTIFICATE OF SERVICE

Pursuant to Administrative Order 14-2 and N.E.F.C.R. 9, I hereby certify that on this 6th day of September, 2019, I did cause a true copy of the foregoing SPECIAL MOTION TO DISMISS PURSUANT TO NEV. REV. STAT. § 41.660 (ANTI-SLAPP) in *Smith v. Zilverberg et al.*, Clark County District Court Case No. A-19-798171-C, to be served using the Odyssey E-File & Serve electronic court filing system, to all parties with an email address on record.

/s/ Lacey Ambro
EMPLOYEE of MCLETCHIE LAW



EXHS

MARGARET A. MCLEATCHIE, Nevada Bar No. 10931

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Counsel for Defendants, Katy Zilverberg

and Victoria Eagan

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

JASON T. SMITH, an individual,

Case No.: A-19-798171-C

Plaintiff,

Dept. No.: XIV

vs.

KATY ZILVERBERG, an individual;
VICTORIA EAGAN, an individual; and
DOES I through X, inclusive, and ROA
CORPORATIONS I through X, inclusive,

**APPENDIX OF EXHIBITS IN
SUPPORT OF SPECIAL MOTION
TO DISMISS PURSUANT TO NEV.
REV. STAT. § 41.660 (ANTI-SLAPP)**

Defendants.

INDEX OF EXHIBITS

Exhibit	Description	Bates Nos.
1	Declaration of Katy Zilverberg	Z-E-001-Z-E-005
2	Declaration of Victoria Eagan	Z-E-006-Z-E-008
3	Printout of all comments made to YouTube Video	Z-E-009-Z-E-096
4	Screenshot of a Facebook post	Z-E-097
5	Screenshot of group chat	Z-E-098
6	Screenshot of group chat	Z-E-099-Z-E-100
7	Screenshot of group chat	Z-E-101

INDEX OF EXHIBITS

Exhibit	Description	Bates Nos.
8	Screenshot of Mr. Smith revealing “Madelon’s” real name to The Thrifting Board	Z-E-102
9	Screenshot of Facebook post and comments	Z-E-103-Z-E-105
10	Statement authored by Theresa Cox regarding Mr. Smith	Z-E-106-Z-E-112
11	Screenshots of Lifeguard Pool group chat from June 30, 2017	Z-E-113-Z-E-114
12	Screenshots of August 8, 2017 Facebook chat between Ms. Zilverberg and Mr. Smith	Z-E-115-Z-E-116
13	Screenshots of March 16, 2018 text message conversation between Jim Haas and Jason T. Smith	Z-E-117
14	June 10, 2018 Facebook chat between Ms. Zilverberg and Christopher E. Lesley	Z-E-118-Z-E-128
15	August 20, 2019 email from Cindy Sorley to Ms. Zilverberg	Z-E-129-Z-E-130
16	Screenshots of January 22, 2019 background report performed on Jason Todd Smith	Z-E-131-Z-E-139
17	Screenshot of September 19, 2017 Facebook chat	Z-E-140

DATED this the 6th day of September, 2019.

/s/ Margaret A. McLetchie

MARGARET A. MCLEATCHIE, Nevada Bar No. 10931
ALINA M. SHELL, Nevada Bar No. 11711
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Counsel for Defendants, Katy Zilverberg
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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of September, 2019, pursuant to Administrative Order 14-2 and N.E.F.C.R. 9, I did cause a true copy of the foregoing APPENDIX OF EXHIBITS IN SUPPORT OF SPECIAL MOTION TO DISMISS PURSUANT TO NEV. REV. STAT. § 41.660 (ANTI-SLAPP) in *Jason Smith v. Katy Zilverberg*, Clark County District Court Case No A-19-798171-C, to be served electronically using the Odyssey File & Serve system, to all parties with an email address on record.

/s/ Lacey Ambro
An Employee of McLetchie Law

EXHIBIT 1

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EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

JASON T. SMITH, an individual,

Plaintiff,

vs.

Case No.: A-19-798171-C

Dept. No.: XIV

DECLARATION

KATY ZILVERBERG, an individual;
VICTORIA EAGAN, an individual; and
DOES I through X, inclusive, and ROA
CORPORATIONS I through X, inclusive,

Defendants.

DECLARATION OF KATY ZILVERBERG IN SUPPORT OF SPECIAL ANTI-SLAPP MOTION TO DISMISS

I, KATY ZILVERBERG, hereby declare as follows:

1. I make this declaration in support of my special anti-SLAPP Motion to Dismiss in the above-captioned matter, and to authenticate the exhibits attached thereto. This declaration is based on my personal knowledge. I am competent to testify as to the truth of these statements if called upon to do so.

2. Along with Defendant Victoria Eagan, my full-time occupation is thrifting.

3. In pursuit of this occupation, I have in the past been a member and administrator (or "lifeguard") of Plaintiff Jason Todd Smith's Facebook closed thrifting group, The Thrifting Board.

4. As one of the largest Facebook groups regarding thrifting, access to The

1 Thrifting Board is economically beneficial to thrifters as a community where one can make
2 valuable business connections and receive educational materials to bolster one's ability to
3 successfully engage in the occupation and pastime of thrifting.

4 5. In my personal capacity and in my capacity as an administrator of The
5 Thrifting Board, I have been repeatedly witnessed and been subjected to behavior from Mr.
6 Smith that in my opinion constitutes bullying and harassment.

7 6. One such bullying behavior I repeatedly observed from Mr. Smith is that
8 he, or other administrators at his behest, would ban members from The Thrifting Board—
9 thereby cutting them off from the valuable connections and educational materials within—
10 over what I perceived to be petty slights and grievances.

11 7. On or about June 6, 2018, I posted a video to youtube.com entitled "Jason
12 T Smith is an abusive bully."

13 8. I believe the video served the vital purpose of warning the thrifting
14 community and the general public of Mr. Smith's anti-social behavior.

15 9. In this video, I criticized Mr. Smith for what I believe is bullying behavior
16 that is unacceptable in the thrifting community.

17 10. In this video, I alleged that Mr. Smith has tried to "take down" members of
18 the thrifting community who cross him—*i.e.* retaliate against them both personally and
19 professionally.

20 11. In this video, I alleged that Mr. Smith has obtained and released his targets'
21 personal information online—such as real names, addresses, and arrest records—in order to
22 bully or embarrass them personally.

23 12. In this video, I alleged that Mr. Smith has attempted to—and succeeded at—
24 convincing the organizers of various business events to bar his targets from attending or
25 cancel his targets' speaking engagements at said business events.

26 13. In this video, I implied that Mr. Smith's behavior was so severe that it
27 caused his targets to contemplate self-harm, such as suicide.

28 14. On or about June 11, 2018, I "took down" the video—*i.e.* made it

1 inaccessible to the public.

2 15. During the approximately five days the video was publicly accessible, it
3 generated substantial online discussion and debate, as it received hundreds of comments.

4 16. At the time I made the June 6, 2018 YouTube video, I had a good faith basis,
5 based on information and belief, to believe that any factual allegations made in said video
6 were truthful.

7 17. I currently believe, based on information and belief, that any factual
8 allegations made in the June 6, 2018 YouTube video are truthful.

9 18. Exhibit 3 to the Motion to Dismiss is a true and correct compilation of the
10 public comments to the YouTube video as they existed on or about June 11, 2018.

11 19. Exhibit 4 to the Motion to Dismiss is a true and correct screenshot of a
12 Facebook post made by Mr. Smith on or about May 2, 2017, in which he calls a
13 pseudonymous thrifter, "Madelon Schmadelon," a "dumb bitch."

14 20. Exhibit 5 to the Motion to Dismiss contains true and correct screenshots of
15 a Facebook group chat in which Mr. Smith encourages his associates to harass "Madelon
16 Schmadelon."

17 21. Exhibit 6 to the Motion to Dismiss contains true and correct screenshots of
18 a Facebook group chat in which Mr. Smith posted the personal information—purportedly
19 garnered from a former personal investigator—of "Madelon Schmadelon" to administrators
20 of The Thrifting Board.

21 22. Exhibit 7 to the Motion to Dismiss is a true and correct screenshot of a
22 Facebook group chat in which Mr. Smith published the personal information of "Madelon
23 Schmadelon," and a subsequent response from a cohort named Robin asking if someone
24 named "Detective Joy" found that information on Mr. Smith's behalf.

25 23. Exhibit 8 to the Motion to Dismiss is a true and correct screenshot of a
26 Facebook post edit history, circulated on the Internet, in which Mr. Smith publicly "outs"
27 "Madelon Schmadelon's" identity in the context of calling her a "sad, pathetic human being."

28 24. A May 3, 2017 video of Mr. Smith verbally exposing "Madelon

1 Schmadelon's" identity and hometown and mocking her can be viewed at
2 <https://www.youtube.com/watch?v=oybDF7L7gQo> (last accessed September 6, 2019).

3 25. Exhibit 9 to the Motion to Dismiss contains true and correct screenshots of
4 posts and comments made to a Facebook group in which a member of the thrifting
5 community alleges that Mr. Smith found her arrest record and contacted her husband.

6 26. Exhibit 10 to the Motion to Dismiss is a true and correct copy of a statement
7 authored by Theresa Cox regarding her interactions with Mr. Smith, conveyed to me
8 electronically on or about August 20, 2019.

9 27. Exhibit 11 to the Motion to Dismiss contains true and correct screenshots
10 of a Facebook group chat occurring on or about June 30, 2017, among administrators of The
11 Thrifting Board, in which Mr. Smith shares the story of how he persuaded the organizers of
12 eBay Open—a major business event in the thrifting community—to have Nicole State
13 removed as a speaker at eBay Open.

14 28. Exhibit 12 to the Motion to Dismiss contains true and correct screenshots
15 of an August 8, 2017 Facebook chat between myself and Mr. Smith in which Mr. Smith
16 expressed the need to “talk with those in charge of Ecom Chicago”—another major business
17 event in the thrifting community—regarding the potential attendance of Lynn Hudziak. I
18 believe that Mr. Smith implied that he was seeking to have Lynn Hudziak barred from
19 attendance.

20 29. Exhibit 13 to the Motion to Dismiss is a true and correct screenshot of a
21 March 16, 2018 text message conversation between Jim Haas and Jason T. Smith.

22 30. Exhibit 14 to the Motion to Dismiss is a true and correct copy of a June 10-
23 11, 2018 Facebook chat between myself and Christopher E. Lesley, in which Mr. Lesley told
24 me that Mr. Smith had harassed and threatened him.

25 31. Exhibit 15 to the Motion to Dismiss is a true and correct copy of a statement
26 authored by Cindy Sorley regarding her interactions with Mr. Smith, conveyed to me by
27 email on August 20, 2019.

28 32. Exhibit 16 to the Motion to Dismiss contains what I believe to be true and

1 correct screenshots of a January 22, 2019 background check report on Mr. Smith. I received
2 these screenshots from a Facebook post made by Branden Powers and have no reason to
3 doubt that they accurately reflect that Mr. Smith has been arrested in the past—*i.e.* that Mr.
4 Smith has a criminal record.

5 33. Exhibit 17 to the Motion to Dismiss is a true and correct copy of a
6 September 19, 2017 Facebook group chat in which Mr. Smith claimed that he was arrested
7 twice before the age of 18, and that he committed felonies before the age of 18 but was never
8 caught.

9
10 I declare under penalty of perjury under the laws of the State of Nevada that the
11 foregoing is true and correct to the best of my knowledge and belief.

12 Dated this 6th day of September, 2019 in Las Vegas, NV.

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16 Katy Zilverberg
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EXHIBIT 2

1 MARGARET A. MCLEATCHIE, Nevada Bar No. 10931
2 ALINA M. SHELL, Nevada Bar No. 11711
3 LEO S. WOLPERT, Nevada Bar No. 12658
4 **MCLEATCHIE LAW**
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8 Email: maggie@nvlitigation.com
9 *Counsel for Defendants Katy Zilverberg*
10 *and Victoria Eagan*

11 **EIGHTH JUDICIAL DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 JASON T. SMITH, an individual,
14 Plaintiff,
15 vs.

Case No.: A-19-798171-C

Dept. No.: XIV

DECLARATION

16 KATY ZILVERBERG, an individual;
17 VICTORIA EAGAN, an individual; and
18 DOES I through X, inclusive, and ROA
19 CORPORATIONS I through X, inclusive,
20 Defendants.

21 **DECLARATION OF VICTORIA EAGAN IN SUPPORT OF SPECIAL ANTI-**
22 **SLAPP MOTION TO DISMISS**

23 I, VICTORIA EAGAN, hereby declare as follows:

24 1. I make this declaration in support of my special anti-SLAPP Motion to
25 Dismiss in the above-captioned matter, and to authenticate the exhibits attached thereto. This
26 declaration is based on my personal knowledge, except as to matters stated to be based on
27 information and belief. I am competent to testify as to the truth of these statements if called
28 upon to do so.

2. Along with Defendant Katy Zilverberg, my full-time occupation is thrifting.

3. In pursuit of this occupation, I have in the past been a member of Plaintiff
Jason Todd Smith's Facebook closed thrifting group, The Thrifting Board.

4. As one of the largest Facebook groups regarding thrifting, access to The

1 Thrifting Board is economically beneficial to thrifters as a community where one can make
2 valuable business connections and receive educational materials to bolster one's ability to
3 successfully engage in the occupation and pastime of thrifting.

4 5. In my personal capacity and in my capacity as a member of The Thrifting
5 Board, I have been repeatedly witnessed and been subjected to behavior from Mr. Smith that
6 in my opinion constitutes bullying and harassment.

7 6. One such bullying behavior I repeatedly observed from Mr. Smith is that
8 he, or other administrators at his behest, would ban members from The Thrifting Board—
9 thereby cutting them off from the valuable connections and educational materials within—
10 over what I perceived to be petty slights and grievances.

11 7. On or about April 25, 2019, I posted criticism of Mr. Smith to my personal
12 Facebook page.

13 8. I made the post in good faith.

14 9. At the time I made the April 25, 2019 Facebook post, I had a good faith
15 basis, based on information and belief, to believe that any factual allegations made in said
16 post were truthful.

17 10. I believe the post served the vital purpose of warning my Facebook friends,
18 many of whom are members of the thrifting community, of Mr. Smith's anti-social behavior.

19 11. In this Facebook post, I criticized Mr. Smith for what in my opinion was
20 misogynistic, bullying behavior. I am entitled to my opinion concerning Mr. Smith and it is
21 based on my experience with him,

22 12. In the post, I also criticized Mr. Smith for harassing and mocking Ms.
23 Zilverberg regarding an automobile accident she suffered on Interstate 215 in Las Vegas.

24 13. In this Facebook post, I noted that others had sent restraining orders and
25 cease and desist letters in an attempt to stop Mr. Smith's harassing behavior. This statement
26 was made in good faith and based on information I had received.

27 14. In 2018, I was also contacted by another member of the thrifting
28 community, Cindy Sorley, who told me that another thrifter, Danni Ackerman, and her

1 mother had filed restraining orders against Mr. Smith out of concern for their safety.

2 15. I had no reason to doubt then, nor do I have reason to doubt now, the
3 veracity of what Ms. Sorley told me regarding Ms. Ackerman's (and her mother's) attempt
4 to obtain a restraining order against Mr. Smith.

5 16. I still believe, based on information and belief, that any factual allegations
6 made in the April 25, 2019 Facebook post are truthful.

7 17. Mr. Smith alleges that I have said he has a criminal past. I don't recall saying
8 that to anyone. However, he has told me on several occasions that he was arrested when he
9 was younger. I also saw a Facebook post that seemed to reflect that he had, in fact, been
10 arrested. The screenshots that were included in that post are contained in Exhibit 16.

11 I declare under penalty of perjury under the laws of the State of Nevada that the
12 foregoing is true and correct to the best of my knowledge and belief.

13 Dated this 6th day of September, 2019 in Las Vegas, NV.


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17 Victoria Eagan
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EXHIBIT 3

Kat Swaggerty7 hours ago

i really believe he is very mentally ill. not being funny. i think he self medicates by drinking.

2

REPLY



Kat Swaggerty7 hours ago

I absolutely hate that anyone has to go through this. HOWEVER, it does make me feel vindicated as he has done this to me over something so simple it was ludicrous. He went so far as to private message me for a couple of hours to curse and badger me. He even said "I dont have time for people who are liars like you." so of course I had to ask him why he felt the need to spend so much time and energy on raking me over the coals for the way i pack china. lol Anyway, thank you so much for this. It took me a while to shake it off when I was the target. I had to try hard to not feel stupid or like i was a shitty person (for no reason?!). I had never been spoken to that way, because, well , i dont usually allow people to nor do i hang out with people who are that low. I had an abusive alcoholic father and i think it triggered that when he ranted at me the way he did. I feel like he needs to be called out by ebay since thats the platform he uses for his bafoonary. I feel like there should be a "me too" movement about being bullied by jason. haha. in any case, while i had my words with him and very well held my own, i know not everyone can. it does feel good to know you are not alone , that it really isnt you, its him. what a dick.

Show less

2

REPLY



Wolfpac Wolfpac8 hours ago

Wow. This guy is nuts. Bullying is bad. I was a victim of workplace bullying and lost my job. I am a very small seller on eBay. Thanks for sharing your story. Great video!

2

REPLY



MaineLy Thrift12 hours ago

I just got through the rest of your video and YES it's mostly women I had this thought before that he is a woman HATER He must have mommy issues no joke. He deff is the worst of the worst karma will get him.

3

REPLY



MaineLy Thrift13 hours ago

I had an opinion on a post in his group and decided to leave the group bc of his craziness!! Well he came at me in my inbox degrading me for leaving for no reason blah blah I had to block him he wouldn't stop

4

REPLY



TheFazzyBustle13 hours ago

Thank you for speaking your truth & not being scared to name him! I PAID for a course from him & only got 1 video / 1 week out of what was supposed to be a years worth but decided money wasn't worth putting up with him. He bullied my brother & then we realized he was doing this to many people. (This was a year ago) I lost \$100, but I couldn't stand to be in ANY group he was involved in or receive any help from him.

5

REPLY

A

Ashley B14 hours ago

This is my first exposure to you or your videos and I must say it's not a great first impression. First of all it took 10 mins to get to a point and then it just seems a bit over the top. Seems like you're hurt that you aren't "in charge" and I can't imagine he's "systematically trying to destroy someone's life" because he's booting people from a Facebook group.

2

REPLY



Gerri T15 hours ago (edited)

Way to go Katy! So proud of you for speaking out even though it is a painful process. I was yelled at twice in that group and always thought there was something fishy going on, but I do love the support from the members... you just have to stay away from the leader, unfortunately. Karma gets everyone in the end. It's kind of hilarious but when I hit the subscribe button for your channel it showed me his channel as a recommendation!!! OOOPS

REPLY



Darrell Broomhall15 hours ago

Katy you are brave, steel your will in your belief that you are right. Bullies suck.

1

REPLY



Jill West16 hours ago

I just watched this & I'm wondering why you wouldn't have taken this to ebay rather than post a video? It seems vindictive & the only thing this video will accomplish is inviting people to bitch about him. Bitching isn't going to help you resolve anything. If an ebay seller is bullying another ebay seller that seems like a very good reason to take it to management.

REPLY



Katy Zilverberg16 hours ago

It was taken to eBay along with countless complaints from other sellers. They chose to do nothing which is why this video was made. It was my last resort to try and stop what was happening.

2

REPLY

Hide replies

S

SpillThWine's Finds17 hours ago

I'm not even halfway through your story and I realize what a "real" person you are and I can tell you are an honest person. I believe everything you say

3

REPLY



Kathy Glassford17 hours ago

He disposed of Nadene because he was more concerned about his "brand". I didn't know anything about this drama until after I watched his last show. I was wondering why he was acting so nice because he usually talks down to his mother. Back to Nadene...he didn't want to deal with her cancer anymore...bottom line. Jason if you kick me out of your group...I could care less. You never let anyone say anything negative about their ebay experiences because you're all about sucking up to them. You're all about being an "Influencer."

Show less

7

REPLY



Ginny B9 hours ago

I wondered what happened to Nadene and thought she was the one who brought people to his channel because of her Cancer issues.

1

REPLY

Hide replies



SpillThWine's Finds17 hours ago

Here is the thing I don't like about Jason T Smith. He treats his mom like she's an idiot! Mom just takes it but she shouldn't

8

REPLY



Ginny B9 hours ago

perhaps her allowing him to do this is what made him become who he is. Nothing wrong with a mother loving their child too much tho.

REPLY

Hide replies



Crosswalk Larry17 hours ago

I don't know anything about him but he sounds like the "Holier Than Thou" "Rockstars" on the Ebay Community Board. Would you like me to go have a "talk" with Jason? It would be my pleasure. 😊

1

REPLY



Katy Zilverberg16 hours ago

I definitely don't want anyone to do anything to anyone, I know you're most likely joking but I want to make that clear.

2

REPLY



Crosswalk Larry16 hours ago

Katy Zilverberg Sorry, I got a little worked up hearing the story. Like you said, Karma will bite him in the ass.

REPLY



[Katy Zilverberg](#)16 hours ago

Crosswalk Larry it's all good, let's just focus on being awesome to each other!

2

REPLY

Hide replies



[Reseller Rockefeller](#)17 hours ago

WOW this was amazing. I am so glad that i do not know this man or interact with him or his group. I am sorry that you and everyone else had to deal with this persons abuse. I am a outsider looking in and i feel the pain already. The reselling community can be tough and it can be even tougher if you have people like this running around. Glad to see you step up and speak out about this issue and give those of us that don't know his true intensions a chance to stay clear from him or his group.

Show less

6

REPLY



[inrpeace](#)4518 hours ago

Sounds like Jason caught "tRumpism" there is no vaccine for it yet...Sad

3

REPLY



[Jeremy Bourgeois](#)17 hours ago

Both are clowns lol

REPLY

Hide replies



[Danielle Ward](#)21 hours ago

I'm sorry you beautiful souls had to go through this!! I was a member of The Thrifting Board & The Secret Beach and I had the pleasure of seeing a nasty side of him mysel.

5

REPLY



[Carissa Winsor](#)21 hours ago

omg i'm in Rhode Island as well, and that fire was beyond horrible... I am so happy you have both found each other to hold through all of this. <3 What an egotistical maniac he is. Get restraining orders now is all i can say.

5

REPLY



[Sylvia Ledford](#)22 hours ago

Well said!!

4

REPLY



[Jennifer Lonsiak](#)23 hours ago

Oooh I'd love a shout out

REPLY



[Christine Gatehouse](#)23 hours ago

Show him how STRONG WOMEN ARE . Take his ass down !!!!

4

REPLY



[Jennifer Lonsiak](#)1 day ago

This video deserves absolutely NO dislikes....Haters can f....themselves

5

REPLY



[Liftingoverfifty](#)1 day ago

Hi Katy, this is actually the first video of yours I have seen and have to say you are so completely genuine and heartfelt with your thoughts. I too am sorry this happened to the both of you. I remember when that fire was in the news, such a tragedy. Victoria and you will be VICTORIOUS!! God bless you both!

3

REPLY



[anthony Rodriguez](#)1 day ago

Sound like all kid shit to me eBay is a good company for that drama stuff to be going on at this day and age makes me sick

2

REPLY



[Debbie Porter](#)1 day ago

He sounds a really nasty Creature

4

REPLY



[plongstocking](#)1 day ago (edited)

Only two minutes in and haven't even heard the details but just based on the title I can say FUCK YES. I'm one of those I hate people kinda people but your positivity and passion for giving back has been a breath of fresh air in the reseller community. There's a few youtubers who are very down to earth and have roll with the changes attitudes but you really stand out. The Boss Up group is fucking awesome and really fills a niche. Also, fuckabuncha Jason. 🙄🙄 I was always disappointed with the way he treated Nadene but this is heartbreaking and enraging. I'm gutted for Vic. She's a survivor in every sense and such a bad ass. You were so eloquent and classy and I hope you know there's thousands of us who truly understand what you put on the line by speaking out.

Show less

2

REPLY



Rebecca Myers1 day ago

Doesn't sound so glamorous to be a reseller. I'm out.

2

REPLY



3131 day ago

He attacked me everytime I posted something. So glad you are shedding light on this. He needs professional help.

5

REPLY



CARLEEN MEHLHOPT1 day ago

I'm sorry for sending so many texts I was angry about him take care

3

REPLY



hjfrey1 day ago

Holy batshit bananas — the lie(s) and, as you said, that they are easily verifiable. That's like next level craziness. Be safe. And, as an aside, I applaud your bravery for not only speaking your truth, but doing so in a healthy way (your many prefaces, and the actual video description imploring people not to use this video to attack anyone, but instead to share personal stories should they have them), and as you are no doubt learning and learning to navigate, when you put yourself out there, have a following, are involved with large groups, etc., there will ALWAYS be people who do not know the truth, and will ALWAYS spread falsehoods (can you imagine being "famous" and knowing more than half the population believes what they see and read on the cover of PEOPLE magazine?!?); you two and your loved ones know the truth and that is the most important part (but still important to speak your truth about these matters!)

Read more

3

REPLY



Darrel Lockhart1 day ago

14 minutes of nothing then finally we get to what Jason did. People please get to the point!

1

REPLY



CARLEEN MEHLHOPT1 day ago

Don't apologise thank-you u did a great video

2

REPLY



CARLEEN MEHLHOPT1 day ago

Sorry I meant he's an asshole

1

REPLY



CARLEEN MEHLHOPT1 day ago

Sorry I meant he's an asshole

1

REPLY



CARLEEN MEHLHOPT1 day ago

He is evil nasty vindictive I will do a prayer for you and Victoria and take care of yourself I'm glad I watched this video, and Victoria sounds amazing after the fire and what she has done to help those poor people Jason is an assailed and what comes around goes around, thank you so much for sharing all of this 🙏🙏🙏🙏🙏🙏🙏

3

REPLY



californiasunshine811 day ago

Good for you girl! If this fucker did this to me I'd be the same way. I'm not a eBay reseller but I do resell and go you! Don't let this guy control your mind. Abuse in any form is never ok. I'm so sorry this has happened to you and your fiancé.

3

REPLY



CARLEEN MEHLHOPT1 day ago

Thank you for this video, who u choose to be with is your choice and it's no ones business I can't believe this Jason guy it's terrible

3

REPLY



CARLEEN MEHLHOPT1 day ago

Oh I'm so sorry to hear that I didn't know that's shocking

3

REPLY



CARLEEN MEHLHOPT1 day ago

Hi is he dangerous? 🤔

3

REPLY



Honestly Ophelia Vintage1 day ago

Was there any kind of response to this video by Jason himself?

REPLY



Rachael Hilst1 day ago

Thank you for posting this. Thank you. I thought Jason was a bully from day one. I asked about HugFun bears in the group and was immediately kicked out. No explanation. Everyone kisses his butt because he had a lame TV show on a channel no one had ever heard of and the show was cancelled after like 7 episodes. He's a sociopath. Thank you for addressing this.

10

REPLY



Lisa Ancell 1 day ago

Sending positive mojo your way. The guy sounds like a real winner. I've had to deal with that kind in the past and it is wearing, for sure. That dude has some ugly inner demons and maybe by the grace of God he will figure out what's going on within himself and learn to be a better person. Hang tough.

2

REPLY



TheReal SaltyBlonde 1 day ago (edited)

And I also add this I don't know you guys I don't know him but just from watching the video and what was said I have a sneaky suspicion he had his eye on Vicky and when she left her husband and it wasn't for him that's where all of this is actually coming from. he may Shroud it in business but I think someone's a little upset he didn't catch the fish he was looking to reel in.....

3

REPLY



TheReal SaltyBlonde 1 day ago

You don't know me, but I'll tell you , you need to get these things he is saying to people, documented. The more of the "power" that he feels he has the more dangerous he is going to become. I know it's scary to do what you are doing . I've been in similar shoes, and you are brave and you need to protect yourself and you can do that legally. I've stuck my toes in that board but honestly I'm not on eBay and I was reading to learn from the posts and just doing that I didn't like the things I saw. The overall tone. I applaud you and Victoria is lucky to have you . Bravo to your efforts. I bet it feels so good to shed the light and know people are hearing you . It should , because you are.

Read more

2

REPLY



Ginny B9 hours ago

@realsaltyblonde I see you are a Nicole State fan and "reezy resells" is one of her ride or dies. did you see how your "friend" Nicoles "ride or die" came here and spread false lies and accusations about Lindy? I'm only saying this because you seem to have a good heart but maybe you should open your eyes about some of these people you support.

1

REPLY



TheReal SaltyBlonde 5 hours ago

Ginny B I have literally been on you tube for 5 seconds #1. #2 I go by what I see and experience . I'm not friends with any you tubers on you tube . I watch their videos and I comment . If you think you actually know any of the people on you tube , that's a problem. Don't drag me into any drama. I'm a lot older then you think, and I've been through things

that make all this drama you people cause completely irrelevant. I support who I want when I want out loud and happily. So please stay in your lane . Thank you.

Read more

REPLY



[TheReal SaltyBlonde](#) 5 hours ago

Ginny B and btw you said it's Nicole's ride or die , that doesn't mean Nicole agrees with their actions . Don't judge others because their friends are making mistakes. For all you know Nicole could be very opposed to what ever is going on. Here's a lesson to take from this : Judge others by their own actions and intentions only .

REPLY

Hide replies



[TK-4211](#) 1 day ago

I'm not sure why anyone is surprised by this, if you were around when "Thrifting with the Boys" blew up. He totally screwed Bryan Goodman, after they made it "big" on Thrift Hunters. Cut him out of the group, hijacked the members, and basically stole the entire concept for himself.

10

REPLY



[Jeremy Bourgeois](#) 1 day ago

Yup that's when I saw it firsthand. I quickly unfriended him and refuse to associate with him or his cronies. Total immature POS.

6

REPLY

Hide replies



[Mojo7021](#) 1 day ago

That FB board sounds like high school and this guy is pretty narcissistic. That's too bad. Thanks for the info, don't need this kind of drama, especially from a male.

11

REPLY



[LTZ Vintage Resale](#) 1 day ago

You go girl! Jason Smith is an asswipe. Total dick.

12

REPLY



[ana molnar](#) 1 day ago

i live in vegas too and bin on ebay doing well on my own, i love you all, but i think i'll just continue to keep to my self, i met jason trifting here in vegas, we are both originally from cleveland, he was very nice but its best to just leave it there, i was going to go to ebay open last minute, but i'm changing my mind, too bad all this has to go on, much love thanks for the heads up

2

REPLY



[Danni Ackerman](#) 17 hours ago

Ana don't let him keep you from making friends in the eBay world. I am the organizer for the Las Vegas Online Sellers Meetup group and would love to invite you to one of our meetings.

3

REPLY

Hide replies



[Ric Nyc](#) 1 day ago

So horrible, I cried!

4

REPLY



[Maiyanna](#) 1 day ago

Sometimes it's best to take the high ground and not fall into victimhood.

2

REPLY



[Jeremy Bourgeois](#) 1 day ago

Someone had to speak up or more and more sellers will become victims to his childish games. Look at the views, likes, and comments. Many people were aware of it but she was brave enough to speak up.

6

REPLY



[Maiyanna](#) 1 day ago

It seems a personal matter. I guess I don't get what the goal is? I'm sure there are people on both sides, who like those involved, so in this forum, there will be no winners.

3

REPLY



[Danni Ackerman](#) 17 hours ago

As someone who was also a victim of his abuse it is a good thing to see someone else speak out.

2

REPLY

Hide replies



[fizzfizzbang](#) 1 day ago (edited)

I just want to chime in here and say that when I jokingly referred to admins on his facebook group as jerks a few years ago (half jokingly, they were really dogpiling on and terrorizing a commenter, but what I said was lighthearted) I was immediately blocked and removed from the group with no explanation. When I messaged Jason later to ask what the deal was, he proceeded to say the nastiest, meanest shit for about twenty minutes straight. He was literally trying to act like playfully calling someone a jerk is the highest offense in the land and that I am complete gutter trash for doing it. Show less

11

REPLY



[Paranormal investigator1](#) 1 day ago

Bullies are leaders. You need to have thick skin in this world.

3

REPLY



[Tyler Espier1](#) 1 day ago

Real leaders have integrity and don't need to be bullies to get what they want. Leaders lead, they don't bully people into submission.

6

REPLY



[Jeremy Bourgeois1](#) 7 hours ago

Big difference between having thick skin and bullying. Are you clueless?

REPLY

Hide replies



[Joshua Frederick1](#) 1 day ago (edited)

I understand this video, but at the same time I don't understand it... He probably did go too far, but he has a right to boot anyone he wants from his group with, or without reason. What you're bringing forth is Facebook, and YouTube drama which is a completely different business endeavor outside of eBay or Amazon reselling. I'm not defending him in anyway, but I don't support this either. Nobody can ruin your eBay business but yourself and YouTube and Facebook. When you address something where you feel personally victimized, and you come back with very personal statements and top it off as if personal harm would be a great option for someone, you've gone too far... This is a very hypocritical message. I think this video will do you more harm than good. I don't think you're a very stable person, and I hope eBay doesn't invite you back to any other event because of this video. This is not a support video, this is nothing more than fighting fire with fire... Two children on a playground. I think you've really used Facebook and YouTube as lucrative platforms for your business, but you never considered any of the consequences that could come with it.

Show less

5

REPLY



[Jeremy Bourgeois1](#) 1 day ago

You're missing the point. She's one of many many victims to his antics. Enough is enough. She just happened to be brave enough to put it out in the open.

3

REPLY



[Joshua Frederick1](#) 1 day ago

Jeremy Bourgeois I don't see how it would take a whole lot of courage to call someone out for being a dick... I've done it to my boss multiple times, and that was to his face, not something recorded. These are some pretty wild accusations, which could be true to a point but probably over exaggerated. Being referred to as a bigot or a sexist in today's world is

a very big deal and could possibly be viewed as slander without evidence. Which in turn isn't only a crime, but also bullying. I can't imagine Jason having a group of henchmen that have no conscience... Something is just not adding up here. Her and her future wife could easily leave all of this behind and easily keep reselling without Jason even in the rear view mirror. Why the spectacle? How can one person have that much power over your life and your business? The beauty of reselling is that you are your own boss. You call the shots. If you're using media platforms you're putting yourself out there for the world to see.. Which is going to leave you open to a lot criticism, and there's a bunch of creeps out there. It's common sense.

Read more

1

REPLY



Ginny B1 day ago

I've never quite understood how some people seem to think that standing up against a bully means that they are also bullying. Which is also why people keep getting away with it.

7

REPLY



Joshua Frederick1 day ago

Ginny B well without evidence how would you feel about being called a sexist, or a bigot? Is this the type of behavior you'd expect from a leader?

1

REPLY



Ginny B1 day ago

Joshua how do you know there is not evidence? Do you honestly think that Katy would have made this public if she did not have evidence to back it up? And yes I would expect this type of behavior from a leader if they are wanting to expose wrong doings in the reseller community.

4

REPLY



Joshua Frederick1 day ago

Ginny B storytelling isn't evidence. A whiteness, or something on paper would be considered evidence. If you think that's the behavior of a leader this world is in some serious trouble... There's more freedom in reselling obviously, but with most jobs you have to be fake to a certain degree. Once again this is all common sense. Basic survival instinct. If you are unable to pull off the certain degree you have the wrong job and yes, YouTube, and Facebook fall under the certain degree.

Read more

1

REPLY



Danni Ackerman17 hours ago

read the comments and other accounts of this same behavior with many! There is PLENTY of evidence!

1

REPLY



[Joshua Frederick](#) 15 hours ago

Danni Ackerman ok... Comments are kind of like this video. It's just an accusation made by one person at a time. You can honestly start a movement off of anything these days. How would you know you're not just reading the same regurgitated statement from a bunch of people playing the telephone game? Like I said before making heavy accusations like bigotry or sexism shouldn't be tolerated without evidence. Maybe I should start a movement... I'll call it [#notokay](#)

Read more

REPLY



[OlskoolTV N videos](#) 14 hours ago

Joshua Frederick join his group and go over his videos. Your proof is all there

1

REPLY



[Danni Ackerman](#) 13 hours ago

What evidence would you like to see I'm sure many of us can provide as much as you would like!

REPLY

Hide replies



[Cindy Sorley](#) 2 days ago

I see someone is spending money on getting thumbs down votes... Such Typical Behavior

18

REPLY



[Heather Hobby](#) 2 days ago

God, I hope you're not going to Open. YOUR behavior is an embarrassment. But if you do go, it'll be amusing to watch you as I stand right next to you as one of your "friends". ;)

4

REPLY



[Cindy Sorley](#) 1 day ago

Taking Pride in threatening to pretend to be my friend so I'll be paranoid at Open.. This is not normal behavior and really really sad..

13

REPLY



[Heather Hobby](#) 1 day ago (edited)

No threats at all dear Saint Cindy...TOTAL TRUTH. It's normal for the truth to come out. I know all there is to know about you and what you've done to others in the past and present (saved texts, messages (even from the other day), pictures and video tell a whole other side of you). You are a deviant woman. A sick individual trying to gain attention wherever you can find it and quite frankly, I'm so sick of you. But I'll do my best to keep up appearances and "support"

you and your dying brand and COST group. Let that sink in as you look at each of your "friends" and wonder...hmmm. Have fun. I'm done, for now. Can't wait to see you and hug you. Muah!

Read more

3

REPLY



Chelsea McDaniel 1 day ago

Oh Heather. Birds of a feather flock together. Interesting you're ALL mouth when hiding behind an account that doesn't expose who you really are. If you think your all bad ass, post with your real identity and start tossing your hate. You won't. Bullies are cowards and have to slink around like the cockroaches they are. They only come out under the cover of darkness!

11

REPLY



Cindy Sorley 1 day ago

Chelsea McDaniel.. exactly. I will not continue to engage with anyone that has to hide in the shadows of a fake profile. It is someone who claims to be your friend then goes behind your back and talks crap about you and lies just like he does.. she did it to a few friends of mine ... and me ... she is no better than him...

4

REPLY



Heather Hobby 1 day ago

Blah blah blah....but you just engaged now. Duh. You must be drinking again.

2

REPLY



Jeremy Bourgeois 1 day ago

I would say how low can Tiki Turd go, but I'm not sure I want to know the answer to that. [#DramaQueen](#)

4

REPLY



Jeremy Bourgeois 1 day ago

Looks like it's just another one of Jason's cronies. Are you just as immature as the Tiki Turd?

3

REPLY



Ginny B1 1 day ago

@jeremy Tiki Turd LOL. @HH funny how you throw the shade at Cindy saying "you must be drinking again" when it seems that those who always tried to make excuses for Jason's rash behavior would say "Oh gee he must have had too much to drink and that is why he was acting that way." [#conundrummuch?](#)

6

REPLY



[Stephanie A](#) 1 day ago

Obviously one of the koolaid drinkers. It is really pathetic. She is just as bad as the Tikiturd is. Another enabler of his bad stalkerish abusive behavior.

4

REPLY



[Stephanie A](#) 1 day ago

It is probably the tiki turd himself posing with another fake profile.

3

REPLY



[Danni Ackerman](#) 18 hours ago (edited)

Cindy we should get a group together to visit Frankie's on wednesday night during Open ;-)

2

REPLY



[DeLinda Macut](#) 2 hours ago

@Cindy Sorley: She sounds kinda stalkerish and a bit off her rocker, I'd be careful with that one. Anyone that has the audacity to defend such despicable behavior clearly unstable.

REPLY

Hide replies



[ladan miller](#) 2 days ago

I was bullied and stalked by him last year on Facebook. I left his stupid group on my own, and within minutes I kept getting harassing messages from Jason. Because of idiots like him, I have not started my you tube channel. I know I can offer a lot to the community, also I refuse to go to eBay open and spend thousands of dollars just to see that jerk face Jason is one of the freaking speakers. I am thankful for this video. I knew dust will hit the fan one of these days, that day has arrived. Special thanks to Jessica Smith for linking this video as well. Katy, you go girl, I will support you in fight against Jason T. Smith.

Show less

13

REPLY



[Fred Howell](#) 2 days ago (edited)

The Bully is making this video. Anyone who goes to work for another person,, then sleeps with their spouse and doesn't expect repercussions is an Idiot. Do you think I would get a raise and a promotion if I went into my bosses office and told him: "HEY BOSS, I FUCK YOUR WIFE EVERY CHANCE I GET. CAN I HAVE A RAISE AND A PROMOTION. OH YEAH AND BY THE WAY, YOU'RE LOSING THE BUSINESS YOU SPENT 20 YEARS BUILDING, AND WE'RE TAKING YOUR HOME AND KIDS TOO. SO WHEN SHOULD I BE EXPECTING THAT RAISE? I'D ALSO LIKE A CORNER OFFICE WITH A VIEW AS WELL.." Are you fucking serious here with this stupid video?

Show less

3

REPLY



Katy Zilverberg2 days ago

Fred Howell you seem to be confused, Victoria was not in a relationship with Jason, they were just friends.

4

REPLY



Fred Howell2 days ago

Katy Zilverberg, I don't think I'm wrong at all. Work is work, you don't go into another person's professional life and do things like that. It's really over the line.

4

REPLY



Katy Zilverberg2 days ago

Fred Howell then I guess I'm the confused one as I don't see how falling in love with one person impacts another person's business. With that said, he had every right to cut ties with both of us, we all get to decide who we want in our lives or don't. Why he was angry or hurt and how justified he may or may not have been isn't the issue. The problem is the ongoing attacks and lies and interfering with our lives and relationships.

3

REPLY



Fred Howell2 days ago (edited)

Katy Zilverberg, Duh.... you're very confused. Because you think this makes you more manly by stealing a woman from a colleague. Men don't do that shit to each other. You think you're being masculine by backstabbing a friend. You're obviously confused by what you think Masculinity is. If you want to become a man, just do it for real and stop this stupid acting, because you're so far off of what it takes to be a man. Just go have the fucking gender reassignment surgery, and stop shoving this fucked up hatred towards anyone who lives a normal life and doesn't want to chop off their own genitalia. It's not everyone else's fault you don't like who you are.

Read more

3

REPLY



Chelsea McDaniel1 day ago

Fred the hateful bigot just crawled out from under his rock, I see. Move on you needy disgusting turd!

3

REPLY



Fred Howell1 day ago (edited)

Chelsea McDaniel, Nope..... this video just disgusts me..... take your personal vendetta off of the Internet..... If you back stabbed this guy, and he got pissed off, handle it like an adult and talk to his face about it..... this video makes me sick....

2

REPLY



Chelsea McDaniel1 day ago

I see you have a total lack of comprehension skills! It's gone on for 10 months! At some point you call their bullshit out. If you dont like the video then get stepping someplace else and shut the hell up!

2

REPLY



Fred Howell1 day ago

Chelsea McDaniel 1, Just take the video down..... It's bad.....

3

REPLY



The Guy Who Rarely Lies1 day ago

All of Katy's allegations could have been summed up in about two minutes and they don't seem all that bad...plus she provides zero evidence and goes on for 33 minutes with this emotional circus. One thing we do learn from this video is she is a home wrecker and does not respect other peoples businesses and she is backhanded.

4

REPLY



Chelsea McDaniel1 day ago

Bwahaahaahaa!

1

REPLY



Fred Howell1 day ago

Chelsea McDaniel, There are hundreds of sellers groups on Facebook. And 100% of them are complete bullshit. A bunch of retard Highschool Dropouts trying to sell "COURSES", and "COACHING". Preying on weak minded people who have zero confidence in their own abilities to succeed. If you're so upset, start your own Facebook Group. It takes what? About a minute to start a Facebook Group? The more I hear this fat bully Lesbian's voice, the more I want to just punch her in the face. Oh my god. Listening to this video is fucking torture. What a piece of shit she is.

Read more

3

REPLY



Jeremy Bourgeois1 day ago

Fred you're the confused, disgusting one. Go hang out with the drama queen if you want to continue to stir up shit. Bye Felicia.

3

REPLY



Fred Howell1 day ago

Jeremy Bourgeois, I just watched another video about this psycho Lesbian bitch. It's fucking hilarious. A red head from Texas. This is sooooo of funny.

3

REPLY



Ginny B1 day ago

LOL It looks like the red head from Texas is saying she doesn't want to get caught up in the drama. Some are expecting her to state her real feelings because she has been featured on Jason's videos and is affiliated with him. But if she chooses not to comment that's her choice. TGT video had nothing to do about what you call "psycho lesbian bitch". Once again you are clearly hallucinating and only seeing what you choose to look at.

4

REPLY



The Guy Who Rarely Lies1 day ago

Psycho lesbian bitch seems to sum it up quite accurately.

1

REPLY



Fred Howell1 day ago

The Guy Who Rarely Lies, It's funny. She says she wants the Bullying to Stop.... so she goes on YouTube to try to recruit as many people she can, to Bully someone with her..... LOL....

1

REPLY

Hide replies



Money_for_Missions2 days ago

Katy, I am so sorry that you and Victoria have been made to feel this way by someone. You seem like such a kind and positive person, it seems hard to believe that anyone could have issue with you. I am glad that you ladies have found each other and have happiness. I am a member of Jason's groups and have met him a few times and he has never been anything but kind, welcoming and professional to me. He has even taken time out of his personal schedule to take me thrifting with him (for free, before anyone asks) when I was in Las Vegas on a business trip. I am like you, Katy, in the fact that I want to see the best in people. It seemed like he and Vikki had a real friendship, and sometimes when friends get blindsided by unexpected surprises, they don't respond in the most appropriate manner at the time, or perhaps he was thinking of her husband's feelings? I don't know, it is not my business, really, none of it; it is between him and Victoria, and shouldn't really involve the whole community. Jason's shows were the first you tube show I came across when I was trying to grow my business, and those along with the facebook groups have given me invaluable information to succeed. The youtube field is wider now, and there are more resellers on this platform. I have enjoyed following more people as they come onto the scene. I have found your videos cute, upbeat, and charming. I have found him to be fun loving, silly, and generous. I think the field is wide enough for everyone. I hope to meet you in person at eBay Open, and that even if I am wearing a Thrifting Board shirt, we can connect (as I am a real person, not a fake account, or a lifeguard). Also, no koolaid, hero worship, or sheepling here, just a seller trying to get back to her work :o)

Show less

3

REPLY



Katy Zilverberg2 days ago

Money_for_Missions I hope you know I'd never treat anyone any differently based on the shirt they are wearing. Well, people in funny cat t-shirts do get extra points but that's it. Definitely come introduce yourself at Open, I'll be glad to meet you.

1

REPLY

Hide replies



[mamitachocolate](#) 2 days ago (edited)

Hm i could have sworn just this morning this only had about 100 dislikes now suddenly they've tripled in less than 24 hours. Me thinks someone is sending in the bots.

17

REPLY



[harleymax012](#) 2 days ago

Why does this Jason guy think he is so great? Doesn't he pretty much sell tiki mug crap, Hawaiian shirts and bras.

9

REPLY



[Ginny B2](#) 2 days ago

If you check his solds he doesn't actually sell that much. [#powertrippin](#)

14

REPLY



[Jeremy Bourgeois](#) 1 day ago

Cause he's an egotistical drama queen.

2

REPLY



[Leisure Picker](#) 1 day ago

lol, I watched jason a few times, personally he bores me, but thats just me. He is a guy whos had a little success here and there, not much but a little bit, nothing wrong with that. Looks like jason t smith is going to have all the drama he could ask for or need now. So jason is worried about his "brand", is he marketing bras now that might hurt his bra business? Self importance meter is redlining in jasons world it sounds like. I really don't think anybody gives a crap except the people that are or were directly involved with him. This one is going to go the distance it looks like, got heavy drama on all sides. Be well, be good to one another.

Read more

5

REPLY

Hide replies



[harleymax012](#) 2 days ago

He must think he's a big shot since he was on TV for 15 minutes.

8

REPLY



Ginny B2 2 days ago

didn't he badmouth and blame the TV channel for being idiots and cancelling his series? ;)

6

REPLY



Cindy Sorley 2 days ago

Yes I have it in messages

1

REPLY



Heather Hobby 2 days ago

We all have messages.

REPLY



Ginny B2 2 days ago (edited)

LOL HH #bringitlikeyoumeanit

3

REPLY



Cindy Sorley 2 days ago

Oh I see it is Robin. #dontdrinkthetikikoolaid

REPLY



Cindy Sorley 2 days ago

I am no saint. I never claimed to be. I kick myself from r being “friends” with Jason. I was stupid. I have been attacked, stalked and treated like crap by this man and his look aid drinkers. So sad that a community like this has to have this jerk as an influencer. I could care less who you are Heather. I show my real name. You don’t even know me Heather, the purse expert.

3

REPLY



Ginny B2 2 days ago

@Cindy. I've been sucked in before. It happens to all of us. Truth is you never know until you know. Obviously eBay influencers are often #overrated

5

REPLY



Heather Hobby 2 days ago

YAWN! Nice try...again. Oh well.

REPLY



Monet Court2 days ago

Doesn't matter who you are... it's a fake profile and it's just someone hiding in the dark afraid to comment with their own profile

5

REPLY



Danni Ackerman18 hours ago

I knew from a friend who is a producer that the show was "cheap fill" til they got something better.

1

REPLY

Hide replies



Vintage Vinny2 days ago

Bullying is NEVER OKAY. Karma will bite him in the butt for what he has done.

5

REPLY



Cindy Sorley2 days ago

So... Katy.. Kudos to you.... I am a victim of this total narcissists behavior. I have also had many many friends with this same m malicious activity thrown on them. I could go on and on with the treatment Jason T. Smith has caused in the eBay and selling community. I am now speaking out... who am I talking to? Those that are still drinking his koolaid and going along with this behavior... I know a few of these so called devout Christians see the behavior first hand and are even part of the attacks on others. I find this as disgusting as what Jason has done to so many... I lost a lot of friends when Jason told them they had to chose Team Cindy or Team Jason.. not both... funny... they were never friends were they? How can a guy treat people the way he does? Look at the treatment of his partner on the TV Show.. going in the heat of the night with his lifeguards and kicking out thousands of people so he could make the group secret and no one could find it... Disgusting and Criminal if you ask me. I know one person that was ready to commit suicide over his behavior.. I talked her out of it because Jason would WIN..... She is now thriving and doesn't even think about him now .. I really hope she also speaks out ... Those of you that think he can do no wrong, including his life guards... oh you should see the messages I have of him talking about you when I was "friends" of him. Big big and move on ladies... you know his behavior is appalling.. sad to see you take part and endorse it.

Show less

15

REPLY



Heather Hobby2 days ago

You're no SAINT yourself Cindy Sorley...NOT ONE FUCKING BIT. You're as two-faced as they come and the proof is out there. Watch out people, its the dead trying to rise.

REPLY



Ginny B2 days ago

Thanks for speaking up Cindy. From what I can recall one of Jason's most popular videos was sharing your "Fomo" shipping method. I wondered what happened to you.

9

REPLY



Monet Court2 days ago

Oh look at this.. A fake profile spewing the same things he tried to tell me... I wonder who is behind that profile.... So many puppets and so little time... Or maybe it's himself scurrying in the dark again

8

REPLY



Cindy Sorley2 days ago (edited)

Bridget, Kim or whatever Lifeboat person you are .. how you doing these days? I would say Debbie but I am not sure she would use this language but I know Bridget would .. Debbie might now though

7

REPLY



Cindy Sorley2 days ago

I am doing marvelous ... Message me anytime on Facebook or email me @cindy@cindysorley.com

2

REPLY



Cindy Sorley2 days ago

Ginny message me on facebook .. please..

3

REPLY



Heather Hobby2 days ago

Nahhh....strikes 1 and 2. Give it up.

1

REPLY



Ginny B2 days ago (edited)

@ Heather hobby you over there suckin on Jason's nobby? What's up with your hatred towards Cindy? What gives? Heather Hobby Sucking on the nobby facts are wobbly [#word](#) [#whatgives](#)

Read more

11

REPLY



Chelsea McDaniel1 day ago

Ya think Ginny B? Sounds like HH has some serious self esteem issues and very thirsty for attention. Grown adult acting like a mean girl in middle scool. Reasonable people see right past HH's desperation!

4

REPLY



DeLinda Macut1 day ago

Sounds like you need to get a new "Hobby"!! Is supporting bullies yours? You reap what you sow!

2

REPLY



DeLinda Macut1 day ago (edited)

@ Chelsea Amen girl, preach it!!

2

REPLY



Danni Ackerman18 hours ago

People can get such blinders put on them by narcissists. Sadly I had the team Danni or Team Jason choice made to friends also. I hope more speak out!

1

REPLY



Janet Lesley11 hours ago

Heather Hobby use your real name

REPLY



Janet Lesley11 hours ago

Cindy Sorley i would love to know what he has said about my husband, Christopher Lesley...also known as "Golden Pineapple ". He was on the brink of suicide after putting up with his libel, slander and bullying.

REPLY

Hide replies



Jenn Walker Zenn2 days ago (edited)

I'm so sorry that you two have gone through this. I'm sure that it took a lot for you to go public with this story and I commend you. I don't know you very well, but I know Victoria, and she lives and breathes for her charity work- NO ONE can negate that. And shame on anyone who does. Sending love and light your way! I know from personal experience, these roadblocks make us stronger and in the end, karma will prevail. Hopefully this person will turn things around and use his energy for good in the future!

Show less

6

REPLY



fanaticofutube2 days ago (edited)

Well Well Well (edited) is not such a saint after all. Just to let you know he is not that important at least in my circle of videos I look at. Just something about his personality I didn't like. Thanks for informing us about this creep.

#resellercreep

3

REPLY



Angela Martin1 day ago

fanaticofutube maybe I'm confused by your comment but this video isn't about Steve Raiken.

2

REPLY

Hide replies



Nevermore-Antiques2 days ago

There are a lot of people in this community that are awesome and some that should go choke on a 🍆🍆🍆🍆

10

REPLY



Nishana Lee2 days ago

I believe in a very wiseman's words...."How people treat you is their karma. How you react is yours."

3

REPLY



HitlerDid NothingWrong2 days ago

This must be satire! LooooL

REPLY



Lou Benson2 days ago

As you said yourself - it is insane! No doubt you are dealing with what is known as the "Dark Triad" personality, which encompasses 3 personality traits - Narcissism, Machiavellianism and Psychopathy and they are a nightmare to have to deal with. I lived the problem, and like you refused to be silent because I believe we all have a responsibility to ensure there is protection and social justice for all. Well done for going so public with this. If you get the support you need, he can be shunned and stopped - I hope so. Take care

Show less

10

REPLY



Whats In My Life 20172 days ago

I don't know you or the other person involved but bullying can lead to deadly and dangerous things. Did you know he was like this when you moved up in his Facebook group? Vicky....Hold your head high!!! Don't let the issue live rent free in your head. YOU know the truth. YOU know the real you. Get your butt to eBay Open, walk in that room with your head high, and watch your true friends and supporters smile as you walk by. ♥

Show less

7

REPLY



TD Paul2 days ago

I BELIEVE YOU!! I'm sorry this is happening to you. I had no clue who you were talking about until I saw the next video loaded to play next after your video. It shows Raiken Profit and Jason T. Smith. I believe in being positive and helping others. You are right.....take a stand and call-out this guy. My hope eBay shuts him down. If he has been trying to be one of the P.R. eBay Seller, I pray to GOD they SHUT HIM DOWN!!! Your video is helpful. It is such a turn-off when CYBER-BULLY like Jason T. Smith and others have absolutely no regard for others and will go to any lengths to destroy. Please don't apologize for SPEAKING YOUR TRUTH!!! It will help others who are suffering or who have been victimized by Jason T. Smith. Whoa..I'm just blow away that this has been happening in the reseller community. We see others sharing their expertise and helping us through social media, YouTube, and other platforms and we think everything is pretty good but then realize behind the scenes there are some major bullies. I personally think when stuff likes this happens contact an attorney and start suing for defamation and any other violation of the law. Stay strong and I am praying for you and your fiancé. Stay Blessed.

Show less

4

REPLY



Kimmarie D.2 days ago

Bullying is never ok and I'm very sorry that you and your girlfriend/fiancé have been out through so much. I don't know any of you involved but I had to click on this video when I seen that someone was speaking out against bullying. It needs attention to make it stop so I hope that my one like makes a difference so that other people can see this video. I wish you all the best and I hope this ends what is being done to you both ☹

5

REPLY



ChickPicker2 days ago

Katy, I know that it took alot for you to make this video but I appreciate that you did. As a new reseller I also experienced Jason T. Smith's awful wrath. Thankfully I had enough sense to decide I could do without this person. He is a user and a huge manipulator. I am so sorry that you and Victoria had to endure this bullying and speaking out about this issue. Thank you

Show less

13

REPLY



Adrienne Hall2 days ago

Katy, thank you for sharing this information. Bullies hide in the darkness of other people's fears. Shining a light on this is the way to eradicate it. I'm so disappointed that you and anyone else has had to endure such a disrespectful and utterly distasteful attack on their character and personal life by someone who has the perfect platform that could actually allow them to be a champion against such nonsense. It's hard enough to encourage our youth not to bully others, and to push back against bullying. People kill themselves because of bullying. I'm saddened and completely disgusted that a grown man or any grown person would stoop to such a low level. #Speakup #Speakout

Show less

7

REPLY



ShockCollarsforDogs2 days ago

"Jason T Smith Is A Bully" Not exactly a secret, lol.

19

REPLY



Wendi Willmott2 days ago

Honestly. I don't like seeing this video. I have enough drama in my life already

3

REPLY



Aaron Moore3 hours ago

Wendi Willmott so don't watch it?

REPLY

Hide replies



T.T. Love2 days ago

Turn him in to the authorities. Whether it be online or in their personal life, slander, and harassment is a crime, isn't it?

5

REPLY



akcent koo2 days ago

Sounds like he is pretty miserable person. To cut down others to boost your own ego. Narcissistic sociopath. Good for you doing this video.

3

REPLY



hurkamur12 days ago

How dare you, you're talking about "America's #1 thrifter" for chrissakes! Jk, really though, although i sometimes enjoy his content he always gave me sociopathic vibes. Obviously a messiah complex to boot. I know it's not cool to talk about people you don't know, but it seems a brother would do well to get some therapy.

8

REPLY



K and R Strickland2 days ago

Proud, proud, proud of your courageous act of compassion and empathy! We need more of this in the world. 🌍

2

REPLY

Hide replies



Lynn Dumont3 days ago

I unsubscribed from his Thrifting Board today,. I was always afraid to comment anyway, worried to get reamed out. I made a positive suggestion once and was fully criticized by Jason himself. Adios bully!

13

REPLY

40 sayers3 days ago

Happy you were able to vent, Katy, now, even though you will be attacked, its time to move on & ignore Jason & his Sheeples. You have done a wonderful job building your business along with the other vloggers you have mentioned. YOU built up your business & while you have received helpful advice along the way, you are the one to put in the time & effort to achieve & keep achieving your goals. His kvetching is due to pure jealousy on his part as many others have surpassed him on the reselling chain. Bottom Line, this person overvalues his importance in the reselling community & is desperately reaching for anything as his self proclaimed empire continues to crumble beneath him. I have seen many like him in the reselling community & once the real truth surfaces, they are virtually ignored as they have burned too many bridges. They end up being sad & alone & continually blaming others for their demise. Big Hug Katy, looking froward to your next selling video.

Show less

7

REPLY



dannysherman3 days ago

This may all be true but you keep saying 'you have heard' or 'people have said'.....it seems you're being just as bad as he is ...supposedly. Again, if this is true then i'm sorry that you had to go through these things but rumor and gossip aren't the way to fight this type of thing.

3

REPLY



LV Pink Panther-Vikki2 days ago

There is plenty of proof in writing and first hand witness accounts, (also in writing) it just isn't and wasn't necessary for this video.

5

REPLY



Ginny B2 days ago

From the outside looking in I believe that if there wasn't proof in writing and first hand witnesses that Katy would have never made the video. It took a lot of courage for her to speak up about this. Naturally some will be pissed and also will question certain things. But I think if she and Vikki didn't have proof that this video would have never been posted.

They didn't fall off of the turnip truck yesterday.

8

REPLY



dannysherman4 hours ago

It absolutely WAS necessary for this video. You can't just start making accusations without proof. All of the proof....everything possible should have been posted her or shown on the video. Anyone can go online and say anything about anyone....which obviously has happened in today's social media. They should show the proof or remove this video. Without the proof, Katy looks very very bad. With the proof, she exposes everything.

REPLY

Hide replies



Brianna Mazz3 days ago

It's awesome that you and Victoria found each other! <3

5

REPLY



Fred Howell3 days ago

Oh my god, shut up. Nobody Cares about your lesbian drama. So you're a Lesbian who breaks up marriages. Why does this need to be on the Internet? This video represents everything bad about Youtube, and social media in general. I thought it was going to be about Ebay. But it turns out you're just a cheater and home wrecker. So you want us to feel sorry for you because you split up someone else's marriage. WTF?

Read more

3

REPLY



Ginny B2 days ago

Fred I am confused with your comments. 40-50% of marriages end in divorce. If someone is unhappy and wants to move on with their life "splitting up a marriage" has nothing to do with being a lesbian or not. There is a reason marriages break up and it has nothing to do with [#lesbianshaming](#) If Vikki had left her husband for another man it looks like you would not have a problem with that. We aren't living in the 50's dude. Give it a rest already.

4

REPLY



Fred Howell2 days ago

Ginny B, Really????? You're confused that someone is upset you destroyed their marriage??? Just Stop.

1

REPLY



Ginny B2 days ago

Correction Fred. I didn't destroy anyone's marriage. When a marriage ends it is because people stop thinking it is worth working on. Plain and simple. Has nothing to do with who the person ends up with. Male or Female.

4

REPLY



Ginny B2 days ago

And your phrase "Lesbian drama" leads me to believe that you are stuck in the 50's

4

REPLY



Fred Howell2 days ago

Ginny B, Bullshit. You hurt them on purpose and now you're trying to Justify it. This shit doesn't belong on YouTube or any social media for that matter. Stop being a loser and cut it out.

1

REPLY

F

Fred Howell2 days ago

Ginny B, do you think their families and relatives want to watch you doing this?

1

REPLY



Ginny B2 days ago

LOL! I hurt them? I've never even met Katy or Vikki. [#sitdownwithournonsense](#)

5

REPLY



Cindy Sorley2 days ago

Really? This is about a man who is a Narcissist Fake Name I see... ha ah ... kool aid

3

REPLY



Cindy Sorley2 days ago

Fred or Jason, whoever you are... move along... this is about a man who belittles, bullies and stalks people..

4

REPLY

F

Fred Howell2 days ago

Cindy Sorley, I don't speak ghetto trash. Can you say that in English Please.

1

REPLY



Ginny B2 days ago

LOL your lack of intelligence is shining there Freddie. Ghetto trash? [#yagottabekiddin](#)

3

REPLY

F

Fred Howell2 days ago

Ginny B, Okay???? I still have no idea what you said. What does drinking kool-aid have to do with you hurting people on purpose?

1

REPLY

F

Fred Howell2 days ago

Ginny B, you're making an ass out of yourself in an embarrassing public spectacle

1

REPLY



Ginny B2 days ago

LOL Fred I need some of that shit you are smoking. [#seriously](#) Obviously you are hallucinating and seem to think I am someone I'm not. [#carryon](#)

3

REPLY



Ginny B2 days ago (edited)

Also I'm outie on your delusional shit here. FWIW I have a sister who is gay. Even in this day and age she didn't feel comfortable in telling me that until she was in college. She felt ashamed for being what she simply is. But guess what? We all still love her as much as we always have. I took offense at your "lesbian drama" comment. because after all there would be no drama about this kind of stuff if it weren't for people like you Fred who are obviously still living in the cave man era and mentality.

Read more

4

REPLY



Fred Howell2 days ago

Ginny B, nobody cares about your sexual Identity issues. Tearing someones family apart for your own selfish reasons is still wrong. It seems like the Bully is making this video to me.

1

REPLY



Ginny B9 hours ago

Nope fucktard you are the one who is wrong. [#clearydelusional](#)

1

REPLY



Fred Howell5 hours ago

Ginny B, Nope. I'm just grown up, and don't need to use social media to Bully like a middle school mean girl.

REPLY

Hide replies



Heather Hobby3 days ago (edited)

Sounds like you're the one with the issues here Katy. If you want to hold each other up, why tear them down? Jason may not be perfect, he is human just like the rest of us. He may be brash and outspoken but he is certainly NOT a villain. We all make mistakes. I highly doubt he acted so harshly about your stupid relationship. How would he have time to go out and stalk or for that matter, even hire people to go out and stalk and harass others. I would think he's a little too busy for that petty bullshit you claim. He has over 47,000 people in his group and nearly 10,000 followers on YouTube. Way more numbers than you have, but Seriously? Whether people like him or not, Jason is here to stay. He has taught so much and helped so many. The problem is YOU. YOU ARE THE BULLY. The problem is now you've made your business the business of the world. We didn't need to know it as ludicrous it might be. We don't need to know how a marriage was broken up irretrievably. We don't need to know all of Vikki's issues or your issues. Perfect timing before the BIG ebay Open don't ya think? I wonder if ebay will still hold you up in that beacon light of a

“Shine” Award, because I certainly don’t. You seemed to have forgotten that Jason's group helped you get to where you are now. This is how you thank them. You’ve gone and reared the ugly heads of so many people that were done and gone....why? Some of those who felt “slighted” by Jason are now on their high horses waiting behind the scenes for the slaughter because they’re too “scared”. They’re not scared now to make up new lies, are they? Some of these people aren't worth the paper they write their name on. Now, they have a new cult leader Katy, the lying bully, to follow now ... you should make a new group...”Katy Lies and So Should You”. Funny how "you've heard" from "so many" people about their "experiences"....you weren't there, were you? You might want to get off your “immoral” high horse. Many people are so disappointed you would do something like this. I'm certain ebay already is. I almost feel sorry for you. Almost. Be gone now.

Show less

3

REPLY



Ginny B2 days ago

Oh wow this sounds like a Jason troll account. LOL Looks like he is always bragging about how many followers he has ;) I do believe that the Thrifting board and Jason's group voting for Katy did in fact help her to win the shine award. But why on earth would she be thanking him now after what he has done? People were hiding behind the scenes and are now on "high horses"? Nope it looks to me like Katy has encouraged them to start speaking up against this misogynist asshole

Read more

13

REPLY



Cindy Sorley2 days ago

Lifeguards, Followers or Jason.. nothing more ..

8

REPLY



Heather Hobby2 days ago

Saint Cindy strikes out again...too bad.

REPLY



Ginny B2 days ago

Clearly the hatred posts here from HH is an indication of Jason and his followers and how they attack people who don't deserve it.

6

REPLY



Binky2 days ago (edited)

Heather Hobby So obvious who really wrote this.

4

REPLY



Binky2 days ago

Heather Hobby you are literally insane.

4

REPLY



Heather Hobby2 days ago

LOL! Keep thinking that @Binky! ;)

REPLY



Heather Hobby2 days ago

Glad you have a degree to diagnose that.

REPLY



Binky2 days ago

Heather Hobby Kim, don't you hate it when a marriage is broken "irretrievably"?

2

REPLY



Heather Hobby2 days ago

Damn! Ohhhh, wrong again. Oh well.

REPLY



Pam Coffman2 days ago

So, if we disagree with this video, we must be trolls. How liberal of you. It's your way or no way.

REPLY



Heather Hobby2 days ago

Thank you Pam!

1

REPLY



Chelsea McDaniel1 day ago

Pam - Don't you have two businesses to run, were never interested in this issue to begin with, don't have time for it, etc? For someone who says all of that you sure have spent a lot of time away from your two businesses to reply, talk to your "sources", etc. etc. Get stepping. We don't want those "businesses" to fail, now do we?

5

REPLY



Pam Coffman1 day ago

Chelsea McDaniel you sound like a troll. It's saturday, you dumb ass.

REPLY



[Binky1 day ago](#)

Pam Coffman the only way someone would disagree with this video is if they were brainwashed by the cult leader. Any normal human would think this abusive behavior was appalling and that it needs to stop.

7

REPLY



[Pam Coffman1 day ago](#)

It's saturday, dumb ass.

REPLY



[Danni Ackerman17 hours ago](#)

Cult - yes that is exactly what it has become!

3

REPLY

Hide replies



[Julie Green3 days ago \(edited\)](#)

#metoo. He cursed me, how dare I disagree with him. I have his messages to me and they are absolutely grotesque. Thank you for posting this. And yes, absolutely he called me a b... and a c...

9

REPLY



[Cindy Sorley2 days ago](#)

Typical.. of him ... nothing better than Weinstein or Cosby which everyone abhors

8

REPLY

Hide replies



[Simply Sabrina3 days ago](#)

Good for you to speak out and help others!

5

REPLY



[Emilylooly3 days ago](#)

Sounds like Malignant Narcissistic Personality Disorder.

4

REPLY



[Thrifting Flipper3 days ago](#)

Katy, I've watched your videos and enjoyed them so much. You are smart and witty and have a great business sense. I'm so disappointed to see that you are doing this, I thought as a leader in the community you were professional and kind, but I see that this isn't the case, sadly. You are only hurting yourself by dragging someone's name and reputation through the mud. Maybe you have proof that he did indeed do some things that aren't right. But, some of these things indeed sound so ridiculous- Victoria on no fly Australia list - for example. It sounds like some of this stuff is here-say and you are taking the word for it without the proof, and then telling it to the world. And people are taking everything for word like you are. What proof do you have for example that he said she's on the Australia no fly list or that he said that she committed charity fraud? I don't know Jason T. Smith personally but I am in The Thrifting Board. I'm a very quiet member who normally never speaks on these things. I like to sell and I don't like drama at all. But I feel that more people need to say something about how inappropriate this video is. I have friends who have had interactions with him. I've heard that he indeed can come off as brash but that he also has a kind heart. He helped two people I know personally (well as online friends), one in a big way, without making any kind of public announcement about it or requesting any accolades. To me, that doesn't seem like a narcissist. Maybe he did say and do some inappropriate things, but by doing this you are doing something even more inappropriate. You're speaking out about bullying by bullying. This is really bad publicity for someone who wants to be an eBay spokesperson and who received a Shine award. I don't think I can watch your videos anymore, and that makes me sad. I really looked up to you.

Show less

1

REPLY



[Binky2](#) 2 days ago

Thrifting Flipper Fake

4

REPLY



[Thrifting Flipper2](#) 2 days ago

No. I'm not fake. I'm a real person. I created this YouTube ID just to comment, yes, but indeed I am a legit person.

REPLY



[Ginny B2](#) 2 days ago

@ Thrifting I respectfully disagree with your thoughts. Just because he has friends that he did nice things for does not make him a saint. Speaking up about wrongdoings is not considered "bullying". I can't help but look at your post and think that perhaps Hitler would have also accused others of bullying him. I mean seriously. If people just sweep shit like this under the rug. When does the wrongdoing end.? I bet that Katy thought long and hard about the bad publicity and negative ramifications she would receive after having the courage to post this video. You want to make Katy out to be the bad person because she had the courage to actually address what has been going on for quite some time? The fact that you call this video "inappropriate" is a joke on you. JMO

Read more

6

REPLY



[Cindy Sorley2](#) 2 days ago

Thank you

3

REPLY



Binky2 days ago

Thrifting Flipper fake meaning you are Jason. Either that or everyone repeats exactly what he says to them.

4

REPLY



Thrifting Flipper1 day ago

I'm not Jason, that's for sure. And I'm being honest in my post. Maybe I shouldn't have gotten involved in this drama. I was just trying to speak up, that there are probably two sides to the story. I guess the thing that bothered me most was when Katy said she had heard that he said or did xyz. It just seemed like she was taking for word things she had heard. Is some of it true? Maybe. I don't know. I don't know Jason. But some of the things Katy said just sound like conjecture and heresay. I never said he was a saint. All I was saying was I know he helped people I do talk to and no public mention was made, and that isn't a characteristic of a narcissist. They usually want the world to know when they've done a good deed so that it makes them look better. That was my whole point. I have truly enjoyed Katy's videos, I think she is awesome, but this video can hurt both sides, and if any of it is based on conjecture then that's where it's wrong. I guess I was disappointed Katy would publicly do something like this. Get the authorities involved or start a lawsuit if she's truly being bullied, absolutely. That's how to make it stop. Not by airing this publicly. I just feel like, reading through the comments, anyone who is saying anything for both sides, anyone who is not agreeing, is getting called a fake and dismissed. I'm not a fake. I really never have had a conversation with Jason personally. I just felt like I needed to say something. I'm just sad that this sort of drama is happening in our reseller community.

Read more

1

REPLY



DeLinda Macut1 day ago

@Thrifting Flipper: "No. I'm not fake. I'm a real person. I created this YouTube ID just to comment, yes, but indeed I am a legit person." ??? Ummm newsflash hiding behind a fake ID is not being a "legit" person hunny. Why not post with your "legit" ID? Hmmm, Why hide? Might you be afraid of the exact topic of this video? A legit person stands in their truth!! Hiding behind a fake ID discounts anything you said, and is a HUGE contradiction!! Just sayin....

Read more

REPLY

Hide replies



Scarlet Spider3 days ago

I've been on EBAY since 2012 and he was one of the first people I ever found YouTube videos from but I never cared for him to be honest. He honestly sounds like a psychopath. Typically when people act this way in life it's because of very low self esteem or self worth. Sounds like he needs professional help.

14

REPLY



Bobby Rock3 days ago

Melanie Tonia Evans and Dr Judy WFT Are wonderful resources on youtube

REPLY



[Lilleybugglane](#)3 days ago

If you wait by the river long enough... the bodies of your enemies will float by... -Sun Tzu

11

REPLY



[Sandi M at SDM Boutique](#)2 days ago

We can all learn from that quote.

3

REPLY



[Beach Town Reseller](#)2 days ago

It's true. It will feel it took forever, but it will happen.

2

REPLY

Hide replies



[Kimberly McCachren-Castellani](#)3 days ago (edited)

I have my experiences on that group, trying to ask for help, and then get "punished" for causing a fight one time on that board, I was just asking for help, I am still a member on that board but don't bother asking for help on that group, one time it seemed to be helpful, but now it seems different. He looks like a nice guy in photos, but I guess you have to meet him in person to really know or feel that person. I too don't like drama, and get sick over negative things. Oh by the way, I am deaf ebayer, looking to sell on ebay for extra money, not often find what Jason or other find at their thrift stores, but still learning on what to buy. Peace. :-)

By the way no longer in the groups after really watching this.

Karma/God will take care of it.

Read more

5

REPLY



[Kimberly McCachren-Castellani](#)12 hours ago

Also I did not "grow" from that group or any group that have Jason in it. There are other channels on You Tube that I can follow or watch to get ideas on what to get that can sell for me, the FB page was a mess, and felt small in that group. I can't handle stress or negative things, so I am glad that Katy did this, and hope more can come out, and fight this bully business, because it is not worth it.

REPLY

Hide replies



[NOMAD-ness Life](#)3 days ago

Please research NPD. This is word for word what they do. Smear campaigns, aggression, lies, etc... you can't be around them. They will make you crazy trying to deal with them.

7

REPLY



[NOMAD-ness Life](#)3 days ago

Narcissistic people have no empathy and will not stop until people quit reacting. It feeds them. They will make your life a living Hell. Calling them out makes it worse.

5

REPLY



[Savannah Smith](#) 2 days ago

NOMAD-ness Life Calling it out is how other people will be aware and not let it happen to them. I don't really think he video is about making him feel bad, it's more about creating awareness so that others don't go through the same thing and so that we as a community can start coming together to shut him down.

6

REPLY



[NOMAD-ness Life](#) 2 days ago

Savannah Smith You can't make a narcissist feel bad. You can only make them rage and seek revenge. That was my point.

4

REPLY

Hide replies



[Nicholas Nietzsche](#) 3 days ago

This type of shit is the reason why I left the corporate world years ago. In the meantime, howz da ebay going?

2

REPLY



[John Belushi](#) 3 days ago (edited)

Are you in Orlando? ahh, Vegas

1

REPLY



[Melody Clark](#) 3 days ago

Katy - you want to be a leader, do you? To me that means one thing - drama queen. Jason is a human being. So are you. This is a very childish way to best yourself at the expense of someone who has helped you. And now you're tearing him apart in order to exalt your own profile.

2

REPLY



[Jeremy Bourgeois](#) 1 day ago

LOL another Tiki Turd Fool Aid drinker. Be on your way.

REPLY



[Danni Ackerman](#) 17 hours ago

So you would prefer people just shut up and go along their way when abuse happens? Tell all those #MeToo women to knock it off and stop being drama queens? So please do tell - how do you propose exposing someone for who they truly are so others can avoid them?

2

REPLY

Hide replies



Foxy Red3 days ago

So its a 30+ minute video about bullying... Jason told some lies and made some stories up. You call that bullying? You actually called him a ton of hateful names in this video! YOU ARE THE BULLY!

4

REPLY



Aaron Moore2 hours ago

You clearly have not met that Douche

REPLY

Hide replies



dragunn tiss3 days ago

I'm new to the reselling community, only barely 6 months...but I've heard this about more than once in that short amount of time...

4

REPLY



The Guy Who Rarely Lies3 days ago

I believe about 10% of this video. To many red flags for real! An anti-bulling video just so you can bully some weird guy that has apparently slighted you as well or do you just hate men? Or just want attention? You call him a bigot all while judging him! If you were so intertwined in his business why don't you show some of his psycho texts,emails or messages? If he is so crazy and willing to go at so many lengths to damage you where is his attack video against you? He obviously has a platform to do so from. I think Katy might be a chemically imbalanced misandrist. Now off to Jason T Smiths channel to find out how big of a turd he really is.

Show less

2

REPLY



The Guy Who Rarely Lies3 days ago

16:13 Some details of the situation revealed. We discover that Katy Zilverberg is a home wrecker with a moral compass in need of calibration and totally self righteous. Despite openly admitting to making unethical choices sugar coating it because of "Love" goes ahead and accuses Jason T Smith without proof so far that he has crossed a line by talking with the husband and fabricating all kinds of negative stories without a motive. Katy essentially Doxes Jason making more claims that he talked negatively behind the backs of multiple eBay youtubers.. (I personally think Casey is great! in a million ways! but also a bit of a cunt) and Ralli Roots is fake as hell!! Totally loved them now I totally unsubscribed. If Jason actually said anything in private about them it was within your trust and obviously you are not trustworthy further discrediting you. I can't wait to see the rest of the video! I hope I don't suicide myself before the ending of this insane nauseating video.

Show less

4

REPLY



Create And Adorn3 days ago

Thank you Katy for making this video - I'm sure it has helped so many. I don't know who this guy is, but I have been around long enough to witness the other drama within this community. I hope people like the "MR" Jessica Smiths of the world will hear this & realize that in the end people get hurt and NO ONE ever respects the "Shit Stirrer" who started it all.

2

REPLY



Ginny B2 days ago

I believe people like you are the reason a lot of rumors get started. I also believe that Jessica Smith is a female not a "MR" that you keep insisting. Looks like you got a lil shit stirring of your own going on with that one ;)

4

REPLY



Ginny B2 days ago

Also @ create and adorn what do you think about the "shit stirring" Reezy (Nicole's bestie) IMO Beastie just got called out for when he posted here on Katy's video some lame ass lie/drama? You okay with that shit that Nicole/Reezy stirred up? Funny how the shit always can be traced back to certain toilets and assholes. Nice to see how you support their actions. #yougogirl

4

REPLY

Hide replies



The Guy Who Rarely Lies3 days ago

8:07 ...I'm exhausted with you already...you're a fucking psycho. Get to the point.

2

REPLY



Tina Cuppernell3 days ago

WOW.!! He's nuts. Stay safe. I can't watch his videos. I just don't like him, but I didn't know why. Now I'm thinking it was his undercurrent sickness. Cyberbullying can be deadly. He has to be stopped.

9

REPLY



Karen Cas3 days ago

I hope and pray Gods best for you and LV.

6

REPLY



[Rochelle Bayne](#)3 days ago

I don't know about your state laws, but this sounds like a case of criminal harassment.

2

REPLY



[Caroline Drake](#)3 days ago

Katy, you are amazing!! I was sent to “walk the plank” along with several others when he had a “spy” report back with screenshots from a PRIVATE and very small group, literally less than 100 people, where were discussing a post where he was being a complete ass. We were systematically messaged and booted for DARING to have an opinion on something that we saw as completely ridiculous and unnecessary. This is nothing compared to what you all have been through and I applaud you for having the courage to stand up and expose him for what he is! Love always wins and karma is real, all I’m sayin!

Show less

8

REPLY



[Gail Resources](#)3 days ago

I’m so sorry to hear what was done to you. I applaud you for doing this video. I heard rumblings about him and more so “of recent.” It boggles the mind that someone is so weak in their self that they feel compelled to attempt to ruin people. But low self esteem is not easily understood, IMO. But ya know what? Those that are targeted are always the stronger ones. As resellers 99.9% of us support each other. We will continue to do so. Thank you again and I hope this encourages others to speak out if victimized anywhere. 👍

Show less

6

REPLY



[me me hee hee](#)3 days ago

It's great you feel that way Gail. I'm hoping you will also support Lindey who got attacked from Reezy (Nicole's ride or die) and his lying bullshit he posted here on Katy's video.

9

REPLY

Hide replies



[Camren The Chunky Onion](#)3 days ago (edited)

I was only in his group for a short time, all it took was a few long winded rants about how my questions as a new seller were stupid and how I should do my research etc. This is just terrible. I didnt realize it had gotten so bad.

11

REPLY



[The TRUTH](#)1 day ago

yup, they were very ignorant to their members -- even when they had no idea what level of re-seller they were speaking too. shameful.

3

REPLY

Hide replies

P

Pgh Picks3 days ago

I noticed a while ago, selling on Ebay had to be his way or it was unprofessional. Sorry, to hear you are going thru this. Always remember when someone gives you something (grief, lies, ...) and you do not accept it, it than belongs to that person, not you. Hang in there, the truth always wins.

6

REPLY



Sumirosa3 days ago

Thanks for sharing. I stopped watching that person months ago. There were shades of something that made me uncomfortable.

5

REPLY



another voice3 days ago

Thank you for having the courage to speak up about this Katy. First of all I have an extended family member with kind of the same story as yours and Vicky. They met and felt an attraction to one another and about 6 months later one left her boyfriend and the other left her husband. These two gals have now been together for almost 15 years and are living their happily ever after. The people who are saying that you should have kept this drama off of social media are failing to understand that it wouldn't have been drama if Jason hadn't of created it. I was on his FB group a couple of years ago and never posted. Just lurked. And I saw first hand how he would go after people and attack them when he didn't agree with what they were saying. He would delete them from the group and call it something like "clearing out the scum". I always thought that maybe alcohol was involved when he was being a total asshole. But I also feel that some of his "lifeguards" also had some sort of false sense of "power" and some of them were almost as bad as Jason when it came to attacking those who questioned their comments. I stuck around there longer than I should have because there were a lot of nice helpful people on that team including some of his lifeguards. But they obviously know what kind of person Jason is and they obviously have seen how he attacks people. The fact that they look the other way and make excuses for him is the reason he has grown into an even bigger monster. Wishing you and Vicky many many years of happiness.

Show less

12

REPLY



Undercover V3 days ago (edited)

You knew there would be some degree of negative feedback, and yet you put the message out into the (YouTube) universe because what you had to say is that important. That's real class and integrity! Edit: Forgot to say thank you for sharing this difficult message, sharing your story, and best wishes to you and Vickie.

11

REPLY



bunun3 days ago

real housewives of ebay thrifting

3

REPLY



Binky3 days ago

Lol! I know!

1

REPLY

Hide replies



Polarbear 1233 days ago

Dont feel bad for outing any bully. That is despicable behavior and should not be tolerated.

4

REPLY



Joe Biggs3 days ago

Wheres the proof?

REPLY



Danni Ackerman17 hours ago

Read all the other accounts that back up this same type of behavior!

1

REPLY

Hide replies



Raina Tailia3 days ago (edited)

I spent a few days as a part of his group. It screamed cult, with a supreme leader. I left very quickly of my own free will. Good for you, you are a brave beautiful person! You are right, there are tons of people who know, I found this out after I left his group. You just gave everyone else a voice. So many people have inadvertently stumbled into his lair. Well said and well done! People who do not know need to be warned. Those who are stuck need a way out. A bright light needed to be shown over the darkness that is causing so much harm. Bravo. There are those among us who have your back.

Show less

9

REPLY



Melissa Olivero3 days ago

I'm just horrified. I'm so sorry that you all went through this.

3

REPLY



Abs LewisNot3 days ago

Plenty of unsubbing from The Thrifting Board going on today! Send him a message and leave his group!

10

REPLY



leahandadi3 days ago

I'm so sorry to hear that this happened to you and Vicky. I really appreciate your videos and all you have both done for this community :) You are super brave for coming forward with this. Thank you :)

3

REPLY



liz hough3 days ago

Hey Katy, thanks for your information. I only watched him only once & didn't care for him at all. He came off to me as self serving, self absorbed & totally nasty. Am been around to many like him in my 74 yrs. I would go to the cops & file charges against him, sue him for slander, just do whatever you can legally. Just don't let him get away with it any longer. Good luck on your journey & best wishes to you & Vicky. Cheers, TX Liz

6

REPLY



ooddities3 days ago

I hope this stops the bullying by calling out the utter BS. I hope you have peace and quiet and zen back in your lives.

Peace out 🙌🙌

3

REPLY



Val H3 days ago

I just subscribed. Sorry this happened to you ladies. Check your email

5

REPLY



gasaurus3 days ago

Thanks so much for your bravery and telling your story, thanks for taking a stand for all women, especially within the reseller community. This is so important! Men like him need to be exposed for what they really are. <3 Wishing you and Victoria nothing but love & happiness.

6

REPLY



Sharking Mom Deals3 days ago

This is sad that ANYONE would harrass another. I have loved both of your channels. It's sad to hear!! You & Vickie should protect yourself legally. I know another YouTuber who is being bullied in another topic. The ability for others to mess with people they don't like is way too overboard. Laws exist against Cyber bullying but us not enforced strongly enough! Please tell Vickie don't let it get to her. She seems like a wonderful gal!

3

REPLY



Pam Coffman3 days ago

Apparently you have deleted many, if not all positive comments. I hope you don't delete mine. Here is the wickedness of Jason T Smith, he organized a fund raiser for Nayden that raised over \$26,000, he was instrumental in helping you win the Shine award, he has helped me many times with Ebay issues late into the late. Some are commenting on how he treats his co-hosts, I'm sure that you're aware that he's generally good friends with his co-hosts and I have NEVER seen him say anything inappropriate to any of them. If you google his name, the ONLY negative thing I can find is this video, speaks volumes to me. Nayden didn't disappear from the group, she took a much needed break. Jason posted about this on the board, when she made that choice. I believe it was unprofessional of you to pull everyone else into your and your wife's personal issues with another seller, which, by the way, has NOTHING to do with selling or Ebay. I wish that you would've kept us all out of it. Much of what you did is what you accuse him of doing.

Show less

3

REPLY



[LV Pink Panther-Vikki](#)3 days ago

Actually, not a single comment has been removed or deleted except one that was naming another person and had nothing to do with this video. Not ONE. There was a really negative one posted last night, but that was taken down by the person who posted it, so you can think what you would like, all comments have been allowed to stand.

6

REPLY



[Katy Zilverberg](#)3 days ago

I haven't deleted a single comment. Look at the upvotes and downvotes. And if you haven't heard anything up until now, now you have.

8

REPLY



[LV Pink Panther-Vikki](#)3 days ago

My only other response to this comment would be to maybe ask his actual previous co-hosts, rather than assuming all is well. Ask where most of his "lifeguards" went and why? Better yet, ask them directly. Not my stories to tell, but I am friends with almost all of his former lifeguards and previous Youtube c-ohosts and so is Katy. It might tell you something. He surely has done good things for people in the past- which I do not disavow, and neither has Katy. In fact, she talks about how much that group helps people and has helped her- mind you- her being a Shine finalist had nothing to do with ANYONE other than herself... Winning was absolutely based on votes and she was grateful for her supporters in the other group. Yet these good acts do not erase deplorable behaviors. Being good sometimes to some people and being a bully or a jerk are not mutually exclusive things. And harshing on someone for speaking their own personal truth about being bullied is shameful in itself. When people interfere with your business and personal life on every conceivable level and make false accusations about your integrity, your character and you entire being, it absolutely has to do with your business when your business and outside activities are based upon your credibility and reputation. I hope to God no one ever tries to sully your name or reputation with falsehoods in this manner, truly.

Read more

12

REPLY



[Pam Coffman](#)3 days ago

I never wanted to know any of this. It doesn't involve me and I believe what you are doing now is being the bully. It's not right, either way. You fell bullied, so now you bully. Two wrongs don't make it right. You are trying to destroy his

business and his reputation, which you are saying he has done to you. I'm not going to engage any further, i have much too much work to do. Good luck with your future endeavors, I just don't believe that this was the way to go her.

1

REPLY



[Danni Ackerman](#)3 days ago

Narcissists will do things that make them look good to others. It is never from the goodness of their heart but of a need to have admiration.

10

REPLY



[Chelsea McDaniel](#)2 days ago

Wow Pam. Hero worship much? People who make a habit of bullying and harassing others are usually cowards with low self esteem. Jason isn't stupid. He knows he has a brand and image to keep up. The same was true of Bill Cosby and Harvey Weinstein. They slink around behind the scenes and make life a living hell for those they target. It never stops! UNTIL two brave women, spilled the beans, said enough and told their story via a reporter, to the world! Of course they were called liars, threatened even more, and trashed publicly. What resulted was something even more courageous. Other people felt they could finally, maybe, come out of the shadows, not risk their careers, and feel safe telling their stories. MeToo stories! Soon a trickle became a flood of stories, all very similar, of the bullying and abuse they'd been subjected to, or were witNess to, but were too afraid to tell. Apply the same concept here! Two courageous women who've tried to live happy lives in peace, yet behind the scenes someone is systematically trying to break them down, shut them up, and destroy them! The only difference are the people involved. No one should shame anyone for standing up to a bully or harassed and calling them out. Particularly when it's a clear pattern and habit. Notice how many people have come out of the woodwork to say MeToo and have the documentation to back it up! You haven't noticed or wondered why some of Jason's LONG TIME friends and admins have suddenly disappeared recently? Folks who have repeatedly been on his shows, been active motivators in his groups, and stayed in his home? All of these people disappeared like a light switch being turned off in the last six months alone and it's just a coincidence? You haven't seen the churn and burn lately? Really? You'd have to be blind to not notice!! I mean, he even bullied people who didn't buy his t-shirt for Ebay Open last year. Nope. If you didn't buy a shirt, you can't be in the group photo of Thrifting Board/Secret Beach people! Really? Hell, there is even video proof of that. Go back and watch his videos after Open. He flat out said so!! Can't say anyone is lying about that! Moral of the story? Bullying is wrong, dangerous, and can often be deadly! Never shame or belittle anyone who says they have been. Be part of the solution, not the problem!

[Read more](#)

6



REPLY



[Pam Coffman](#)2 days ago

I'm not hero worshipping and I'm not shaming anyone. I just feel like being a bully against someone that you feel is a bully, isn't right. I think she could've done more than to try and ruin his business, reputation and name, like she's claiming he did/ I didn't see any videos about Katy and Vicki with the vicious nastiness as this one, have you? You're also off the mark comparing him to sexual predators. I'm seriously done with this bull shit. The reason didn't notice what you brought out, if it is true, is because I'm too busy running my two businesses to get caught up in junior high drama. You are all just as bad as you are blaming Jason for being.

Read more

1

REPLY



[Pam Coffman](#)2 days ago

Hmmm, there are those that have 'said' their posts were deleted. Should I believe my sources or your sources that caused this video to be created in the first place? Very unprofessional.

1

REPLY



[Katy Zilverberg](#)2 days ago

In the two days this has been up, I've deleted one comment attacking someone that had nothing to do with video. As far as I know, one other comment was deleted by the poster themselves. Otherwise, I'm happy to keep any and all comments disagreeing with me either civilly or attacking me. I don't need to control the response or hide anything because I am merely speaking my truth. It's ok if you don't believe me and it's ok if you don't think this video is professional. Normally I would agree with you but in this case it was necessary for me to stand up and give a voice to the clearly many, many people who have been similarly victimized. As you can see, I haven't deleted yours nor have I deleted other contrary comments on this video.

Read more

3

REPLY



[Pam Coffman](#)2 days ago

I have to agree that you have been civil in this case, unfortunately, the other posters have not. I still don't understand why it's OK for you to do this, but not for Jason. I'm NOT supporting bad behavior, it just doesn't make sense to use the same tactics that you are accusing him of and it just makes you look bad. No matter what proof you may have, you're seriously opening yourself up to slander at this point. You've opened up a forum to ruin his business, Facebook pages and reputation. It makes me cringe some of the suggestions of the posters, so gleeful whenever someone unsubs from his group. The whole thing is disgusting to me and I really would've not known about any of it, if not for this video. I don't see the point of warning people that don't have an issue. I haven't known Jason long, and I have never witnessed any of the behavior that others have, but he is a human and this video and the comments being left are treating him like an animal, and I will NEVER agree with that.

Read more

1

REPLY



[Katy Zilverberg](#)2 days ago

Slander requires that I be making false statements which I am not. Of course you can't know that because I haven't shown you the evidence but I assure you I have documentation to back up every single claim, I'm not concerned about a slander case. I can't say the same for the other party concerned. Again, while you're not in a position to know this, I can tell you that I am not doing to him what he has done to Victoria and me. After 10 months of silence, choosing not to react to his attacks and interfering in my life, and attempting to go a private route to put a stop to the behavior, the behavior was continuing to happen and continuing to negatively impact my life. I would have been happy to never have made this public but it was time to stand up for not only myself and Vikki, but for countless other people who have been bullied and harmed by this man. My only goal is to shine a light on ongoing interference in my life, my work, and my relationships, to give a voice to the many people who have been afraid to speak out, and maybe make it a little more difficult for the behavior to continue. I want to pull the curtain back and based on the avalanche of public AND private

response I have received, this has been a long time coming and there are a lot of people in pain. Vocalizing injustice and abuse is not bullying, it is braving a storm that I've yet to see an end to but hope to one day.

Read more

11

REPLY



[Ginny B](#) 2 days ago

Wow Pam you never wanted to know any of this because it doesn't involve you? I can't believe you actually said that.

7

REPLY



[Cindy Sorley](#) 2 days ago

Thank you ..

1

REPLY



[Cindy Sorley](#) 2 days ago

didn't you say you are not going to engage any further?

2

REPLY



[Cindy Sorley](#) 2 days ago

Stand Firm... don't let the minions get to you .. David Rayor taught me a great deal in dealing with Jason and it was don't let him get free real estate in your head...

4

REPLY



[Cindy Sorley](#) 2 days ago

Let me send you a few Messages from him ..

REPLY



[Cindy Sorley](#) 2 days ago

Amen

REPLY



[Pam Coffman](#) 2 days ago

It's dirty laundry being aired publicly to humiliate another person and you ruin their business and reputation. Two wrongs don't make a right. You do't have to agree with me, just like I don't have to agree with how this is going,

2

REPLY



[Danni Ackerman](#) 17 hours ago

Pam didn't you see where she tried the route of ignoring him but he is relentless and determined to continue until he has destroyed - I'm pretty sure he used those very words when talking about me - he wanted to destroy me and my business of helping others. This is not just dirty laundry - this is about someone who hurts people and people need to know so they can make educated decisions on whether or not to continue to support and follow this person just as you can make a decision about Katy based on what you see that you don't like. Two wrongs certainly don't make a right but there are some differences you are missing - one person is being slanderous and the other is stating true experience.

Read more

1

REPLY

Hide replies



[Jay Lunquest](#) 3 days ago

Personally, I'd sue him for slander. Think there is grounds enough for a defamation lawsuit.

4

REPLY



[motleyfool](#) 3 days ago

Several years ago Danni Ackerman claimed she felt physically threatened in her last encounter with JTS.

6

REPLY



[Danni Ackerman](#) 3 days ago

Yes we have had police involved in our encounters. I refused to back down to his bullying.

5

REPLY



[Cindy Sorley](#) 2 days ago

But to hear his side you were 110% wrong.. so sorry I listened to it

4

REPLY

Hide replies



[Donna Wester](#) 3 days ago

I would say that the Bully here is the one speaking in this video!! I was in The Thrifting Board when You Katy was an Admin. Guess what? You booted me out!! Yes that's right you booted me out because I made a joke about that Casey (Rockstar Flipper) has more YouTube followers then Jason. I contacted Jason told him what had happened and he got me back on the The Thrifting Board!! There is loads of ebay tips and guests on Jason's Channel that I will continue to watch. I'm also on Casey's Channel & FB page. I don't believe I'm in your FB group if so I will leave may not watch any of your videos as I don't like Bullies!!!!

Show less

1

REPLY



[Katy Zilverberg](#) 3 days ago

Donna, unfortunately you were lied to about this incident and funny enough I have the screenshots to prove it. I wasn't even in the Lifeguard conversation where another Lifeguard called Jason's attention to it and he directed them to boot you. I can't post screenshots here but check out my Facebook in a few minutes because I will make a public post to prove it. I'm sorry you got sucked into this, at the time I defended you, said it was just a joke, that I didn't believe you meant it as an attack. I even told Jason it was his opportunity to not react in his typical way, that he could rise above and just say something like "Hey Casey, congrats on reaching 40,000, I know how much work it is to build a group like that!" Of course he didn't listen and chose to go after Casey in a comment in Casey's group.

Read more

12

REPLY



[Katy Zilverberg](#)2 days ago

I did message you the information, I hope you get a chance to see it.

3

REPLY



[Katy Zilverberg](#)17 hours ago

Actually, I was able to get in touch with Donna to show her the screenshots, she now knows the info given to her was false and we're all good. I don't blame her for thinking I was a jerk, I would have thought the same thing!

3

REPLY

Hide replies



[Delayne Coats](#)3 days ago

I would give this 1000 thumbs up if I could!

8

REPLY



[Danielle Fry](#)3 days ago

Thank you for your honesty and bravery! I've been where you are and it sux. Praying for a positive outcome.

7

REPLY



[Sheila](#)3 days ago

Hi. I'm a sister from NJ. All I can say is Wow! And this isn't drama, it is the truth about the abuse some wackadoodles think they have the right to dish out on people. You and Victoria are awesome mentors and very caring positive people. You have the right to be upset and the right to defend yourselves. You've been through enough without this BS goin on. Happy you are speaking up for yourselves, don't let the haters win. The fact that he is going after you on a personal and business level is bat sh*t crazy. I think you should ask for legal advice to protect your charity work and businesses. Reach out to the community and contact the legal department at the LGBTQ center in your area. They'll know what to do.

Show less

4

REPLY



Christiane Flannery3 days ago

Katy - I am so very sorry for what Victoria endured as a fire survivor and for anything hurtful following that incident (related or unrelated). I hope the two of you can overcome all of this and continue to make each other happy forever! Hugs to you both.

10



REPLY



IamK.Renae'3 days ago

Watched a few videos of his and I didn't like him right away never subscribe he seema like an ass. Sorry you both have been dealing with this. Bullying is never okay smdh

REPLY



Grace C3 days ago

Katy - you now have a new subscriber! I'd heard your name mentioned by said person but never knew what was going on. Thanks to Casey - one of my favorite vloggers - I watched your vlog and was so impressed have watched 5 more. Wishing you and Vicky the best and thanks for such helpful info. I'm trying international shipping myself and dropped out of the GSP. I'll be on the look out for more of your videos and catching up on those you've already done!

6

REPLY



violet3 days ago

i remember when the Station fire happened, it was so tragic and i'm so sorry your partner went through that, she is a strong person and so sweet to give back to others.

5

REPLY



Bobbi Miller3 days ago

This video is long overdue and it took you, Katy, to have the courage to make it. Bullying needs to stop. Although there are bad apples, keep in mind there are many good and kind folks in the eBay community, many I consider to be like family. I hope your courage begins the discussion among us about how this can stop and how we can make eBay a better, kinder place for buyers and sellers.

13

REPLY

View all 3 replies



Jabus Spires3 days ago

I had a bad experience with him a few years ago. Burned all Bridges and haven't looked back. I wish you the best of luck as you move forward.

6

REPLY



Kim H.3 days ago (edited)

Sounds like this asshole was himself in love with Victoria and lashing out like a middle schooler in his jealous rage. This is so terrible. Sending love and best wishes to both of you.

REPLY



Aimee Rogers3 days ago

I have screen shots of a conversation with him in 2013 where he contacted me on Facebook and told me I was not allowed in his Facebook group because I was in a group of someone he didnt like. He has a very long history of being a bully, it is nothing new. I am happy to share my screen shots if you need them Katy. Contact me.

9

REPLY

View all 3 replies



Chelsea McDaniel3 days ago

My heart breaks for you Katy and Vicki. I don't doubt what your saying at all. I've noticed quite a few of Jason's long time and very close, very visible Ebay co-horts are no longer a part of his groups, including some admins recently. Either by choice or not. Folks who people enjoy and admire. Just a coincidence? I don't think so. I think it speaks to their credibility and morals, as it does to both of yours! On another note I would encourage Vicki to go to Ebay Open, and not Jason and his enablers win! I'd march my ass into that conference, head held high, shoulders back, with a posse, all wearing some custom worded, bad ass, No Bully's allowed t-shirts!! I think I'd have a different colored one for every day. Maybe even a different message. Make your own impact. Power in numbers. Group photos. Make Ebay wonder what the heck that's all about! :-D

Show less

10

REPLY



Cindy Sorley2 days ago

Funny, I talked about this today with an eBay "influencer" about doing this exact same thing.

4

REPLY



Chelsea McDaniel2 days ago

Cindy Sorley Yesssss!!!! Gee, I bet I can guess who THAT "influencer" is! Just imagine if THAT influencer was walking around wearing no more bullying t-shirts that are generically clear who is bullying. Sellers bullying other sellers. Sellers deliberately trying to sabotage other sellers. Both are real problems. Different shirt every day or rotate a couple in and out and it will be noticed. Get a posse all coordinated and wearing them and you have a walking billboard! Dare them to wonder and ask what's up. Power in numbers. The greatest message my grandma pounded into us all of the time was this. "You can tell everything about someone by how they treat others they don't have to treat well." The clerk behind the counter, the waitress serving your meal, the cleaner in your office, the call center worker on the other end of the phone, and a leader/boss are just examples. Someone might be your close friend and treats you well, but is that true when dealing with those mentioned above? Sit back and watch every interaction the next time you go out to eat with a group of friends or colleagues. Are they polite, gracious, considerate and thankful of the waitstaff? You might be surprised what the answer is! :-)

Read more

4

REPLY

Hide replies



Kathleen McKee3 days ago

It's hard to hear that a person I have enjoyed watching and learning from has treated you and others so badly but I completely believe everything you said. Jason is a bit of a spellbinder, or at least he was for me. People start to follow him and jump on his bandwagon and the next thing you know you're a paying monthly subscriber to his group and buying his specially designed shirts and sending him tiki items. Last year at ebay Open (my first) I was part of his entourage in a small way and was in the pictures and took his class and sat with other members at events. It was a good way to feel like I belonged and wasn't so alone. I was part of a group, which felt nice. But you know what made me the happiest? When I was sitting with some new friends eating breakfast and you, Katy, came and sat down next to me. YOU made the effort to talk to us and find out about us and our lives. It wasn't about your celebrity status, it was just you being friendly and sweet. That was one of my favorite times at the whole event and it was honest and real, just like I think you are. Actions really do speak louder than words. Stay strong and positive, both of you!

Show less

19



REPLY



Katy Zilverberg3 days ago

Kathleen McKee thank you so much for this comment. Open last year was like magic for me. The love you all showed me was overwhelming and I was so grateful for all the support. I was happier that week than I had been in a very long time and you all were part of that. My life has changed completely since then, mostly for the better, despite this situation. I hope you are coming to Open again this year so I can give you a hug.

3

REPLY



Kathleen McKee3 days ago

I want that hug! I'm not coming this year--I'm just too small to justify going every year. My store is getting bigger and bigger thanks to BOSS and your videos. I'll be there next year and will be giving hugs out to you and your lovely "this one"! Keep standing up for what you believe in.

3



REPLY

Hide replies



Louise Lewis3 days ago

I'm not a resaler just watch most all you salers I've watched him many times and to be honest my opinion is without his liquor he'd be weak so sorry you and Victoria have to deal with the pit of hell

6

REPLY



[Sarah Bennett](#)3 days ago

I was in his old group. He bullied me and kicked me out. He thinks he's an expert on everything. Guess what, he's not. His friend attacked me on Twitter. Then she had the audacity to tell me how to fix my ebay listings. She noticed I wasn't selling a lot and didn't make a lot of money in 2012. This bitch just jumped into my business. My son was diagnosed with leukemia in 2011, he passed away in 2012. The nerve of these people. I blocked her everywhere. Speak out girl. I'm in my 18th year on ebay. This man is horrible. Thank you for saying it. I put all this behind me. I'm no longer a full time seller, only sell my stuff and my daughter's outgrown clothes. I had 3 stores with thousands of items. Good luck! Good for you!

Show less

6

REPLY



[Cami james](#)4 days ago

YOU GUYS JUST BE YOURSELVES WHICH IS SWEET HONEST CARING FUNNY AND SO MUCH MORE AND GOD WILL LOOK AFTER YOU TELL VICKI WE LOVE HER AND WE STAND BY YOU GUYS

6

REPLY



[The Violet Lemon](#)4 days ago

Hey Katy and Victoria- I hope that by speaking out about this will bring some sort of much needed relief to you both-I applaud your boldness and bravery to speak out. Unfortunately, there are a lot of bullies in the "reseller community" and I learned pretty quickly on that there is very little "community" going on at all. Such is life. If I had one piece of advice for you, it would be this: keep impeccable records of the actions being said, or shared, texted, etc against you or Victoria. with my husband being in law enforcement, the key to taking action, if that need should arise, is always a paper trail, time stamps, etc. Perhaps put everything in a journal, and then just put that journal away, out of sight, until you need to access it again. Each state has different laws about cyber crimes, including cyber bullying, slander and libel and what action can be taken to get some relief.

Show less

14



REPLY



[Michelle Revelle](#)4 days ago

That sucks. I hate a bully. Be sure to keep a record with dates and time of everything he and his followers do against you and Vicki. Same with all gossip and statements he makes and to whom if you know. If he screws some of those people over, they'll be good witnesses for you if y'all decide to file a slander suit. Get video if you think someone is following you. If things escalate and y'all fear bodily harm, carry some kind of defensive tool like pepper spray, taser, or whatever you feel comfortable with. Make police reports in cases of stalking or harassment. Hate that y'all are going

through this but with you having the courage to post your video, I'm sure others who have been bullied by him will come out. Wishing you and Vicki the best of luck and a great life together. Oh, by the way, it baffles my brain that ANYONE would talk smack about RalliRoots! I mean, come on now!

Show less

5

REPLY



10 of Hearts4 days ago

my wife and i have the same beginning. after almost 30 years apart, (she waited for me), i'm vicky, she's you. I'm sorry this happened to you. I just recently joined your fb and am so hoping i get to meet you both at eBay Open! It's my first time and I'm nervous! Peace, love and light to you from Houston.

11



REPLY



Katy Zilverberg3 days ago

10 of Hearts don't be nervous, definitely come and introduce yourself to us!

2

REPLY



RockstarFlipper3 days ago

Beth...come Monday night with me.. ill introduce you and your wife to Katy!!

5

REPLY



10 of Hearts3 days ago

RockstarFlipper wife not coming but I will be there Monday night for sure.

2

REPLY



Cindy Sorley2 days ago

I just want to give both of you a hug at Open...

1

REPLY



Hip Flippin Mamma1 day ago

Beth, you can hang with @farmgurlscavenger & I, remember.?????

1

REPLY



10 of Hearts1 day ago

woot! can't wait to me you gals! when it gets closer, I'll pm dm or shout out my cell number! i am so glad noel is going!
i wasn't sure the dr. released her!

1

REPLY

Hide replies



Daniel's Toys Review4 days ago



REPLY



Reseller Life4 days ago

Wow...

2

REPLY



cynthia284 days ago

Glad you deleted that long winded comment chastising you for speaking out about your ordeal. After nearly a year of this, the truth needed to be said. You do not need to keep silent. You and Vicky did the right thing and brought his darkness to light.

10

REPLY



Katy Zilverberg3 days ago

cynthia28 I actually didn't delete it. I think he deleted it when he realized how obvious it was who posted it despite the fake account. Luckily I grabbed a screenshot so it can live on forever.

11

REPLY



Cindy Sorley2 days ago

Dang I missed it... want to see it .. LOL

REPLY



Binky2 days ago

Now he is "Heather Hobby"..with a new rant. Lmao

1

REPLY



Cindy Sorley2 days ago

Binky think that is Kim

1

REPLY



Janet Lesley 11 hours ago

Katy Zilverberg message CE Lesley on Facebook and get his story.... first he went after Danni Ackerman and then he went after Christopher

REPLY

Hide replies



Chuck Dunn 4 days ago

Thank you Katy for speaking up about this type of negative behavior. Bullying comes in all forms and on many different platforms. Wishing the very best for you and Victoria. I have dealt with this type of person in the past...meet it head on and don't back down.

6

REPLY



Vintage Pussycat Shop 4 days ago

Katy - Thank you for this video! I was not aware of you or your channel until I saw reference to your video. This is definitely some horrifically damaging and toxic behavior. From the very little I have witnessed, I can believe that this is all true. I was once a member of TTB, and I agree that it was probably the most useful eBay group I was part of, as far as gaining knowledge. The negativity was toxic (but its not much better in any other group). The reason I left was because of a post. Someone posted a question, and in the comments was getting ripped apart for the way she handled the situation in the first place (I think it was a customer service issue or something). People were being really harsh, which is not unusual in this group. A woman commented that she thought people were being harsh and bullying the OP. The commenter was a lawyer, I believe, and was very polite and unoffensive in the way she approached it. She just thought that the OP got the message, and that the scolding was unnecessary. She then had Lifeguards telling her that it wasn't bullying. Other people agreed that it was, but the admin (and eventually Jason) came on and had a "this is my group and I say it's not bullying and if you don't like it, too bad" type of response. That was when I left. The knowledge I was gaining was not so valuable that I was going to watch that or expose myself to it any longer. And I am not a big fish, and I don't like so many of the rumors that go on in this community, so I never said anything publicly. But I have had private conversations with others who have had worse experiences, including some of those threats to find out where people live, etc. Thank you for speaking out about this, and keeping it as objective as possible. I can't wait to watch more of your videos! Laura :)

Show less

9

REPLY



Jan Bee 4 days ago

I have listened and you know I have to say it seems to me the issue was that Jason was also in love with Vikki. To me, it is a way over the top reaction to what ought not to have really mattered to him personally. The fact that he lost her to another woman and another ebay community member is what probably enraged him the most. He then got so caught up in the cover up of those feelings that he destroyed ALL of his relationships to protect what he was really feeling and hiding. He is an unattractive man who dislikes that women don't want him. Just my take on it.

Show less

8

REPLY



[Kim Reed](#)18 hours ago

I will admit that the thought also crossed my mind. The reaction was WAY over the top.

REPLY

Hide replies



[carol peterson](#)4 days ago

You are very brave. Thank you for sharing.

9

REPLY



[The Thrifty Picker](#)4 days ago

Bullying is never ok! Wow thanks for opening my eyes to what he is really like... EBay gave you the Shine award for a reason and Jason may not ever go after you because you will always shine bright!! Keep up the great positive attitude and he will never get the chance to try to bring you down. As long as you and Vikki stand strong together he can't ever win. Not to mention the few thousand of us that stand with you!

10

REPLY



[ALLTHINGSGEEK](#)774 days ago

Wow, good for you. I have always thought things are a bit off with him. The thing that sticks out with me is one video he said he hates kids. That just stuck with me as a asshole thing to say. I was kicked from his group because I said goodwill charges to much for the items they sell.

1

REPLY



[Pete Donovan](#)4 days ago

So true. UNSUBSCRIBE from the Thrifting Board!!!

2

REPLY



[olensiin](#)14 days ago

It is called Narcissism. I recognize all the signs; smear campaign, "flying monkeys", fragile ego. Unfortunately, narcissist thrives on attention, even negative. The only way to fight narcissist is to completely ignore them. They make it hard, I know. They employ army of "flying monkeys" to do their dirty work of destroying anyone who stops giving them "narcissistic supply". Sorry for what you and Victoria went through. There is a lot of helpful information about this disorder on YouTube that helped me heal. Good luck with everything and Happy Selling!

Show less

17

REPLY



[hewitt watson](#)4 days ago

Wow, retarded high school drama. This is so stupid, quit crying and go sell something.

2

REPLY



LalaCats34 days ago

Katy -- I am not an avid follower of eBay Facebook groups, only belong to a very few, but amazingly I have seen several posts from people who have had very negative experiences with Mr. Smith. I think you are very brave and within your rights to talk about his negative impact on Victoria and you. I know from personal experience what it is to be slandered, stalked, and threatened by a couple of pretty sick puppies, and Mr. Smith seems quite similar to them. I so appreciate you and Victoria and I learn and benefit daily from your videos and encouraging and informative ways. Please hug Victoria for me and let her know a lot of people she has never met value and support her and you and your relationship together. I also encourage you both to seek legal or law enforcement help or both if you feel you are in danger. I have heard that things like cyber bullying or cyber crimes are becoming serious issues and taken seriously by legal entities. Also, I would think it would be similar for stalking and harrasment. Please do what you need to in order to care for yourselves and each other. I support you both. Mr. Smith is gaining a widespread reputation , and it is not a good one.

Show less

10

REPLY



TD Paul2 days ago

LalaCats3 ...you are right....she is Brave!!

1

REPLY

Hide replies



Abs LewisNot4 days ago

How much of Jason's bad behavior is related to his alcohol drinking? Yes, he did a nutty on me too back when he had the Bra on Your Head fund raiser. I still have his conversation on FB messenger. He booted me without reason. His behavior last year at Ebay Open (main hall) looking back and waving at his trailing posse and calling out ahead "Look at this" "They love me" so typical of an egomaniac.

11

REPLY



Tina Kuykendall4 days ago

Katy it really makes me sad to see that you have jumped on the YouTube gossip train to air your personal problems. As a business person in this reseller community I don't think it is appropriate nor businesslike to use YouTube to air your personal grievances whether valid or not. Jason T, Smith is a businessman so I cannot fault him for caring about issues that can hurt his business. Jason has been nothing but very professional to me and has bent over backwards to teach me and help my business succeed. I have never once seen or heard him be disrespectful or talk bad about anyone. Despite his busy schedule, he is always available to help and encouraging to other resellers. Maybe it's all in ones own perspective but none the less I hope you will think twice about stirring up negativity in this community,

Show less

2

REPLY



Laura Gardner4 days ago

Tina Kuykendall ☹️☹️☹️

REPLY



Chelsea McDaniel3 days ago

Think twice or what Tina? Defending bullies is appalling! Since when is being a bigot or a bully ever good business decision? :-(

5

REPLY



Mary Kirschenbaum3 days ago

Tina Kuykendall one word - empathy. Just because he treated you well doesn't mean he hasn't been a complete ass to others. His EGO is over the top. On his YouTube channel he's not even polite to his own cohosts.

6

REPLY



Pam Coffman3 days ago

I didn't take Tina's comment as defending a bully at all, in fact I was thinking the same. I feel like this video is very unprofessional and should be dealt with between the parties involved. There are two sides to every story and you're getting one side here. I'm not saying that it is or isn't true, but it seems like what's going on here with the video and the comments are much like what you're all accusing Jason of. I wasn't going to say anything about this, but I felt like I didn't to defend Tina, who I don't know. I think that everyone should put away their pitch forks and focus on their businesses instead. That's all I have to say and I won't be responding to any reply's. :(

Show less

1

REPLY



Stephanie A3 days ago

Tina keep drinking the koolaid he doles out. He is an awful human being. You should be happy that you have not YET been victimized by him. People like you enable people like him to continue their abusive behavior. It is really disgusting.

6

REPLY



Tina Kuykendall3 days ago

Chelsea, I am simply asking Katy to think twice about how she handles her personal issues. Facebook is really not the place to air personal issues. From my viewpoint using your status on Youtube to post videos without inviting the person you are making accusations of to be a part of the video is a bully tactic in itself. I don't think it is Katy's intention to be viewed as a bully.

1

REPLY



Tina Kuykendall3 days ago

Mary, Like I said, maybe it's all in ones own perspective. I have never seen Jason be disrespectful to anyone including his cohosts and he has been extremely helpful to many people. To me... his EGO is more like that of a big teddybear. Jason is running a business so it's perfectly understandable to me that he would be concerned about issues that can

affect it. Behind the scenes, Jason is still a human being and has his own personal feelings and opinions about people as we all do. I highly respect that he doesn't stir gossip or negativity by airing his personal feelings on Facebook or other social media websites. From my perspective Katy using her status on Youtube to air one-sided grievances is a bully tactic in itself.

Show less

1

REPLY



Mitzi Reseller3 days ago (edited)

glad he's been nice to you. That does not erase his actions toward these ladies. If this video is not your cup of tea, don't waste your time then.

5

REPLY



Bethanee Bartrand3 days ago

Tina Kuykendall Ask all the ladies and Gentlemen he booted from Mid Century Modern Kitsch in a video in which he gleefully called them Bitches and said that they all were after him when in reality it was very mild. One person asked what The Thrifting Board was and one lady commented about being kicked out for asking a question, then a few others piped up about their experiences suddenly he's booting everyone who even said What's the Thrifting Board? Making a big live video about it and pm'ing a bunch of the commenters personally with messages calling them cunts and bitches etc. I've seen him tear into people, I've seen others follow suit on his page. It definitely has bred a culture on there that is ugly in a lot of ways and has made people like me fear to even comment at all. I was torn into for mildly disagreeing, not with him but with someone else and him coming in hot and heavy. Definitely not the kind of environment that I enjoy being a part of.

Show less

3

REPLY



Binky3 days ago

Lmao. That's all I can say, Tina.

1

REPLY



Cindy Sorley2 days ago

Tina, Can I send you thousands of PM's trashing people by him?

5

REPLY

Hide replies



LLCisyouandme4 days ago

He sounds like he has NPD. Good person to stay away from in every way possible.

10

REPLY



Cindy Sorley2 days ago

unmedicated for sure or with alcohol

1

REPLY

Hide replies



Lynda Painter4 days ago

My wife and I had a similar beginning, she married me, always gay, she was 'straight' but she left her hubby, it was a very emotional time. Fortunately we didn't have a Jason! What an absolutely horrible (and VERY sad person) he sounds. I am lucky in that I live on the other side of the world and have never had anything to do with him. My ex was a very controlling and negative person and she tried (she had left me two years earlier but still thought she owned me) to upset what we had found. What a terrible time you have both had especially Vicky, I really feel for her. He sounds like a thoroughly despicable person; I believe you totally. If you sent a shout out to me and he tried to do something to me he would get short shift. Nobody bullies me! Is there nothing legal you do? Negativity is not part of my life, I refuse to let it be. There are so many of us that follow you two and admire you both, take that to heart. I hope all goes well for Vicky and you. I'll stand behind you.

Show less

12



REPLY



DeLinda Macut1 day ago

Amen!! And I 2nd that!

REPLY

Hide replies



Philip Murray4 days ago

Sorry about the situation you had to go through Katy. I think a major problem is when someone's YT channel or fb group starts to gain some popularity and they begin to see themselves as a celebrity and better than the 'little people' and their 'followers'.

5

REPLY



Donna Thrifts4 days ago

I know we have never met and I only know you and Vicky through watching your shows but I'm sending love and positivity to you both and I'm proud of you for speaking out ♡

10



REPLY



kenny southwell4 days ago

If he is smart, he will shut everything down and disappear from the online community. I would love to see someone call him out in front of an audience at ebay open. and if you are reading this JTS, it just might happen.

14

REPLY



Stephanie A3 days ago

You know he is reading this because he is too much of a stalker to not. He has probably been spinning since she posted it. Busy looking up everyone who comments so he can boot them from his group lol. He needs to be called out at Ebay open . When I posted the incident I had with him last year in Vegas ... he actually private messaged people who commented on my post..

10

REPLY



Cindy Sorley2 days ago

I am sure every Secret Beach member was demanded to come give Katy Thumbs Down... what a sad soul he is

5

REPLY



Stephanie A1 day ago

Cindy you know they all drink deeply of his Koolaid. Blindly following him.

1

REPLY



Danni Ackerman18 hours ago

I want to see eBay's reaction to this. It isn't just this reporting - they have had many believe me but they always chose to continue to support him because of "how much good he does in the community"

1

REPLY



Janet Lesley11 hours ago

Stephanie A JTS is a cowardly bitch. He'll never shut down his business.

1

REPLY

Hide replies



Jen HM4 days ago (edited)

Yaaaaaas Queen 🍑 in the words of broad city! You were so dignified and eloquent. I hope that this situation gets resolved and you are able to continue your life with positivity sprinkling glitter and funny cat t shirts wherever you go. How wonderful that you and Vicky have each other, your passion brought tears to my eyes. It's so obvious how much

you adore each other. Love to you both...always. Bullies are weak, spineless and pathetic and should be called out whoever they are and wherever they may be. Onwards and upwards. 💕 💕 💕 🐱 🐘

Show less

8

REPLY



Dee Sa4 days ago

THANK YOU, HE'S DONE IT TO ME TOO....DARN HIM! AND HIS FEMALE COHORTS JOINED IN...ACTUALLY, THEY STARTED AND HE CAME IN ON THE END TO FINISH ME OFF...DANG

8

REPLY



kenny southwell4 days ago (edited)

Pretty well documented what JTS did to thousands of members of TWTB facebook group. I had an encounter with him too a few years ago. He is a vile man.

10

REPLY



KC Kara4 days ago

You have gained a new subscriber. You are a beacon of light,life,and love. I wish you all the joy life has to offer.

8

REPLY



The Thrifty Tartt Joanna V4 days ago (edited)

I cant believe this is going on in our reselling community, I'm disgusted!!! but I want to know why are all of the ladies that are always on his side(videos) and his mom allowing this? are they not aware of this. how can they not be aware of his behavior? I get vibes just from watching his videos. This is horrible!! But im very thankful to both of you for making this video, It must have been very difficult to share all of this personal info with us. I appreciate your honesty and for standing up against bullying. I will never watch this guys videos again!

Show less

8

REPLY



Jeanette Kappe3 days ago

The Thrifty Tartt Joanna I do love his mom& I think she is genuine.

3

REPLY



Nicola Simmons3 days ago

watch her face when she gets something wrong on a show, and his tone changes. She looks pretty scared to me.

2

REPLY

Hide replies



[MindSparkInTn4](#) 4 days ago

That's truly horrifying! Thank you for telling your truth and making a stand against bullying. I hate that you had to talk about things that should remain private but are central to the issue. But it warms my heart that you have found true love! Best wishes to you and Victoria. Stay strong! (Easier said than done, I know.)

6

REPLY



[Hahni Jones4](#) 4 days ago

I am sorry you have had to deal with this. I am happy you two have found love and are on this journey. This situation reminds me of something I was forced to memorize as a teen. It's from Shakespeare.... Good name in man and woman, dear my lord, Is the immediate jewel of their souls: Who steals my purse steals trash; 'tis something, nothing; 'Twas mine, 'tis his, and has been slave to thousands; But he that filches from me my good name Robs me of that which not enriches him And makes me poor indeed. It is never OK to take from someone their good name. Some people are just not elevated enough to understand the importance. If he is like this, I doubt he will ever be elevated enough to understand what he has taken from you. He will place blame and go on a rampage to find out who broke his trust and move to the next victim. I hope for you and your fiance that the two of you can remove this man from your life and erase the negativity he brought. Look forward to the happy things you two will get to experience together. You have my respect and thank you both for the service to the community you have given.

Show less

10

REPLY



[Flippin For Fun4](#) 4 days ago

When Nadine suddenly disappeared from the scene and no one would say if she was okay or not...I had a sinking feeling something was not right. I have seen snippets here and there that made me question his honesty. There is no reason anyone should EVER be bullied in ANY way and there were times when Nays kids would get loud and he would rake her for it. They are kids and she had enough to worry about....it just seemed so petty and mean. I am sorry this is happening to you both and anyone else who maybe in his sites.

Show less

10

REPLY



[Aqua Junker4](#) 4 days ago

I noticed this too. He was horrible about any noise by the kids. I have since quit watching his shows. She made the show bearable and she had so much knowledge and kindness. And he used her too. And he used her medical condition to his advantage. How much has he talked about cancer since she left? Or even mentioned her? Bet not much because it doesn't help him.

8

REPLY



[OlskoolTV N videos3](#) 3 days ago

The situation with Nadene was the last straw for me in that group. How snippy he was about her kids and some comments he made about her forgetfulness or being slow to catch on to whatever he was saying. That was messed up.

8

REPLY



[Lisa B. Thomas](#)20 hours ago

I quit watching long ago. What was the reason that Nadine left? How is she doing? She seemed like such a sweetheart.

1

REPLY

Hide replies



[Deb Mottaz](#)4 days ago

Katy Thanks!! For standing up to the big bully and bullying. You did the right thing by making this video. Many positive blessings to you and Victoria 😊

11

REPLY



[Rita Lopez](#)4 days ago

My heart hurts to know this is happening to the both of you I have no words just know I value your advice and how kind and helpful you are to us resellers. Keep the faith and thank you for sharing your story and I hope things will get better soon tell Vicky she great and things will be ok 😊❤️

9

REPLY



[MrsLars](#)4 days ago

Wow, just wow. My reseller world is small. I have a small store which I have closed down for several months to get some health issues taken care of. I know a lot of the names but just do not have time to watch everybody. I was shocked when I come across this video and watched it because I just had no idea. Petty jealousies, that sort of thing you can expect, but this story is just pathologic. Thank you for sharing. Best wishes to you and Victoria.

8

REPLY



[Beccas_ Bins](#)4 days ago

I don't know all sides of the story, so is hard for me to really comment about it all. However I can say, you & Vikki are beautiful souls & wish you both no more drama (of any kind). <3

4

REPLY



[Debbie Porter](#)4 days ago

Heartbreaking. I wish you and Victoria many happy moments. The pain is visible on your face, and felt in your words. Both of you are such wonderful people, generous, kind, supportive and good at what you do. I thank you both for all you do. Oh the fire ! I am a burn survivor too, bless you Victoria.

9

REPLY



tina q4 days ago

Wow! Just unsubbed him. Shame Shame on him! Don't apologize for putting this out. We should be thanking you! Love the positivity you & Victoria Always give us ♡. Thank you!

9

REPLY



Jennifer Santiago4 days ago

So sorry to hear that u and Vicky r going through this. I have been in many eBay groups and leave very quickly because of bullying or I just don't like the way it is conducted...i give groups a second chance because u never know...stay strong u r amazing just for doing this

6

REPLY



April K4 days ago

Fairly new to reselling but I'm quickly learning about the bad people out there. I think your message was clear and classy. Learned about your channel from the other GOOD re-sellers out there. It says a lot, that all my favorite channels speak highly of you and the work you do. Wish there was something us little people could do to help stop those negative messages and attacks.

6

REPLY



Susan Smith4 days ago

Wow, sorry you are having to deal with this. Why do these resellers who create these you-tube channels think they are above everyone? This is the first I have heard about Jason, but he is an evil man for doing this. Thank you for deleting Reezzy's comment, scum he is. Seems like he does all the dirty work for his side kick Nicole State. I would suggest anyone want to find out about you-tube personalities who think they are important, check out Jessica Smith you-tube channel. Very interesting stuff on there. Makes you think twice on who to trust. Shame that it seems like the last few months, well maybe more than a few months, a lot of you-tuber have gone whack-a-doodle. I unsubbed to Nicole State and Reezzy a few months ago and now I will be hitting the unsub button for Jason Smith.

Show less

22

REPLY



GoinCrackers2 days ago

Is Nicole in cahoots with Jason?

REPLY

Hide replies



ashesandghost4 days ago

Yes!! It's about time!

8

REPLY



Candace Pitt4 days ago

Whatever you need me to do Katy I'm in.. I will try to see about getting the facebook messages he sent me... I had to block him to stop the harassment....

10

REPLY



[build the brand - Jay](#)4 days ago

Sorry to hear this happen to a very positive person. You have taught me so much and your positivity is through the roof! I miss the times we had at the bins back in Oregon. I think how you helped me whenever I meet a new reseller. Thank you for being you.

10



REPLY



[Candace Pitt](#)4 days ago

Best thing when he threw me out I found Casey Parris aka rockstarflipper.. who is the polar opposite and the most amazing person who does nothing but good for people

43

REPLY



[fizzfizzbangl](#) day ago

He is such a great person <3

3

REPLY



[J G](#)1 day ago

I found Katy :)

REPLY



[Kim Reed](#)18 hours ago

I agree - Casey is the best!

1

REPLY

Hide replies



[Candace Pitt](#)4 days ago

He told people in his group when he threw me out that I faked my illness for attention!!! I am on chemo and oxygen! I have lupus and lung disease and suffer everyday! Hes SICK

2

REPLY



[Melissa Ann](#)4 days ago

Candace Pitt omg

1

REPLY

Hide replies



[Candace Pitt](#)4 days ago

Katy as I am watching I am going to comment..... Congrats to to you both for standing up for each other and congrats for finding each other! That is awesome!!! Be happy no matter what he or anyone else says.. Wow.. I am glad you guys are happy that is ALL that matters.

5

REPLY



[Candace Pitt](#)4 days ago

You are a HERO to many who have had awful nasty things said to them by his beastly ass..... THANK YOU

12

REPLY



[Staci @ Right Brain Boutique](#)4 days ago

Thank you for posting this. I enjoy watching your videos and sad to hear you two have to put up with this. I used to watch his show weekly and even was on it once but I had notice a change in the shows. I am not completely surprised that there is some bullying but shocked at the extent.

22

REPLY



[Cindy Sorley](#)2 days ago

I don't think anyone realizes the extent.. I know of at least 20 people

2

REPLY



[TK-4211](#) day ago

Cindy, I remember you being on the TV show with him and Bryan. I guess you also outlived your usefulness to him?

2

REPLY



[Cindy Sorley](#)1 day ago

He trashed me after I called him on his BS behavior of putting a person's mugshot as his avatar to troll her... What he did to the thrifting with the boys website in the dead of the night to Bryan was criminal.. kicked enough out to make it secret so no one could find it .. then stole all the files and made his own group.. [#NarcissistTikiGuy](#)

5

REPLY



[Danni Ackerman](#)18 hours ago

Most people are afraid to come forward because they've seen what he does and just want to be free of him.

5

REPLY



Janet Lesley 11 hours ago

Cindy Sorley Yeah...this asshole trashed my husband , “Pineapple”...also known as Christopher.

REPLY

Hide replies



rocky jaydog 4 days ago

I remember when he promoted your store to win the shine award. All the little lifeguards in that group, You were one I think. Like soldiers. Didn't you know this back then? Pretty easy to see. Life lesson: Walk away from meanness as soon as you see it.

7

REPLY



Katy Zilverberg 4 days ago

Fair enough. I didn't know him long, he asked me to be a lifeguard in the spring, this all happened starting at the end of August and has continued up to now. I will say I saw red flags in how he reacted to people but I'm someone who likes to try and see the best in everyone. My take on him was that he got too caught up in drama, and overreacted to people that criticized him. At that time I didn't know how much he fabricated about his "enemies". As one of his lifeguards and the person he chose to be his "second in command", I was trying to help him learn to stop reacting to his critics, to let things go, focus on the positive. I really loved The Thrifting Board and genuinely wanted to help take the leadership in a more positive direction. I was blindsided by how he reacted to my relationship with Vikki but in retrospect, the signs were there, I just didn't fully understand them. And your life lesson is spot on, I should have walked away much, much sooner.

Show less

10

REPLY



rocky jaydog 4 days ago

well you won me over. The ability to learn from past mistakes is one that is learned by bumps and bruises. I think it all boils down to learning what are triggers than avoiding them before they affect us. I think we have all been in situations that were not healthy and I know I have stayed in them way past my comfort zone. Well you got this off your chest and you told some secrets about yourself which is all good. Its a cleansing. The only thing I would suggest is you sit down with paper and pencil and write down what part you played and what caused you to play that part. Ill give an example and Im not saying this is your issue, Im just pulling a scene you described. So you might write something like this.

SITUATION: I knew he was a bully but I wanted to stick around to see if I could build my business more. I like being in a position of leadership.END. MY CHARACTER FLAWS: greed, pride. I stayed around because I wanted to build my business, I like working with people and I like it when I am recognized for my skill and intelligence. EFFECT:In the end it affected my well being and that of my wife's well being. I did not feel comfortable seeing others hurt.

ACTIONS TO TAKE NEXT TIME: I will not follow my pride and greed and I will walk away from people like this as soon as I see it.

Show less

3

REPLY



rocky jaydog4 days ago

I know it seems really simple but marking events, cause and effect and actions needed really make a difference.

2
REPLY



TD Paul2 days ago

rocky jaydogsounds like at 4th Step 😊

2
REPLY



rocky jaydog2 days ago

not really because first you would need to admit an insanity or acceptance of an unmanageable life, then you would need to admit that an outside influence could and would restore sanity and then of course a very large decision to turn your life over to whatever influence you believe in and take positive actions. Which would bring you to the fourth (only doing the fourth without the fifth is like walking around with one shoe) Self inventories have been around for ages (before AA). if you have ever filled out a medical questionnaire at a doctors office, you have done an example of a self inventory. But there are smaller spot check self inventories that can be used for red hot button situations or for the aftermath of a hot button situation. The most successful people always take self inventories and they are a gold mine for growth. Imagine running a business without an inventory for costs, taxes, products etc. Why run a life without an inventory? Nope what I was trying to do here is offer some good advice to a person that really wants to grow.

Show less
3

REPLY
Hide replies



Candace Pitt4 days ago

I will see if I can find the disgusting messages he sent me for NO reason he didnt like me disagreeing on a post in his group n told me off like a childish teenager.... Hes SICK

12
REPLY



Tracy Tilley2 days ago

did you find it?????????

REPLY
Hide replies



Candace Pitt4 days ago

THANK YOU.. HE IS AN AWFUL PIECE OF SHIT... GLAD SOMEONE STOOD UP THANK YOU

2
REPLY



Poplar Picker4 days ago

So sorry this happened to you. I don't follow him. Glad you stood up tho

16

REPLY



Poplar Picker4 days ago

I used to watch him but he just wasn't my cup of tea.

2

REPLY

Hide replies



shepherdofmysoul64 days ago

You are doing the exact same thing you accuse this person of, cyber bullying. You are attempting to turn a mass amount of people on him. Grow up.....You all are classless. You sit smug bragging about how wonderful you two are and in the same breath speak of breaking up a marriage. What a sick and twisted world this has become. You are just as much of a bully as you claim the other guy is...delete this foolishness, you all are pretty disgusting

2

REPLY



Thrifty Treasures4 days ago

Bullying is never ok. I am so very sorry you are having to deal with this 😊🌸❤️👍❤️

39



REPLY



Fred Howell2 days ago

Thrifty Treasures, WHAT? SHE WENT INTO SOMEONE ELSE'S BUSINESS AND FUCKED HIS WIFE, BROKE UP HIS MARRIAGE. THEN EXPECTED LOVE, ADORATION, AND A PAY RAISE IN RETURN. ARE YOU FUCKING KIDDING ME?

2

REPLY



Kim Reed18 hours ago

First of all - she isn't asking for any compassion for that. Marriages break up everyday. However, I PERSONALLY verified the info and it is true. Spreading such a malicious, blatant lie against someone - no matter WHAT they did - is perverse. I was a member of that group and left it because of the way he talked to people. IF you condone it that is your business. However, it does reflect on you as a person. Perhaps you two are peas of the same pod???? Food for thought. Read more

4

REPLY



Fred Howell18 hours ago

Kim Reed, so how about not screwing other people's love interests. LOL.....

1

REPLY



[Kim Reed](#) 18 hours ago

Sounds to me like she was JTS's "love interest", hence his completely off the rails reaction.

4

REPLY



[LV Pink Panther-Vikki](#) 15 hours ago

Seriously buddy, JTS was merely my friend. Not anyone I was in business with, nor anyone I was ever or would ever in a million yrs be married to or romantically involved with. So, before you spew more ridiculous venom, check your facts. Btw, Katy was an ADMIN in his facebook group, not anyone he was in "BUSINESS" with for crying out loud. Your comments are not only entirely off base, but your ignorance, bigotry and hatred is telling.

4

REPLY



[Fred Howell](#) 15 hours ago

LV Pink Panther-Vikki, Did he know any of this? Or was he led to believe something else.

REPLY



[LV Pink Panther-Vikki](#) 14 hours ago

Fred Howell what??? That does not even make sense! Did he know there was nothing going on??? Ummm, yeah. Gross. He is married and his wife was my friend. Ridiculous question. I can assure you he was never led to believe anything otherwise. Ever. And frankly, there is no excuse for the behavior for any reason. I was simply clarifying that your comments made no sense as that was not even the nature of our friendship by any stretch of the imagination.

1

REPLY



[Fred Howell](#) 14 hours ago

LV Pink Panther-Vikki, Just have your big butch lesbian friend take the video down. The only ones bullying are you and your man wannabee. It's the most classless thing I've ever seen in my life.

REPLY



[LV Pink Panther-Vikki](#) 14 hours ago

Nope, I am pretty sure that might actually be you. But thanks for playing Fred! Happy to leave your comments right here. Have a great day!

1

REPLY



[Fred Howell](#) 14 hours ago

LV Pink Panther-Vikki, I thought your work was to help people You 2 are cheaters and bullies, and your He/She is gross. Not cool at all. I can see why you have so many problems with people.

REPLY



Katy Zilverberg13 hours ago

For the sake of transparency, not that I should be dignifying this line of "thought" with a reply, he could say he was sort of in business with me if only for the fact that a single time he paid me \$100 for my admin work. With that said, even if I were a full-on business partner of his or a paid employee, in no way would he have a say in whether or not I can be in a romantic relationship with a mutual friend of ours. And further, in no way does anything anyone does warrant his behavior. I find it odd that you keep going back to saying Vikki was his wife/love interest, that revelation is new to both of us but perhaps you have access to insider information. Luckily your continuous slurs will help the vast majority dismiss your odd claims as invalid.

Show less

2

REPLY



DeLinda Macut4 hours ago

@Fred Howell Who?: YOU are the most classless thing I've ever seen in my life!! It's evident by your comments why you support the bully JTS, talk about pot calling kettle black. Crawl back into your cave and dig for a clue asshole!! Damn dude!

REPLY



Fred Howell3 hours ago

DeLinda Macut, I have no clue who this guy is. But this Lesbian Brute is obviously the Bully here.

REPLY



DeLinda Macut3 hours ago

Fred Howell Who?: Since your shovel seems to be broken here is a clue for you: Yes, Katey is beautiful person and a proud Lesbian, YOU ARE THE BRUTE!! Stop the racial slurs, there's no need for it and you are perpetuating the very reason this video needed to be made!!

REPLY



Fred Howell3 hours ago

DeLinda Macut, LOL. Lesbian isn't a Race dumbass.

REPLY



DeLinda Macut3 hours ago

@Fred Howell Who?: It's a class of people, of which you have none! I'm done interacting with you now because people like you aren't worth it. And it's hard to have a battle of wits with an unarmed person! Peace out!

REPLY



Fred Howell3 hours ago

DeLinda Macut, so you're trying to teach people not to Bully, by Bullying other people on the Internet. LOL.....

REPLY



DeLinda Macut2 hours ago

LoL my points been made....

REPLY



Fred Howell2 hours ago

DeLinda Macut, That bullying is okay as long as a Lesbian is doing it?

REPLY

Hide replies



The KS Files4 days ago

I am so sorry you had to deal with this you are not the first but YOU WILL BE THE LAST!!!! The way he left his previous business partner was enough for me to see his true colors! He is a nut job and everyone needs to know about it!!! Congrats to you 🙌🙌🙌🙌🙌🙌🙌🙌 #BESTRONG #ebayneedstostopstrokinghisego #ebaybacksabully

15

REPLY



Devon Butler4 days ago

So sorry to hear this! I have noticed a lot of wonderful people are just gone no mention of them, I am sure others have noticed also.

5

REPLY



Leah Martin4 days ago (edited)

This video made me cry ☹️No one should have to put up with that kind of s*** from anyone.Of course you should stand up to him,IT IS NOT OK.Karma will get him,always does...

1

REPLY



shepherdofmysoul64 days ago

Hmmmmmm feel sorry for me I took part in breaking up a family, and news flash drama insued around cheating and lying. So we should care because....so you drag your foolishness on YouTube to get sympathy because of it.....you did something awful, to her husband but at least you are happy.....So you get on utube to defame his character whoever he is.....take this drama to the dumpster....you guys make reselling look low class...smh

REPLY



OnlineWithLornajane4 days ago

I am so very proud of you my friend! I know this was a difficult decision to make and go public, due to being in the eBay public eye. Having witnessed what happened 1st hand I knew I had to leave that admin/lifeguard position I could not watch what was going on any longer to you guys and all involved, it made me physically ill to witness it, listen to it, and watch Vikki live through it. I will never regret leaving that team of admins/group, I do not regret being part of it either, if not I would not have met some of the most awesome eBay sellers out there, including you both! WHAT I do

regret is not leaving sooner, I watched some foul things happen behind the scenes, I would ignore it or not catch it in time of real time, which eats at me up for not sticking up for innocent people, and it is so sad it took it so long for me to finally snap out of it, even sadder it had to be something to this degree for me to say F* it I am done! I am so happy I left and stuck up for myself on the way out the door and voiced my opinion because over the years I never could or feared to even speak. I had to take a stand and rise up, it is not ok to treat people like this, it's not ok to belittle women like he does, it's not ok to be treated the way he does treat people. So I am so so very proud of you coming out and standing up! AND anyone reading this you and have any occurrence or had been treated badly in the eBay community anywhere or by this particular person. JUST KNOW your voice is worth hearing!! Speak up, Speak loud, be proud to be an eBay seller but don't let anyone trample all over you or treat you in any way like this! Much Love <3

Show less

34



REPLY



[Barbara Colson](#)4 days ago

I wish YouTube had a love and not just thumbs.<3

8

REPLY



[Cindy Sorley](#)2 days ago

Lorna, what saddens me is the ones that drink that Kool Aid and are standing by him ..

5

REPLY



[OnlineWithLornajane](#)2 days ago

Cindy Sorley I do get it though sadly cause I did for a long time. It took alot to leave and someday others will be fed up with what he does. Just takes time. We all didn't see it for those that were close.

1

REPLY



[Danni Ackerman](#)18 hours ago

I had good friends who were told they had to choose between me or him and I lost many of those friends. It was really sad... but I found out who my friends were for sure!

REPLY



[Janet Lesley](#)11 hours ago

Danni Ackerman Christopher "Pineapple " was one of those friends that was made to choose.

REPLY



[Danni Ackerman](#)11 hours ago

Yes he was but you know he still reached out to me and made sure I was doing ok even after being 'warned'!!

REPLY



Janet Lesley10 hours ago

Danni Ackerman He's that kind of guy. One of the main reasons why I married him. Thankfully, he's moved on past that and no longer tolerates his behavior.

REPLY

Hide replies



Michael Carhart4 days ago

Big fish in a small pond.

8

REPLY



The Thrifting Wanderluster !4 days ago

Katy I've loved watching your videos . The positive light and love you two have for one another is so very evident and so sweet to watch. I've never seen a bad word. I live by the same mantra to be positive, take accountability for myself and spread goodness that I think you're often talking about as well. I'm not "close" to anyone in the reseller community & only sell on Poshmark but I get a lot out of it. I've seen so many ppl be so horrible to other resellers in such a public way these people can't come back from. I'll never understand how ANYONE finds it to be their job to be an outspoken critique of how other people live their lives and do their jobs. I've seen this Jessica Smith (any relation?) who's soul purpose is to put out videos tearing apart Nicole Stste. And people making fun of other resellers. It breaks my heart honestly. Life is short and not guaranteed to spend time purposefully hurting people makes me feel sorry for you and makes me hope he doesn't have children bc what a terrible role model he's being. Ty for sharing something so raw and vulverable. I'm sending so much positive energy your way and hope you both get some peace from this very soon. (sorry for being so long winded this just made me so upset)

Read more

21

REPLY



Rise N Grind Picker4 days ago

I got kicked out of the thrifting board because i had an opinion.....it is what it is.....you did the right thing!

41

REPLY



DeDe3 days ago

Rise N Grind Picker I left that group on my own because of the bully tactic of an admin that was definitely uncalled for. Then I rejoined some years later thinking she may be gone, only to experience him coming at me in 'a tone' for normal dialogue on a post. I left again...for good.

6

REPLY



Rise N Grind Picker3 days ago

DeDe , you did the right thing good for you!!!

6

REPLY



Julie Green3 days ago

exactly, me too

5

REPLY



ladan miller2 days ago

I left the group on my own after 6 hours of joining , because of one of the female admins BS. Then I kept getting Facebook message after another from The SHit Head Jason, So after 45 minutes of messaging, I blocked him and reported his a\$\$.

5

REPLY



Julie Green2 days ago

looks like a pattern

4

REPLY



whodidit9920 hours ago

I'm proud to say that I was kicked out too. Only group I've been booted from.

2

REPLY



Kim Reed18 hours ago

I left on my own and proud of it. I kept my mouth shut for the most part, but if you have a different opinion than him, you are toast.

2

REPLY



Janet Lesley11 hours ago

Yep. You're not allowed to have an opinion.

REPLY



Kat Swaggerty8 hours ago

me too

REPLY

Hide replies



Hart Pickers4 days ago

Don't really know that cat, but not the best way to deal with people. I heard things. Sorry you had to deal with that.

31

REPLY



[Gloria Longoria](#)4 days ago

What a scumbag, I know the type of person your speaking of. Proud of you for speaking out.

8

REPLY



[Jeremy Bourgeois](#)4 days ago

I've seen it firsthand with many eBay friends of mine. What he did to Thrifting with the Boys and his co-star Bryan was beyond immature and pathetic. He's just a Tiki princess bully girl. He acts like a middle school child and thrives on drama. I unfriended him and won't associate with him. Luckily he only messaged me once when I spoke up against him on a thread. More people in the ecommerce community need to be aware of his behavior.

16

REPLY



[Golden Finger Picker](#)4 days ago

Damn, sorry to hear

39

REPLY



[Lily Green](#)4 days ago

Good for you... follow your love and your dreams..your channel is great love listening to you both...you are smart and knowledgeable...

8

REPLY



[Brian Ripberger](#)4 days ago

Some people just get butthurt too fast because either 1 they dont get the answer they want or 2 they dont do research on their own and then expect others to do it for them before they ask for help. We are not here to do YOUR research for you we are there to help you when you get stuck or have come up short.

REPLY



[Hunter Jessica](#)4 days ago

Thank you Katy! I too have been bullied by him... i stand behind you.

22

REPLY



[drummer](#)4 days ago

Thanks for standing up to this POS, love you girls.

8

REPLY



Heather4 days ago

Wow Katie, I'm so sorry you have had to experience this. What a horrible tragedy for Vikki to have endured (she was so kind & made us feel welcome last year, at Ebay Open). I'm wishing the very best to you both, much happiness & love. Your spirit & support is genuine, even online it feels personal. Oregon misses you, but we have to share with others, right? ☺ Big hugs to you both ~ kindness will always prevail ~

16

REPLY



Tara Murray4 days ago (edited)

Sounds like you two have quite the lawsuit against him. DOCUMENT EVERYTHING. Let us know how that turns out. Stay strong.

25

REPLY



Jen A11 hours ago

Tara Murray I agree. Document whatever you can. This is great you are coming out to talk about this and I'm so happy I found your channel, I am going to start watching only you and Lindy Glenn lol but forget this guy and a few others.

REPLY

Hide replies



LadyLibertyStacker4 days ago

Thank you Katy for your heart felt message about your situation and about Jason T Smith. I am not surprised that he has done this from what I know (sending you an email), but what was shocking was the extent he has taken to retaliate against others who appear to threaten him simply because these individuals happen to be successful or want to be successful and are taking the steps to make that happen. That said, I want to commend you for your channel and for all of the videos you and Vicky put out to help us sellers, especially newbies like me. We appreciate you and for everything you do and I truly feel sorry this has happened to you. Sending prayers your way that you and Vicky can get through this and only become stronger for doing so. You two have helped me immensely just by your videos and I just want to say THANK YOU AND GOD BLESS YOU BOTH! :-)

Show less

22

REPLY



Cindy Sorley2 days ago

You would be surprised how many people he has attacked and he is very good at doing it ... people are FEARFUL of him and he loves it.. NO LONGER.. I am done

3

REPLY



Danni Ackerman18 hours ago

I wish I had filed a defamation lawsuit against him at the time. I just wanted him to go away but he didn't until he had worked hard to destroy my reputation in the eBay higher ups eyes.

3

REPLY

Hide replies



[Elaine Vinton](#)4 days ago

Katy, I am so sorry you are experiencing this. I applaud you for standing up for you and Victoria , and actually everybody who may cross paths with this person. I watch you guys, because you are so positive and upbeat. Victoria cracks me up with her shipping prowess! Stand strong in your convictions, I think you'll find more will be with you than against you!

10

REPLY



[Rob H4](#)4 days ago

Very sorry to hear this is going on. YES! Stand-up to bullying! I'm glad you posted this. Thank you, thank you!

10

REPLY



[Arrani S.4](#)4 days ago

I used to watch his channel. Since I have dealt with people who have NPD I started noticing some red flags during some of his shows. It's one of the reasons I kept a distance from his group. It's good that you are letting others know about his behavior so they can decide if they want to follow him or not. Dealing with NPD people is always tough. Not everyone is going to understand because these types are so manipulative but you might be surprised that many in and out of the resale community do have an understanding. Stay strong and know you and Vickey are not alone. Much love and take care!

Show less

13

REPLY



[LLCisyouandme](#)4 days ago

It all sounds NPD to me too. The more people know about this and all the manipulations these people use the better.

3

REPLY



[Angella Mueller](#)3 days ago

Totally agree

3

REPLY



[Raina Tailia](#)3 days ago

Yep, total cult like NPD. Those of us who have seen people like this before can spot them a mile away, but damn if they aren't charmers who can draw in great, wonderful, unsuspecting people,

4

REPLY



[Danni Ackerman](#)18 hours ago

Bingo... Narcs are skilled at the art of preying on people's needs and emotions.

REPLY

Hide replies



[Binky](#)4 days ago

eBay need to do some serious investigating and take some action. Asap

26



REPLY



[DeDe](#)3 days ago

Binky Perhaps with a couple of people...

3

REPLY



[Danni Ackerman](#)3 days ago

eBay loves Jason and always sides with him sadly.

5

REPLY



[Teresa Webster](#)3 days ago

Ebay, Youtube, Facebook, anywhere that this kind of behavior is going on, should put a stop to it. People are getting paid, for the videos they make doing this. It is one thing to voice your opinion and something different altogether to relentlessly attack someone. You can voice your opinion about something someone is doing without being vicious, which is exactly how this video has been presented.

7

REPLY

Hide replies



[Monet Court](#)4 days ago

Katy, he has been doing this for years and it's not just women..... I had to block him on FB because of his stalking and I have never blocked anybody. There have been FB groups started with many just to talk about him and that in itself speaks volumes. He has been reported to eBay by lots and they don't really care and last year at eBay open, he verbally assaulted a good friend of mine. He screwed thousands of people when he and his minions sabotaged The Thrifting With The Boys group and the rap sheet just keeps going

Read more

11

REPLY



[The Thrifting Lounge](#)3 days ago

Monet Court lol we all have those Jason stories lol

2

REPLY



Monet Court3 days ago (edited)

Yeah, what he did to you was unthinkable.. What a horrible horrible person he is

2

REPLY



The Thrifting Lounge3 days ago

Ahh no biggie his true colors speak for himself. Hes such a coward and hateful person

3

REPLY



TK-4211 day ago

Kevin, what happened to you?

REPLY

Hide replies



RAC Attack4 days ago (edited)

Katy....Sorry to hear that this has happened to you & Vicky and that you were put in to a position to do this. I have noticed a change in his videos from when I first started watching him. I hope that there is no fallout for you two over this but if there is, I am sure you will have a LOT of support (you have at least two supporters here in TX). We have noticed a change in his videos and a change of personnel and now we know why some of the people we used to see on the videos are no longer there. We have also asked several questions on the Thrifting Board (yes, we did our research) but most have gone unanswered....it seems that there is now a small clique that supports each other & others do not matter. We are glad you both found happiness & hope that you get over this dark cloud that has been forced upon you. Show less

14

REPLY



R Riley4 days ago

Get a lawyer to draw up a Cease and Desist Letter. I had it done 4 yrs ago against a crazy person who tried to destroy me for 6 months. It scared that person into stopping and believe me they were crazy.

28

REPLY



TheReal SaltyBlonde1 day ago (edited)

R Riley yes at the least a c and D ... I say hit him with a suit for emotional damages in the form of money @!! Get a lawyer who will love a case like this . If it were me I would no questions asked

3

REPLY

Hide replies



What Ever4 4 days ago

You are so full of shit it's not funny. Had it not been for TTB, you never would have won the Shine Award. You used Jason and the group in order to advance yourself. If you seriously think that Jason sits around thinking of ways he can malign you or anyone else, you are insane. You and your posse are so inconsequential, he's not given any of you another thought in months.

1

REPLY



Wanda Willis4 days ago

Wow. Until I retired last year I taught fire prevention in my community. One of my main focuses is the Station Nightclub Fire. I have told that story, showed the videos, to thousands of high school, college, and adults over the years. I have become a friend of Gina Russo who is also one of the survivors as she knew how I wanted to use the story to keep other people safe. Bless Victoria for all she has gone through.....so many lives were changed that night. I have read and studied so many books over the years about that fire..... Tell Victoria I will never ever forget her now.....and bless her for her help with others who have also survived. I help with our local burn camp and it is one of the most satisfying parts of my fire department career. Tell her I am in awe of her for what she has done since that fire.

Show less

21



REPLY



Katy Zilverberg4 days ago

I will let her know, I'm sure she'll see your comment. We just saw Gina a couple weeks ago when we were visiting Rhode Island, she's a close friend!

3

REPLY



LV Pink Panther-Vikki4 days ago

Thank you Wanda, Gina is one of my best friends and I admire her more than almost anyone else!

3

REPLY



Wanda Willis4 days ago

I can tell you that your story will never be forgotten by those of us in the fire service. Even though I am retired, I still have a fire safety Facebook page and we talk about the fire every year. We can't let anyone forget what you went through. My next journey I hope to go to the Memorial.... I can't wait to send Gina a message and let her know I have made contact with you....take care of yourself!

4

REPLY

Hide replies



[Melissa Ann](#)4 days ago

I left that group years ago. Never liked him. He made a comment on my post. After he talked to me a couple of years later I went back and then left again.i could spot the type of person he is a mile away.

17

REPLY



[Retrodottie](#)4 days ago

No one likes a bully, and kudos to you for speaking up. I hope this video raises awareness and helps people to know that this behavior is NOT acceptable. Prayers to you and Victoria and thank you for all of the great content you both put out!

17



REPLY



[Teresa Webster](#)3 days ago

Retrodottie I am not sure that the word bully, is completely the right word for this. When I hear the word bully I think of school yards and children. These are adults doing this, and I am pretty sure the word abuse, stalking, there are probably others that would fit. And I am pretty sure that this behavior could be considered criminal, if the right people decided to pay attention.

5

REPLY

Hide replies

*Create
a life
you love*

[Babe On A Budget](#)4 days ago

THANK YOU! A few years ago he sic'd 10,000 people on me and broadcasted my eBay account because I asked a question on one of the boards about an item that I was considering buying. Because I wouldn't disclose it's price, he went completely nuts and made it his mission to ruin my business. I am happy to show proof of this privately, as its well documented. Try having 10K rabid fans of his going after you. I was getting threats and had to put my account on vacation while it died down. It was getting dangerous. This is my full-time income. I even contacted Griff to try to get help, but they wouldn't do anything because it was on a FB group, and not on eBay. Everything you said about his behavior, I have personally experienced. BTW, cyberbullying is a crime, and you can get a restraining order against him....ESPECIALLY since you are in the same town.

Show less

22

REPLY



[Katy Zilverberg](#)4 days ago

My email is in the description if you want to send me any info. Thanks and I'm sorry that happened to you!

4

REPLY

[Babe On A Budget](#)4 days ago

Done.

3

REPLY

Hide replies



[Haus Of Roxx](#)4 days ago

Thank you for standing up for what's right! Someone did need to. I stand behind you and Vik 100% because I have witnessed the results of the damage and heartache he has attempted to inflict. Love you girls!

15



REPLY



[Gretchen Alawneh](#)4 days ago

My thoughts and prayers are with you and Victoria. I hope things get better for you both. I don't personally know either of you, but I enjoy watching your videos because of how positive and motivating you are and Victoria seems to have an amazing heart. May only good things come to you from here on out.

15

REPLY



[Stephanie A](#)4 days ago

Katy I sent you a pm on FB.

4

REPLY



[Kassi Weaver Fallert](#)4 days ago

I am sorry that you had to be put in this situation but proud that you are standing up and a voice for others. You are amazing and we are here to support you. Like you helping others is my passion and something i have to do. I enjoy your content and appreciate your positivity in our community. Thank you.

14



REPLY



[BroScience hustler](#)4 days ago

Wow, that's horrible. I remember this guy when He was on bonafide and raiken's green room show...he was super shady and came across like he didn't care about eBay buyer's...thanks for your last video about the eBay settings and international shipping. Definitely got your back!

13



REPLY



RockstarFlipper4 days ago

Whoa girl.. this is way more than I ever knew. Honestly I try VERY HARD to stay out of EVERYTHING as of late. Iv dealt with my own issues in the past of course, but I will say the following and give you some advice I wish I had awhile back. First I have received MANY emails supporting what you said in this video about said person, I don't really reply or say anything because its not my business but the emails/messages I get 100% support the info. You made a good video without going off half lit and thats a plus, I only hope that this video can serve to reverse what has been going on and hopefully put a stop to any bullying or negativity. If anyone gets backlash from this including you, or Vicky or whatever I hope that people stand up to support you ladies and fight back. The world of bullying and the fear of speaking up against people who scheme, lie, bully, fraud, and send attack dogs if you don't grovel at their feet needs to stop. For some reason this community THRIVES on that crap. I think because its all about money, and money does bad things to people, it creates a lot of egos. Either way I'm sorry you had to deal, AND more sorry you had to make this video. Glad to call you a friend and ill see you in Vegas. July!!!

Show less

91



REPLY



Stephanie A4 days ago

I have a feeling there will be a lot of people who will stand up .. especially once they realize just how many people he has done this to.

14

REPLY



kenny southwell4 days ago

Casey, you have risen to the top 3 of youtube reseller voices. Now is the time to completely expose the big bad bald asshole. With your help, we can send him back to whatever planet he is from.

6

REPLY



ritajandj4 days ago

Vindication!?!

1

REPLY



Sandi M at SDM Boutique2 days ago

kenny southwell Casey is not personally involved and he's wise to stay out of it. If he hasn't been personally affected by the person's words or actions it would be a wise business decision. He didn't get to where he is by making poor decisions.

8

REPLY



RockstarFlipper2 days ago

Thanks Sandi. Your correct. I use to try and "Fix" things or "Expose" Things, but I learned quickly in the world of social media and youtube, it might help some people, but it just causes my own headaches to get bigger and then I get attacked..... So I won't be making content/videos or posts regarding this situation, I will support a friend (Katy) who I think is a good person, with great intentions and has been nothing but supportive and kind to me, & my group members/followers. Thanks for the kind comment Sandi

Show less

10

REPLY



HitlerDid NothingWrong2 days ago

Good person who stole someone else's spouse.

6

REPLY



Binky2 days ago

Lol fake account

1

REPLY



Binky2 days ago

So it's ok to be an abusive stalker?

1

REPLY



ladan miller2 days ago

Casey, I Have told you last year to stay away from Jason AKA the jerk last year, when you mentioned him talking at eBay open. Here is the proof.

2

REPLY



Sandi M at SDM Boutique1 day ago

You are welcome. I will see you in July.

1

REPLY



Comic Noob20 hours ago

HitlerDid NothingWrong no one steals a spouse that is a decision made by the other person.

3

REPLY

Hide replies



[Diana Klenk](#)4 days ago

Hmmm Jason has been all kinds of kind to me....I am sorry this happened to you!!!

4

REPLY



[Katy Zilverberg](#)4 days ago

I'm sure he has and I won't take that away from you. He was kind to me once as well.

11

REPLY



[Monet Court](#)4 days ago

He's nice to you until he's not! Happens all the time with him.. I know that first hand!

11

REPLY



[Danni Ackerman](#)3 days ago

He was a good friend to me too - I am the reason for the name Thrifting with the Boys - I was out thrifting with him and Bryan and another friend. Long story short if you do something he doesn't like watch out!

6

REPLY



[Cindy Sorley](#)2 days ago

Your day will come... when can no longer help him, you disagree with him or you get successful.. you will be a used dirty diaper ..

5

REPLY



[Kim Reed](#)18 hours ago

Everyone has their own experience and I will not tell anyone who to like and not. That said - watch out. Don't EVERY disagree with him on his board, don't ask what might be perceived as a "stupid" question, or question him in anyway. I left of my own free will after being in the group (admittedly) for a few years. The outright rudeness to new eBay sellers and bullying tactics made me leave of my own volition. I have never looked back.

EXHIBIT 4



Search

**Jason T Smith** ▶ **The Thrifting Board**

Yesterday at 11:00 PM · 📺

So this dumb bitch Madelon Schmadelon started a post in another group to talk shit about me, The Thrifting Board and all of you. The crazy thing is all the people participating in all that hate are all here in the group. Of course not for long. Tune in tomorrow morning for a fun video from me

1 Share



Like



Comment

**Mindy Silva Montalbano** and 169 others[View previous comments...](#)**Starr Adams-Reynolds**

Write a comment...



Post

Z-E-097

155

EXHIBIT 5

yoo hoo

so have at here

tag her in your reply and tell her
thanks for the list

Nadene Renk Shearstone



She did not block

Jason

ok

you guys are up



tear her up

Nadene Renk Shearstone



Well I suck at tearing anyone up

Jason

somone mention what a piece of
scared shit she is to block me



or why did you block Jason since
you dont know who he is

Nadene Renk Shearstone



I can say that much

Jason

nice Gayle

have at it Nay

EXHIBIT 6



The Lifeguard Pool

DONE



This is a chat preview

Go to latest messages

Jason



Jody Madelon Callen



Jody Dickerson, Jodi
Dickerson, Jodi Callen
Silver Spring, MD
November 1962, 54 years
old



Get Updates ☐ Block ☐

Get notified when there
are updates for this
profile!

Contact Info



Get Updates ☐ Block ☐

Get notified when there
are updates for this
profile!

Contact Info



Verizon Communications



Barry Carty • Lionette Carty • Jennifer
Dickerson • Bud Dickerson • William
Dickerson

Court Records

2:21

100%



The Lifeguard Pool

DONE



This is a chat preview

Go to latest messages

Verizon Communications

Barry Carty • Lionette Carty • Jennifer
Dickerson • Bud Dickerson • William
Dickerson

Court Records

BD CKUTTER/NSF/IND \$500 - MD	
Category	criminal
Offense Date	2010-04-16
Offense Code	CR-8,103
Offense Desc	BD CKUTTER/NSF/IND \$500
Plea	OTHER PLEA
Court	DISTRICT COURT FOR MONTGO CRIMINAL SV
Disposition	NOLLE PROSEQUI
Disposition Date	2010-10-18
Source State	MD
Source Name	MARYLAND,ADMINISTRATOR,C
Case No	BD00238571
Height	5'6"
Weight	170 lbs
Race	White, Caucasian, western Indian
Full Name	Judge madleon cullen
Dob	1962-11
County	MONTGOMERY

i LOVE OUR SURFERS

we have a former PI and here is
Madleon Schmadelon's address,
phone number AND her arrest for
writing bad checks



EXHIBIT 7

Jason

Contact Information

First Name: Jody

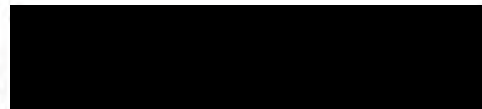
Middle Name: Madelon Callen

Last Name: Dickerson

Full Name: [Jody Madelon Callen Dickerson](#)

Title: Owner

Address:



County: Prince Georges

Area Code: [202/240/301](#)

Company Name: [Wild Thing Kids Shop](#)

Principal Address:



[7324 Carroll Ave](#)
[Takoma Park, MD 20912](#)



Robin

Nice detective work. Did
Detective Joy find that for you??
LOL



EXHIBIT 8

Edit History



Jason T Smith

May 2 at 8:00pm · 3

Madelon Schmadelon - i sent you a message. Please, when you get a chance, read it. OK, thanx



Jason T Smith

May 2 at 9:09pm · 188

So this dumb bitch Madelon Schmadelon started a post in another group to talk shit about me, The Thrifting Board and all of you. The crazy thing is all the people participating in all that hate are all here in the group. Of course not for long. Tune in tomorrow morning for a fun video from me

Also notice she wanted her privacy on Facebook with a private pseudonym "Madelon Schmadelon" yet he published her real name AND LOCATION "Jody Dickerson of Maryland". I believe thats a form of cyber-bullying.



Jason T Smith

May 3 at 1:23pm · 21

Madelon Schmadelon aka Jody Dickerson of Maryland is a sad, pathetic human being who obviously has no joy in her life since she has trashed me and all of you numerous times in the last 2 days and has been caught in numerous lies. AND this is the last time i will ever speak or type her name.

This is visible to anyone who can see this post.

Close

EXHIBIT 9



Thrifting With The Asshole

...

August 20, 2015 · 🌐

I had a verifiable negative experience with the tall bald bearded asshole not too long ago. More details later. Were you also harassed, bullied or had a unpleasant experience with the asshole? No doubt the insecure douchebag will get wind of this page and try to intimidate someone with some lame threat. Yeah, I have screenshots of his bullying and threats and will make them public at the appropriate time.



15

22 Comments



Like



Comment



Share



Sabrina Shull I'm going to give a heads up here. I had a spat with J.T and another admin over how they treated someone I brought in to help another member.

Same day they have me the boot, I had a purchase made by someone in the same town as another party to this spat. I can't prove it, but...let's just say, it's not my first rodeo with aholes, I recognize the symptoms.

This "buyer" is more or less an annoying little bully who has tried to make a rough transaction without actually opening a case.

I just find it sad that grown ass adults would take things from Facebook pages to messing around in sales.



2

Like · Reply · 3y



David Rayor It is shame that this is happening and that people are creating these pages and taking up real estate on the internet.

It is a shame that Jason has wronged so many people. You can't conduct yourself like this and not expect people to push back

It is a shame that one person has the ability to cause all this division and disruption. Jason is one of the most influential people in this community. He should feel a duty to encourage people to understand that we are all on the same team to help one another, and show understanding and tolerance for differing opinions and views and not create confusion and strife

It is a shame that TWTB's was sabotaged because of hate for another.

It is a shame that people are harassed by him for their views and opinions when they differ from his or the company they keep.... He did it to me.

The whole situation is a damn shame!

"With Great Power Comes Great Responsibility" ~ Ben Parker

Like Reply 3y



8



Barb Rooney His spies have their noses too far up his ass. He trashed a board with over 15,000 members because of a spitting match with his partner. His lifeguards (LoL) stole the files of members who authored them, then edited them to credit the "new" version in their name. TWTB's was not Jason's board, nor even Bryan as creator. It was everyone's board. If I put on a school play, my idea, and collaborate with another teacher, and the students all participate in the play, whose play is it? And if I get pissed at the other teacher, who am I to go in the middle of night, to trash the stage and cancel the show.

Like Reply 3y



4



John M. Crossland IV Yeah I was harassed by him too, but honestly he is only tough behind the keys and doesn't really intimidate me at all. If I ever go to Vegas and see him I bet he will cower and run like a chicken. I may only be 5' 8" and 180ish pounds but I have never lost a fight and if he threw the first punch the next punch would be me pounding him in the face and him hitting the ground and laying on the ground calling all his cronies and admins to get him out of a situation he totally asked for. Just Sayin'

Like Reply 3y Edited



4



Ray Seabolt Jr. His spy network is well aware of this page

Like Reply 3y



2



Carolyn Pritchett



Like Reply 3y



Lori Lugar There was someone in this group who posted he dug into her arrest record and contacted her employer or something like that.

Like Reply 1y · Edited



Isabel Marina RN it was me... he found my record and then proceeded to contact my husband to tell him to "put your wife on a leash"

Like Reply 16w



Isabel Marina RN if I didnt have much to lose right now, Id mess with him hard...but now I have a license and I dont need the aggravation.. he's like a pitbull when he latches on

Like Reply 16w

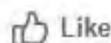


Dawn Frasier ▶ Thrifting With The Asshole

January 31 · 🌐

...

this was just brought to my attention a couple days ago. I suspect hes been my stalkerjerk for nearly 2 yrs after watching you talk about him. I am one of the founding artists of the entire tiki revival and the first woman artist whos been working exclusively in this genre for 30 yrs. . its a boys club. that has deliberately excluded me from the history of the scene. so i started talking about my own history which immediately got me a stalker who relentlessly harassed me. the list of shitty things done is lengthy. but the tactics and level of time spent fucking with me for no reason are similar. enough to make me think ist him. . if you ever want to get the whole story Im happy o tell . but I suspect me calling out how tiki is chock full of MAWGY ,micro dick assholes is what set him off. and IMO hes a prime example .



Like



Comment



Share

EXHIBIT 10

Theresa Cox – Statement regarding Jason T. Smith

I attended my first Ebay On Location in Denver, May 2012. That June I attended eBay Radio in Vegas. Jason spoke with Bryan Goodman as part of the Thrifting with The Boys duo. I joined their Facebook group before I left the conference. At that time there were about 600 members. This was my first day-to-day interaction with other eBay sellers. I was very involved, encouraging and positive. By July I was made an admin in that group. I remained an admin in Jason's groups for nearly six years.

I'm ashamed I was aligned with him for so long but also realize that I tried to remove myself as an admin several times and it was always a carefully calculated move. I knew I had to do it under the right circumstances with the right timing and with his blessing or I would end up being harassed and bullied for denouncing my loyalty to him as Jason demands complete loyalty from ALL his 'friends'. I worked with Jason, traveled to conferences with him, helped promote his group and YouTube channel, but I never thought of him as more than a work acquaintance. He did think of me as a friend and demanded my loyalty as one.

In the beginning Jason was fun and easy to get along with. He was so willing to share his information and knowledge to the seller community it was great to have that connection. His demeanor changed when he started getting popular, gaining followers, getting a TV show and becoming the face of eBay, an influencer and speaker at most of their events. As long as the spotlight was shining on Jason alone, he was happy to help and happy to add you to his inner circle. In Sept 2015 I was introduced to Hal Lawton at the We are 20 eBay event. Seller Hub was released in October and I started providing feedback to that team. That evolved into me really getting on board with Promoted Listings, sharing that with other sellers whenever I could via FB. In Nov 2016 eBay sent a crew to my home to shoot a video of me to promote Promoted Listings. That's when my star started to shine and would eventually get brighter than Jason's (in his mind) and his jealousy set in.

In July 2017 I was invited to speak at Open on the main stage with Bob Kupbens, VP of Business-to-Consumer Selling. That was also the year that Jason was supposed to be a panel speaker. I heard from Jason that one or more sellers sent eBay Execs an email asking why eBay would allow someone who bullied other sellers to be a voice for the platform. Jason told me that these sellers provided screen shots of what he said to them and because he cussed them out he was being pulled from all the panels, eBay radio and only allowed to do one event. He said he was sorry for what he did, that he would change his way, that we would see a softer Jason.

In August 2017 I was in San Jose on campus and visited with Bob Kupbens and others. Jason asked me to go to bat for him in that meeting and I agreed to only if his name came up organically. To my surprise Bob brought him up in the first few minutes of our meeting. As promised, I told Bob that I believed Jason when he told me he would change his ways and we'd see the softer side of Jason T. Smith from that point forward. It wasn't two weeks later that he viciously went after Vikki Eagan and I was pissed. I had put myself on a limb and vouched for him with an eBay Exec and he couldn't even last two weeks before he was doing what Jason always does....seeking revenge when he thinks he's been wronged.

When Katy and Vikki become a couple, they shared their news with a small circle of friends that were also friends of Jason. When Jason learned he was "the last to know" he felt betrayed and in true Jason fashion went ballistic. I have heard of him viciously attacking others but had never seen it first hand before. He wanted to destroy Vikki and was looking to me to see if I supported him and his version of the story. At some point in the first few days after all hell broke loose, Jason facetimes me after 9pm one night. I answered and nagged him and said something along the lines of "Why do you always want to Facetime? It's late and I'm in my PJs." He responded "I have something to tell you and I want to see your reaction." I already knew what he was going to share and I purposefully did not give him a reaction. His need to see my reaction felt ugly and wrong and I didn't want to give him any reaction that would give him that satisfaction. It was during this conversation that he said some ugly things about Vikki. That she wasn't really in the Station Night Club Fire in Rhode Island. Jason told me that Vikki had devised a plan to meet him, get in good with him so she could use him to advance herself with the eBay community and with eBay Corporate. He knew this was true because Scott, a childhood friend of Vikki's told him "and it must be true because several of her friends told me the same thing. Why would all of them lie if it wasn't true?" Then he made the statement "Staci and I think she's a fake and a liar and we don't associate with those kind of people, do you?" Without saying the words, he was telling me Vikki wasn't worthy of my friendship and I should dump her as a friend like they did.

I repeatedly told him not to make me pick sides because I wouldn't. I would be dragged into his immature rants for almost a year before he decided my friendship with Vikki and Katy meant I couldn't be friends with him.

July 2017 was also when several eBay employees told me I should distance myself from Jason. If I wanted to work with eBay it would most likely only happen if I wasn't attached to Jason in any way. I started to plan

a way to remove myself as an admin in his group. I say plan because I knew if I simply walked away or didn't have a good reason for leaving, I would be on the receiving end of his vicious attacks. In Nov 2017 I created a FB group and messaged him that I wanted to step down as an Admin in his group so I could focus on my FB Group. This was my out and I needed his blessing in order to avoid the wrath of leaving without his permission and blessing. He kept putting me off and finally in February 2018 he made an announcement in his group, encouraged sellers to join my group and appeared to be happy for my move.

For the next several months I endured Jason's rants towards me. We talked on the phone several times and I always ended up yelling and screaming at him...I never yell or scream at anyone, but his inability to get me to side with him and not be Katy and Vikki's friend was too much. He constantly reminded me that if I was a real friend I wouldn't be friends with them and I reminded him that none of my friends would ever ask me not to be friends with anyone just because they didn't get along with them.

In March 2018 I was in Vegas speaking at ASD at the invitation of Robyn Johnson and for eBay and the Promoted Listings team. Jason was also speaking at the invitation of Robyn Johnson. Robyn Haas was in town and Jason, his wife Staci and Robyn Haas all stopped by to listen to one of my sessions at ASD. It was an awkward meeting and I made my excuses when they invited me to go to lunch afterward. I left Vegas and the day after I arrived home, Jason messaged me wanting to know if I was available to talk in 20 minutes. He Facetimed me again, mentioning he wanted to tell me something and needed to see my reaction. This time he had just finished dinner and was in his car in the parking lot. Staci was in the front seat and Anna Hill and one of her associates I'd never met was in the back seat. Jason proceeds to tell me a very involved story about Robyn Haas and how she had been living a lie all these years. He told me she wasn't a Marine or an ER Trauma Nurse. He gleefully told me that two weeks before she finished Nursing School, she took some drugs, got in her car and ended up crashing into some woman. The woman ended up paralyzed and Robyn spent four years in federal prison. I was shocked at this but didn't want to show it and give Jason and friends the satisfaction of seeing my surprise. I asked him how he found this out and he told me that Kim Gordon Kearney looked in a registry of nurses and discovered Robyn's name wasn't there. Kim did some more digging and contacted some friends in law enforcement and she uncovered all the lies.

I wasn't surprised to learn Robyn was never a nurse because the previous year during eBay Open (July 2017) we were all at Frankie's on a Tuesday night. I walked out to the parking lot to see if I could transfer a box that

needed shipped to Jason's Truck. Nadene Shearstone had too much to drink and was laying on the ground in the parking lot. Several people were standing around her, including Staci and Robyn. Robyn was yelling at Nadene "stay with me Nadene! Stay with me!" When the paramedics got there, I expected Robyn to be calm and cool and give the paramedics the info. Instead, she was almost hyperventilating, overly excited and speaking so fast I didn't see how the paramedic could understand her. I distinctly remember thinking to myself "that's not how a trauma nurse would react to this situation" walked away and went back inside. It was waaay too much drama for me. Inside I was met with a bunch of women who just wanted to hash over Nadene's behavior, things that she supposedly said about Jason in her intoxicated state and after conversations with Debbie Weider, Lorna Thompson and Bridget Williams, I had enough and left to go back to the hotel.

When the story about Robyn broke eight months later, I heard it was because Kim was having an affair with Jason and caught Robyn Haas having sex with Jason in his truck in the parking lot at Frankie's. That made sense to me since I always felt Kim's behavior was vindictive and that of a crazy jealous woman.

The attached email from May 8, 2018 shows how Jason continually tried to force me to see his way, come to his side of the disagreement and unfriend Katy and Vikki. He continually attacked me for running my FB group differently than he ran his. He knew I didn't agree with how he ruled with an iron fist; I never thought that was the best way to manage people and still don't. He was upset I did a video with Katy who was growing her You Tube channel at the time, we discussed the BOSS FB group, mentioned how quickly it had grown and he flew off the handle because I didn't give him credit that the only reason my group grew so fast was because of him and The Thrifting Board FB Group. That's how narcissist he is. He thinks that the ONLY reason my group grew so fast was because he endorsed it. He never thought that it may have grown because I spent over five years building up my reputation and credibility in his group and the eBay community, responding to sellers, reaching out and helping, being nice and positive. It was all about him and he was pissed I didn't mention him or give him all the glory he thought he deserved for people joining my group.

Because Lorna Thompson left his group and 'sided with' Katy and Vikki, Jason was sure these three were responsible for what I was doing with my group and how I was running it. I was giving Katy a platform to build her You Tube Channel and he didn't like it. He continually tried to shape what he thought was happening in my group, based on how he would do things. He was upset because Katy blocked his wife and other admins that were

attacking Vikki. Because he has a rule that group members can't block admins, he felt I should adopt that rule and extend it to admins so they weren't allowed to block members either. What I really wanted to do was just remove Jason, his wife and all the others that were in his inner circle, but I knew that move would be far worse than dealing with just him. When I explained to him I didn't care who blocked whom he responded with "THIS is how you want your business group run? it is mind boggling to me." It was with this email that he removed me as an admin in his paid group and I stopped engaging, interacting and speaking to him.

When Katy had enough of him and all his behind the scenes harassing and bullying, she did the now infamous You Tube Video on June 8, 2018. Katy called me just before she launched it to let me know what was happening, tell me that she didn't mention me or my FB group (we both knew that would mean vicious attacks on me) and she was tired of him bullying the seller community. She was going to be the one to stand up to him. She launched the video and within minutes Jason messaged me a link to it, gave me a Facebook farewell, unfriended me and called me several times that evening. When I didn't pick up, he tried to call from his wife's phone. I never spoke to him but watched the video go viral over the next few days. I was shocked at the number of sellers who chimed in, commented and told their stories of how Jason attacked them when they simply tried to leave his group or unfriended him. A year later people are still telling their stories of how relentless he was when they simply wanted to leave his group or had a different method or way of doing something related to their business.

The comments attached to Katy's video blew me away. Not only the number of sellers that chimed in but the horrible stories they told of how he treated them when they did something as benign as the way one seller packed china (first video comment by Kat Swaggerty). If Jason Smith felt he had been wronged he went after them and never stopped. He bullied the community and many sellers were and still are afraid to be anywhere he is.

I saw firsthand how he tried to sway me to his side of the story. He facetimed me to tell me about Vikki and later about Robyn Hass "because I want to see your reaction" I didn't have a reaction because I'm an adult and don't care if an adult leaves their marriage for another woman or an adult has been living a lie in the community and was outed by a jealous seller. Jason continued to try to sway me by messaging me info about Vikki. When I didn't respond, he unfriended on me June 7, 2018 and I hoped that was the end of it.

Unfortunately, it's only the end until Jason gets bored or jealous or finds something he can attack you for. Jason continued to Facebook stalk me. He poked me on December 24, 2018. When I didn't respond he messaged me 12 more times and each time I didn't respond. He was commenting on every eBay for Business post I made and by February 2, 2019 I had enough and I blocked him. Later that night he messaged me on my personal FB page and I had to block him there too.

Jason has also gone to great lengths to dig up dirt on other sellers, report that info to eBay and have eBay change their mind about working with a seller. In the summer of 2017 eBay reached out to Nicole State and was going to have her speak at Open. Jason took it upon himself to send info to eBay that "proved she was a bad seller" and eBay pulled Nicole from the event. At the WE are 20 event in September 2015, Jason told me that eBay had been looking at having David Rayor do some stuff with eBay, but Jason changed that when he showed eBay something David posted on Jason's wall that was in response to a tiff Jason was having with David. I don't remember all the details except that Jason seemed to have enough influence on people at eBay making decisions about other sellers that changed the course of those sellers working with eBay. A few years back that made a big difference in the seller community. If you were working with eBay and were considered an influencer, that gave you credibility in the community, helped build your reputation and ultimately converted into business and sales growth. Jason had always been very jealous of any other seller's success or connection with eBay and I've seen him go out of his way many times to thwart any possibility of someone taking the lime light away from him. He blames Katy and Vikki for being black balled from eBay when the reality is his behavior and treatment of other sellers in the community is the only thing that got him blackballed from working with eBay as a speaker or influencer.

All this is to show the history of the lengths Jason will go to make someone's life miserable. Even though he's messed with me, my friends and my group, I feel like I'm in a bit of a protective bubble because he's afraid of my eBay connections. Even with this knowledge I was nervous to attend Open 2018. The release of the Katy video was fairly new and I was uneasy about the possibility of running into Jason and being on the receiving end of his anger for whatever happened to him that he thought could be blamed on me. I heard from several sellers that had reached out to eBay for help, guidance and perhaps protection. I learned that Jason and others had been talked to and felt a bit of comfort in knowing that if Jason or others tried to pull anything, they would be removed from them event.

So many sellers have been affected by Jason and his behavior over the years. He has a reputation in the community for being a bully for a reason. eBay has not wanted to get involved in interpersonal relationships but at what cost? At what point does eBay get to step in and decide one person is too toxic for the community? Is he really worth that much to eBay's bottom line that eBay is willing to ignore the numerous pleas from other sellers? This isn't about Katy and Vikki and the past two years; this is about Lynn Hudziak being afraid to attend Open 2017 because of Jason's harassment and bullying, this goes back to Danni Ackerman in 2013 and Cindy Sorley in 2014 and Bryan Goodman (who hasn't even attended an eBay event in years because Jason is there) in 2015. It's about the thousands of sellers Jason removed from The FB group Thrifting with The Boys late one Saturday night in August 2015. Group members woke up and were pissed off he had removed them and sabotaged the group. Those that spoke up and complained to him were instantly labeled as haters and not allowed to join the new group he created, The Thrifting Board. At the time this was a big deal for sellers because there weren't many reputable thrifting and selling groups.

For years Jason has been harassing and bullying sellers and for years others have stayed away while Jason continues to attend eBay Open. This is not a he said, she said where both parties must be punished equally. This is clearly one seller going after the community. When people ask me what happened with my relationship with Jason T. Smith I simply respond "I've had one falling out with another person in my life, he's had hundreds" and leave it at that. There is no need for further explanation, people understand.

EXHIBIT 11



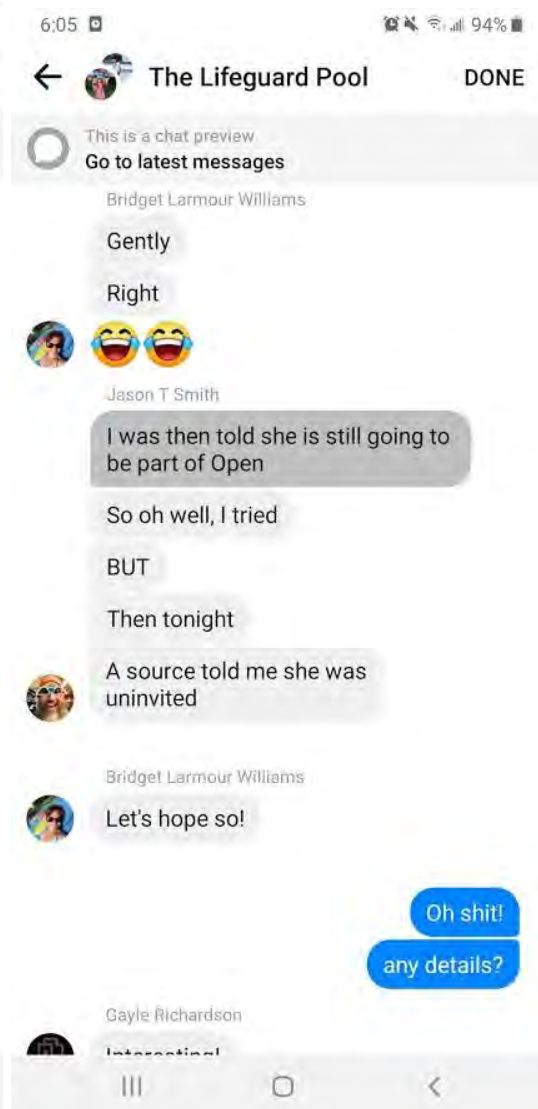
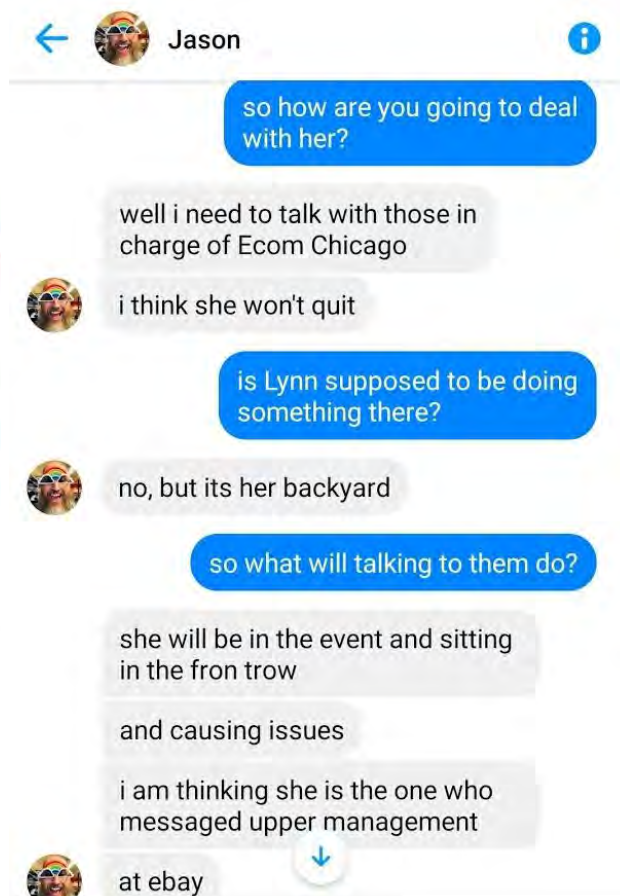
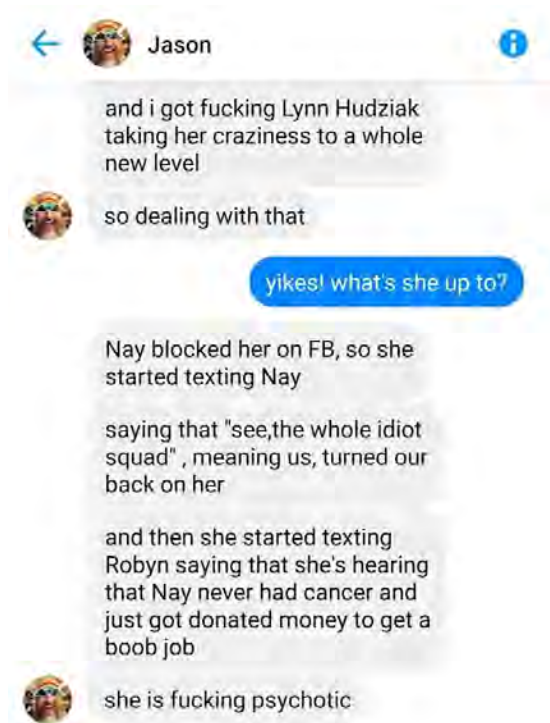


EXHIBIT 12



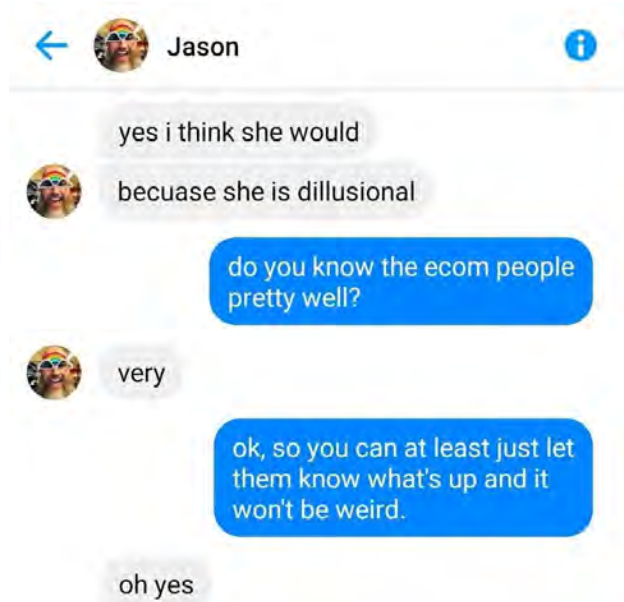


EXHIBIT 13

Jason Smith, Staci...
Group conversation

Fri, 03/16/2018

Hey Jason it's Jim. I hope that everyone isn't going to know about Robyn's jail thing. Please brother. I haven't heard from you so I'm reaching out again. I'm at the infusion center now. I know Robyn has a lot of work ahead of her to be honest with herself. I'm going to take that role on. She needs help and im going to be there for her. I don't know what else to say man.

MMS 2:07 PM

Jason Smith:

Robyn may be doing something. Drastic and last I knew she was in Barstow

4:00 PM MMS

Jason Smith:

Jason Smith:

Robyn may be doing something. Drastic and last I knew she was in Barstow

4:00 PM MMS

Jason Smith:

She left these goodbye messages to Kim and Debbie

4:00 PM MMS

Jason Smith:

As a heads up

4:00 PM MMS

Ahh man

MMS 5:04 PM

I just got out of infusion

EXHIBIT 14



CE Lesley

Katy Zilverberg

thanks, it would be helpful to see it.

Jun 11, 2018, 9:49 AM

CE Lesley

I'll try and find it in my files . Probably in my storage unit.

Jun 11, 2018, 12:26 AM

Katy Zilverberg

I'm sure your phone is charging but do you still have a copy of the cease and desist letter? I'd love to see it since we're meeting with our lawyers this week.

Jun 10, 2018, 11:32 PM

Katy Zilverberg

it's who he is and he's been allowed to get away with it. He has people scared to fight back. Hence the video.

Jun 10, 2018, 11:20 PM

CE Lesley

I have. I just can't believe he's still doing this to people. Why? What does he have to gain? I just don't understand it.

Jun 10, 2018, 11:19 PM

Katy Zilverberg

good, anything will help. Thank you and I hope you can find some peace with this.

Jun 10, 2018, 11:17 PM

CE Lesley

I'm stronger now and refuse to tolerate his bullshit.



CE Lesley

My phone is at 4% ...gotta recharge .

Thanks for reaching out. I'll help any way I can m..maybe Bryan will tell me something I can get on tape

Jun 10, 2018, 11:16 PM

Katy Zilverberg

I'm sure it did, I'm sorry you had to go through that.

Jun 10, 2018, 11:15 PM

CE Lesley

It made me very depressed

Jun 10, 2018, 11:14 PM

CE Lesley

Unfortunately no
... Trashed everything . Didn't think I would need it again

Jun 10, 2018, 11:14 PM

CE Lesley

Yes...his hate and bigotry can not be allowed

Jun 10, 2018, 11:13 PM

Katy Zilverberg

Do you have any documentation of his attacks?

Jun 10, 2018, 11:13 PM

Katy Zilverberg

I'm working on trying to force ebays hand, get him banned from eBay events.

Jun 10, 2018, 11:12 PM

CE Lesley



Jun 10, 2018, 11:12 PM

CE Lesley

Yes... but I think a protest or sit in might be in order too . Bring him unwanted attention in his own backyard

Jun 10, 2018, 11:11 PM

Katy Zilverberg

good, I hope you're able to.

Jun 10, 2018, 11:11 PM

CE Lesley

I'm meeting with Bryan in New Orleans in about a week. We've been rebuilding our friendship

Jun 10, 2018, 11:10 PM

Katy Zilverberg

good to know, it sounds like a lawyer actually works with him.

Jun 10, 2018, 11:10 PM

CE Lesley

Danni knows I've been trying to brought hell and back

Jun 10, 2018, 11:10 PM

Katy Zilverberg

I know, we say the same thing.

Jun 10, 2018, 11:09 PM

CE Lesley

I can't believe his wife is sticking by his side

Jun 10, 2018, 11:09 PM

Katy Zilverberg



Jun 10, 2018, 11:09 PM

CE Lesley

Sent him a cease and desist letter . Next course of action was going to be a lawsuit for libel and slander

Jun 10, 2018, 11:09 PM

Katy Zilverberg

I'm sure. What did you do with the attorney? We are seeking that route too.

Jun 10, 2018, 11:08 PM

CE Lesley

Yeah...not same person.

Marsha can't stand Jason

Jun 10, 2018, 11:07 PM

CE Lesley

He finally stopped the harassment after I got an attorney involved. I should've sued him but I was an emotional wreck.

Jun 10, 2018, 11:07 PM

Katy Zilverberg

There is a Margaret Collier who is friends with him.

Jun 10, 2018, 11:07 PM

Katy Zilverberg

Gotcha

Jun 10, 2018, 11:06 PM

CE Lesley

Good friend of mine

Jun 10, 2018, 11:05 PM



eBay for dummies author

Jun 10, 2018, 11:05 PM

CE Lesley

He and Bryan got into some trouble at an eBay radio party ..copyright infringement of her thrifting for dummies.

I had started a secret group on FB called Thrifting With The Dummies.

Marsha...Marsha Collier

Jun 10, 2018, 11:05 PM

Katy Zilverberg

Martha or Margaret?

Jun 10, 2018, 11:03 PM

Katy Zilverberg

I'm sure

Jun 10, 2018, 11:03 PM

Katy Zilverberg

She's never met any of them either

Jun 10, 2018, 11:03 PM

CE Lesley

Just mention Pineapple and he'll go off the rails...trust me.

Jun 10, 2018, 11:02 PM

Katy Zilverberg

She's only known Jason for a couple of years, she heard him rant about Danni and Cindy, guess he hates them more.

Jun 10, 2018, 11:02 PM



My friend looks like Thor and wanted to knock him down a few pegs.

Jun 10, 2018, 11:02 PM

CE Lesley

Wow...never heard of me from Jason? I am surprised. Cindy Sorley knows...as does Scott Henshaw and Martha Collier .

Jun 10, 2018, 11:01 PM

CE Lesley

We had a few drinks and then left. As we're going out the door he says, leaving so soon? And I replied , nope...too many assholes hanging out here.

Jun 10, 2018, 11:00 PM

Katy Zilverberg

She's never heard of you from Jason

Jun 10, 2018, 10:59 PM

Katy Zilverberg

Vikki was there

Jun 10, 2018, 10:59 PM

CE Lesley

I last saw him at eBay open in 2016 when me and my best friend decided to go to Frankie's...everyone knows me there . Of course, he and his cronies are there.

Jun 10, 2018, 10:58 PM

Katy Zilverberg

Our crime was not telling him about us first.

Jun 10, 2018, 10:58 PM

CE Lesley

My wife never said or did anything to him .



CE Lesley

He blamed me saying I was a drunk and an alcoholic.

Jun 10, 2018, 10:57 PM

Katy Zilverberg

I believe you

Jun 10, 2018, 10:57 PM

CE Lesley

I had to create new social media profiles, new email addresses, even changed my phone number. The hate was that bad.

Jun 10, 2018, 10:57 PM

Katy Zilverberg

He did the same to Vikki, contacting everyone to tell lies

Jun 10, 2018, 10:56 PM

Katy Zilverberg

Jesus

Jun 10, 2018, 10:56 PM

CE Lesley

He contacted everyone in my friends list including my family and made up all sorts of sordid lies...even going as far as telling some of my business associates on LinkedIn that I was a pedophile.

Jun 10, 2018, 10:56 PM

CE Lesley

At that point , I told him out friendship was over and that I chose Danni.

Jun 10, 2018, 10:54 PM

CE Lesley



in the same sentence he was talking about how he was planning on calling child protective services.

Jun 10, 2018, 10:54 PM

CE Lesley

I made a trip out to Vegas ...for other reasons ... And met up with Jason over dinner at the Orleans Casino...hoping to smooth things over...yeah right.

.. CE Lesley

Jun 10, 2018, 10:52 PM

CE Lesley

Later he had a Vegas meetup and he and Bryan demonstrated the FOMO method of shipping. It failed miserably...and I heard about it. I posted in their group what I heard and Jason jumps down my throat telling me that I'm an enemy and Danni must've put me up to it .

Jun 10, 2018, 10:51 PM

Katy Zilverberg

Wow

Jun 10, 2018, 10:50 PM

CE Lesley

The hate and threats I had to endure were pushing me over the edge.

Jun 10, 2018, 10:49 PM

CE Lesley

Before the end of the eBay radio event he pulled me aside and told me to choose or he would out me as a n*gger lover to various hate groups. My wife is black.

I told him again if he did that then we were definitely done a true friend would never do that to another friend.

Jun 10, 2018, 10:48 PM

CE Lesley

So we called an Uber and left . As far as I knew we were still on friendly terms until he started questioning my loyalty and accusing me of being a spy and helping Danni.

Jun 10, 2018, 10:46 PM



I told him I don't know what the hell is going on and I'm not going to choose between my friends.

.. CE Lesley

Jun 10, 2018, 10:45 PM

Katy Zilverberg

sounds like him for sure

Jun 10, 2018, 10:45 PM

CE Lesley

Damn.. now he says I have to make a choice...it's either Team Jason& Bryan or Team Danni.

Jun 10, 2018, 10:45 PM

CE Lesley

Danni tried to defend herself but soon left. My mind told me we shouldve left when we had the chance but we stayed because we considered Jason a friend...and Bryan too.

Jun 10, 2018, 10:44 PM

CE Lesley

Out of the blue and with zero warning, Jason lit into Danni like hell on wheels accusing her of trying to sabotage TWTB.

Jun 10, 2018, 10:43 PM

CE Lesley

I was sitting at his tiki bar inside when Bryan said something big was about to happen.

Jun 10, 2018, 10:42 PM

CE Lesley

We arrived and the party proceeded as normal. My wife later changed the music and Jason went ballistic and the evening went downhill from there very quickly.

Jun 10, 2018, 10:41 PM

CE Lesley



Jun 10, 2018, 10:40 PM

CE Lesley

In fact, in the original wording on their FB group, I was given credit for coming up with the idea for TWTB.

After out falling out , he deleted all references about me.

Jun 10, 2018, 10:39 PM

CE Lesley

He's been exhibiting this behavior since long before he started Thrifting With The Boys.

Jun 10, 2018, 10:38 PM

CE Lesley

We're very good friends but our friendship almost got flushed down the toilet permanently.

Jun 10, 2018, 10:37 PM

Katy Zilverberg

And the video had to be done, he's been doing this too long.

Jun 10, 2018, 10:37 PM

Katy Zilverberg

Bryan?

Jun 10, 2018, 10:36 PM

CE Lesley

Hi Katy. Thank you for posting that video. Jason Smith's ex-business partner told my wife to show it to me.

Jun 10, 2018, 10:36 PM

CE Lesley

You can now call each other and see information like Active Status and when you've read messages.

**Katy Zilverberg**

Hi, your wife suggested that I message you to ask about what Jason T Smith did to you.

Jun 10, 2018, 10:25 PM

Generated by Katy Zilverberg on Monday, July 29, 2019 at 8:11 PM UTC-07:00
Contains data from March 29, 2017 to July 28, 2019

EXHIBIT 15

Jason T Smith

1 message

Cindy Sorley <piperL4j@aol.com>
To: aboutiqueforhim@gmail.com

Tue, Aug 20, 2019 at 12:05 PM

I met Jason T. Smith at an eBay Live event in Denver, Colorado. I was a member of eBay Voices (now pretty much disbanded but a huge part of community at eBay for years) and that whole weekend he tried to get me to vouch for him as a future member of Voices. I was uncomfortable with him and told him that I heard Voices was not recruiting. His friend, Bryan Goodman, and I had been friends for years since we were in Voices together.

I kept in touch with Jason and others from Open and helped out in his Facebook groups and social media groups because I was what they called an expert in Needlework. I have owned a cross stitch business since 1982.

I started noticing some very crazy behavior from Jason when he would attack people verbally or in messages and told him it was not cool.

I witnessed an encounter with Dani Ackerman and was so blown away at him attacking her verbally at an eBay Radio after party that I started to stay clear of him. I was told that Danni and her mother (who he did not return a very valuable tiki art book that he had borrowed from her that was her late husbands) each got a restraining order against him. They tried to recover the book and went to his house.

In 2014 I was in go to Las Vegas for an eBay event and he invited a friend and me to stay at his place for the weekend for an eBay Radio party. During this time a lady on Facebook had upset him and he started to stalk her and used her mug shot as his Facebook avatar. I said Jason that is not okay. You cannot do that. He got in a few fights with her and contacted her husband either by phone or emails to get the scoop on her. He didn't listen so I backed off of him and didn't participate a lot like I had in the past.

I was asked after that by Bryan and him to be a guest on their joint show "Thrift Hunters". I flew from Salt Lake City and again stayed at Jason's house with him and his wife for the filming. I was getting more and more uncomfortable with his treatment of others and mentioned he should not treat people this way.

A few months later my husband almost died from heart surgery. I was concentrating on my husband and not being very involved in the community when I got a call from Jason that I was ignoring him. I told him I was really busy with hubby and that our son was 12 and is paralyzed in his hand and arm and we need to find a solution. I didn't talk to him for some time. After another scare and hubby needing emergency surgery again someone started a Go Fund me for expenses. When I woke up and found out about it. I cancelled it and started refunding. Jason went through the ceiling and stated I was making the community pay. I had no clue it was even started for me and ended it immediately and refunded money to the people who contributed. Some would not take the money back.

I was pretty much out of the picture for some time in the community while my son at the age of 12 had major rebuild surgery of his hand and arm. I attended eBay Radio and did not talk to Jason. His wife did ask me how Thomas was. That was the last verbal contact I had with Jason or her.

On 30 August 2015 I got a frantic call from Bryan Goodman that Jason had made the Thrifting with the Boys? Facebook group secret. He stole all the files they had accumulated over the years as a team and started kicking people out to get to a number where he could make the groups secret so no one could find it again. He made some of his friends admins during the night so they could help. Bryan was at a loss and I started to call in my admins to help and get some of those people back to the group by messaging us to be added since you could not find the group. It was a sad mess. He had done this to steal all the members for his own group. I was done with him prior to that and I was willing to help. I felt what Jason did was criminal and I suggested to Bryan that he needed to get a restraining order against him since they were in the same city. I know that Bryan did not want to make waves in the eBay community and ha has never attended another eBay event because of Jason.

I kept getting harassed by Jason and his assistants on Facebook and finally left the eBay community and pretty much quit selling on the platform because of him. No one listened to my story about him bullying, stalking etc. When I decided to leave eBay as a seller it affected my business drastically. I was worried that Jason or one of his assistants would buy

something from me on eBay and then leave a negative feedback to ruin my business.

I was very fearful of Jason and was not willing to attend another eBay event. My friends encouraged me to go and they would be with me at all times so that if Jason did do something to me. Jason continued to stalk me at all events from standing close to me, to screaming at me in line at the party at Brooklyn Bowl. He would follow me on the stage floor and when he got closer friends stepped in. I do not know what his obsession is with me. He has sent me PM's with links and messages and I refuse to message him back. I was very very fearful of him and I asked eBay to watch him. I do know he was under eBay's watch during some events.

At eBay Open 2017 I was walking with my friend Stephanie and he was coming towards us. He walked right by her and screamed very loudly in her ear. She will write to you about that. I turned to look at him and he flipped me off. He hates being ignored and I turned as did he because he knew he did wrong and wanted a reaction.

He sent in his assistant to confront me in the bathroom at eBay open 2018 to warn me to not talk to any of the ladies that had called out his behavior that year and that they were all liars. He continued to follow me the whole event.

I missed the eBay community and refused to go to any more events if he will be there. This year (2019) My friends begged me to go as there are about 16 of us that hang out together. I went this year and was miserable the whole time. Jason jumping on an escalator right behind me to talk crap. He would purposely walk towards me wanting eye contact. I would not give it. He followed and watched me the whole time I was at the last party and kept peeking in our little room we were in. When I went up on stage at the encouragement of a male friend Jason leaned down and said that is not your f'ing husband. I ignore him. He hates that. After the party ended he kept following me and my friend started watching him because of his behavior. He kept getting closer and she kept filming. he waved at her and then flipped her off. She will send that video. He had no reason to follow me. He follows me to harass me. I fear for my life around him.

Jason always follows me at eBay events. He would stand around to bother me. He would send his assistants in to the bathroom to confront me. I would speak at meet ups as an eBay seller and he would call the organizers asking why I was there. I used to speak at eBay events in Salt Lake City and that all stopped with no explanation. I 100% believe Jason is behind that.

I have talked to numerous people about this man. No one cares that he harasses and bothers people. I fear Jason will do something to harm me. I worry he will not only cause emotional and verbal hurt but it will grow into physical. He somehow sends messages and has his friends harass me after I have blocked them all. I have even called the Las Vegas Police department to see if I can get a restraining order against him while I am in Las Vegas. They told me that I would have to file at the courthouse and in the exact location the stalking would occur. Since I also thrift with Stephanie Abernathy around Las Vegas I was told I needed to file in Henderson, North Las Vegas, Las Vegas and other cities. I did not follow through on the order because of the difficulty in getting one when I was in town for two or three days. I will not go to an eBay event without one in the future.

At this time I am cutting back all eBay involvement until I can feel safe at an event. I have turned down speaking at meet ups or even attending because I don't know if he will show up just to harass me.

My love for eBay is totally down the drain at this moment. I have been on the site since 1997 and selling since 1998. It was an awesome journey until I chose to unfriend Jason and move on but he cannot let go.

I do not like to be looking around every second I am out because I fear Jason being there. I am nervous even in Utah because I would not put it past him to come up here if he gets to upset with me. I just can't participate for fear of my mental health and fear of physical harm by Jason T. Smith.

Cindy Sorley
Owner
Stitchery X-Press
801.721.1351

EXHIBIT 16

OBSTR OFF BUSIN Close Details

Case Number

CRB0501128SMIJAS

Case Type

2ND DEGREE MISDEMEANOR

Crime Type

MISDEMEANOR

Crime County

CUYAHOGA

Offense Code

2921.31

Offense Date

06/14/2005

Offense Description

OBSTR OFF BUSIN

Charges Filed Date

06/15/2005

Court

OH CUYAHOGA COUNTY
GARFIELD HEIGHTS MUNICIPAL COURT

UNDERAGE POSSES Close Details

Case Number

CRB0602807ASMIJAS

Background Report ?

MONITORING ☐ OFF

JASON TODD SMITH

AGE: 48

REPORT DATE: 01-22-2019

Contact Info 30

Address History

Phone Numbers

Email History

People Connections 85

06/05/2018		
12/03/2009		
06/30/2008		
11/01/2006		
12/16/2004		
05/02/2004		

12/16/2004		
05/02/2004		
01/24/2003		
01/24/2003		
01/23/2003		
07/2001		

Phone Numbers

Phone numbers were found in our records

[REDACTED]	LAS VEGAS, NV
[REDACTED]	BOSTON, MA
[REDACTED]	LAS VEGAS, NV
[REDACTED]	LAS VEGAS, NV
[REDACTED]	710 SERVICE FOR GETS, XX
[REDACTED]	WEST LOS ANGELES, CA
[REDACTED]	QUINCY, MA
[REDACTED]	QUINCY, MA
[REDACTED]	CAMBRIDGE, MA
[REDACTED]	SANTA MONICA, CA
[REDACTED]	BOSTON, MA

BOSTON, MA

Email History

Email Addresses were found in our records

tikipug@gmail.com
jtsrhino@sbcglobal.net
jtsrhino@att.net
jtsrhino@ameritech.net
jtsrhino@worldnet.att.net
browzinscot2@tds.net
jtsrhino@aol.com
rhino@recx.com

People Connections ? [Top ↑](#)

Career Details ? [Top ↑](#)

Possible Employers

Possible Employers were found in our records

BIG GIRL LLC	06/26/2009-06/29/2018	View Details
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Possible Affiliations

Possible Affiliations were found in our records

BIG GIRL LLC	HENDERSON, NV	View Details
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Professional Licenses

No Professional Licenses were found in our records

Corporate Affiliations

Possible Corporate Affiliations were found in our records

BIG GIRL LLC	---	View Details
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Lifestyle Data ? [Top ↑](#)

Voter Registration

Voter Registrations were found in our records

Democrat	NV	View Details
Democrat	NV	View Details
No Affiliation	NV	View Details



No Hunting Permits were found in our records

Drivers License



No Drivers Licenses were found in our records

Pilot License



No Pilot Licenses were found in our records

Vehicle Registration



No Vehicle Registrations were found in our records



No Pilot Licenses were found in our records

Vehicle Registration



No Vehicle Registrations were found in our records

Concealed Weapon Permit



No Concealed Weapon Permits were found in our records

Top ↑

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Close Details

Arresting Agency WHITEHOUSE POLICE DEPARTMENT

Case Number 90TRD01864SMIJAS

Crime Type TRAFFIC

Crime County LUCAS

Offense Date 02/22/1990

Offense Description SPEED

Charges Filed Date 02/25/1990

Disposition GUILTY - FINDING BY JUDGE

Court Costs 15.00

PROHTRN

Close Details

Arresting Agency LAKEWOOD POLICE DEPT.

Case 1993TRD07771SMIJAS

SIGNAL LIGHTS (RED LIGHT)

Close Details

Case Number 1996TRD08139

Crime Type MISDEMEANOR

Degree Of Offense MM

Crime County LORAIN

Offense Date 08/10/1996

Offense Description SIGNAL LIGHTS (RED LIGHT)

Disposition GUILTY

Disposition Date 09/09/1996

SPEED

Close Details

Arresting Agency WHITEHOUSE POLICE DEPARTMENT

Case Number 90TRD01864SMIJAS

LIGHT) [View Details](#)

SPEED [View Details](#)

PROHTRN [Close Details](#)

Arresting Agency	LAKEWOOD POLICE DEPT.
Case Number	1993TRD07771SMIJAS
Crime County	CUYAHOGA
Offense Code	313.10
Offense Date	08/20/1993
Offense Description	PROHTRN
Charges Filed Date	08/20/1993
Court	OH CUYAHOGA LAKEWOOD MUNICIPAL COURT
Disposition	CONV

SPEED [View Details](#)

PROHTRN [Close Details](#)

Arresting Agency	LAKEWOOD POLICE DEPT.
Case Number	1993TRD07771SMIJAS
Crime County	CUYAHOGA
Offense Code	313.10
Offense Date	08/20/1993
Offense Description	PROHTRN
Charges Filed Date	08/20/1993
Court	OH CUYAHOGA LAKEWOOD MUNICIPAL COURT
Disposition	CONV
Disposition Date	09/14/1993

SPEED [View Details](#)

PROHTRN [Close Details](#)

Arresting Agency	LAKEWOOD POLICE DEPT.
Case Number	1993TRD07771SMIJAS
Crime County	CUYAHOGA
Offense Code	313.10
Offense Date	08/20/1993
Offense Description	PROHTRN
Charges Filed Date	08/20/1993
Court	OH CUYAHOGA LAKEWOOD MUNICIPAL COURT
Disposition	CONV
Disposition Date	09/14/1993

[Close Details](#)

Arresting Agency	WHITEHOUSE POLICE DEPARTMENT
Case Number	90TRD01864SMIJAS
Crime Type	TRAFFIC
Crime County	LUCAS
Offense Date	02/22/1990
Offense Description	SPEED
Charges Filed Date	02/25/1990
Disposition	GUILTY - FINDING BY JUDGE
Court Costs	15.00

PROHTRN [Close Details](#)

Arresting Agency	LAKEWOOD POLICE DEPT.
Case Number	1993TRD07771SMIJAS

Number	
Crime Type	TRAFFIC
Degree Of Offense	M4
Crime County	CUYAHOGA
Offense Date	10/01/2003
Offense Description	SPEED
Disposition	GUILTY
Disposition Date	11/19/2003
HOUSING	Close Details
Arresting Agency	CITY OF CLEVELAND HT
Case Number	CRB1001433
Case Type	CRIMINAL
Degree Of Offense	UM

LIGHT)	View Details
SPEED	View Details
PROHTRN	Close Details
Arresting Agency	LAKEWOOD POLICE DEPT.
Case Number	1993TRD07771SMIJAS
Crime County	CUYAHOGA
Offense Code	313.10
Offense Date	08/20/1993
Offense Description	PROHTRN
Charges Filed Date	08/20/1993
Court	OH CUYAHOGA LAKEWOOD MUNICIPAL COURT
Disposition	CONV

39/25 SPEED	Close Details
Arresting Agency	CITY OF CLEVELAND HT
Case Number	TRD0107170
Case Type	TRAFFIC
Crime Type	TRAFFIC
Crime County	CUYAHOGA
Offense Code	333.03B
Offense Date	06/29/2001
Offense Description	39/25 SPEED
Charges Filed Date	07/03/2001
Plea	GUILTY
Disposition	G

Arresting Agency	CITY OF CLEVELAND HT
Case Number	CRB1001433
Case Type	CRIMINAL
Degree Of Offense	UM
Crime County	CUYAHOGA
Offense Code	1345.99
Offense Date	04/01/2010
Offense Description	HOUSING
Charges Filed Date	07/20/2010
Plea	M-NO CONT
Disposition	G
Status	CLOSED

RSP [Close Details](#)

Counts 1

Degree Of Offense FOURTH

Crime County MAHONING

Offense Code 2913.51 5

Offense Description RSP

Status APA SUPERVISION

POSS CRIMINAL TOOLS [Close Details](#)

Counts 1

Degree Of Offense FOURTH

Crime County MAHONING

Offense Code 2923.24 5

Agency

Case Number TRD0606111

Case Type TRAFFIC

Crime Type TRAFFIC

Crime County CUYAHOGA

Offense Code 333.03B

Offense Date 03/28/2006

Offense Description 37/25 SPEED

Charges Filed Date 03/30/2006

Plea GUILTY

Disposition G

Status WAIVED

37/25 SPEED [Close Details](#)

Case Number CRB0602807BSMIJAS

Case Type 1ST DEGREE MISDEMEANOR

Crime Type MISDEMEANOR

Crime County CUYAHOGA

Offense Code 2923.12

Offense Date 11/03/2006

Offense Description C C W

Charges Filed Date 11/09/2006

Court OH CUYAHOGA COUNTY
GARFIELD HEIGHTS MUNICIPAL COURT

CARRY CNCLD.WEAPN. [Close Details](#)

Case Number 11CRB01119SMIJAS

Counts 1

UNDERAGE POSSES [Close Details](#)

Case Number CRB0602807ASMIJAS

Case Type 1ST DEGREE MISDEMEANOR

Crime Type MISDEMEANOR

Crime County CUYAHOGA

Offense Code 4301.69

Offense Date 11/03/2006

Offense Description UNDERAGE POSSES

Charges Filed Date 11/09/2006

Court OH CUYAHOGA COUNTY
GARFIELD HEIGHTS MUNICIPAL COURT

C C W [Close Details](#)

Case 11CRB01119SMIJAS
Number

Counts 1

Crime CUYAHOGA
County

Offense 672.02
Code

Offense 03/22/2011
Date

Offense CARRY CNCLD.WEAPN.
Description

Charges 03/22/2011
Filed Date

Court OH CUYAHOGA COUNTY PARMA
MUNICIPAL COURT

Plea NO CONTEST

Disposition GUILTY

Disposition 03/22/2011
Date

Court Costs 14

AGG DISORDERLY
CONDUCT

[Close Details](#)

Case 11CRB01119SMIJAS
Number

Counts 1

Crime CUYAHOGA
County

Offense 672.02
Code

Offense 03/22/2011
Date

Offense CARRY CNCLD.WEAPN.
Description

Charges 03/22/2011
Filed Date

Court OH CUYAHOGA COUNTY PARMA
MUNICIPAL COURT

Plea NO CONTEST

Disposition GUILTY

Disposition 03/22/2011
Date

Court Costs 14

AGG DISORDERLY

[Close Details](#)

C C W

[View Details](#)

CARRY CNCLD.WEAPN.

[View Details](#)

AGG DISORDERLY
CONDUCT

[View Details](#)

BURGLARY

[Close Details](#)

Case CRB0500863JASSMI
Number

Case Type 2ND DEGREE FELONY

Crime Type FELONY

Crime CUYAHOGA
County

Offense 04/19/2005
Date

Offense BURGLARY
Description

Charges 04/20/2005
Filed Date

Court OH CUYAHOGA COUNTY
CLEVELAND HEIGHTS

CONDUCT

[Close Details](#)

Case 12CRB03692SMIJAS
Number

Counts 1

Crime CUYAHOGA
County

Offense 648.04
Code

Offense 07/23/2012
Date

Offense AGG DISORDERLY CONDUCT
Description

Charges 07/24/2012
Filed Date

Court OH CUYAHOGA COUNTY PARMA
MUNICIPAL COURT

Plea NO CONTEST

Disposition AMENDED CHARGE

Disposition 07/30/2012
Date

Court Costs 335.00

SIGNAL LIGHTS (RED LIGHT)	View Details
SPEED	View Details
PROHTRN	Close Details

Arresting Agency	LAKEWOOD POLICE DEPT.
Case Number	1993TRD07771SMIJAS
Crime County	CUYAHOGA
Offense Code	313.10
Offense Date	08/20/1993
Offense Description	PROHTRN
Charges Filed Date	08/20/1993
Court	OH CUYAHOGA LAKEWOOD MUNICIPAL COURT
Disposition	CONV

C C W	View Details
CARRY CNCLD.WEAPN.	View Details
AGG DISORDERLY CONDUCT	View Details
BURGLARY	View Details
OPEN CONTAINER	Close Details

Case Number	CRB9800779JASSMI
Case Type	4TH DEGREE MISDEMEAN
Crime County	CUYAHOGA
Offense Date	04/21/1998
Offense Description	OPEN CONTAINER
Charges Filed Date	04/22/1998
Court	OH CUYAHOGA COUNTY CLEVELAND HEIGHTS

OBSTR OFF BUSIN	Close Details
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Case Number	CRB0501128SMIJAS
Case Type	2ND DEGREE MISDEMEANOR
Crime Type	MISDEMEANOR
Crime County	CUYAHOGA
Offense Code	2921.31
Offense Date	06/14/2005
Offense Description	OBSTR OFF BUSIN
Charges Filed Date	06/15/2005
Court	OH CUYAHOGA COUNTY GARFIELD HEIGHTS MUNICIPAL COURT

UNDERAGE POSSES	Close Details
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Case Number	CRB0602807ASMIJAS
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RSP	View Details
POSS CRIMINAL TOOLS	Close Details

Counts	1
Degree Of Offense	FOURTH
Crime County	MAHONING
Offense Code	2923.24 5
Offense Description	POSS CRIMINAL TOOLS
Status	APA SUPERVISION

B & E	Close Details
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Counts	5
Degree Of Offense	FIFTH
Crime County	MAHONING
Offense	2911.13 5

RSP

[View Details](#)

POSS CRIMINAL TOOLS

[Close Details](#)

Counts 1

Degree Of
Offense

FOURTH

Crime
County

MAHONING

Offense
Code

2923.24 5

Offense
Description

POSS CRIMINAL TOOLS

Status APA SUPERVISION

B & E

[Close Details](#)

Counts 5

Degree Of
Offense

FIFTH

Crime
County

MAHONING

Offense 2911.13 5

EXHIBIT 17

Robin Yencer Vergason

Well the vandal is my son. He had his car in drive instead of reverse & hit everything. Fucking dick!!!

Sep 19, 2017, 6:27 AM

Christine LeMoyne

Glad I am a few years still away from that kind of trouble.

Sep 19, 2017, 9:22 AM

Jason T Smith

my mom had to pick me up twice from being arrested before 18

Sep 19, 2017, 9:23 AM

Jason T Smith

good luck with all your kids

Sep 19, 2017, 9:23 AM

Bridget Larmour Williams

Jarrold had at least 3 felonies, that he thankfully wasn't charged for, before the age of 18. Hank thinks this is cool. I do not.

Sep 19, 2017, 9:34 AM

Jason T Smith

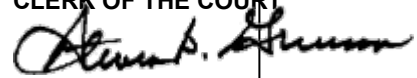
oh , i committed a few felonies before 18, but never got caught

Sep 19, 2017, 9:35 AM

Jason T Smith

i was a wild child

Sep 19, 2017, 9:35 AM



1 **NNOP**

2 MARGARET A. MCLEATCHIE, Nevada Bar No. 10931

3 ALINA M. SHELL, Nevada Bar No. 11711

4 LEO S. WOLPERT, Nevada Bar No. 12658

5 **MCLEATCHIE LAW**

6 701 E. Bridger Avenue, Suite 520

7 Las Vegas, NV 89101

8 Telephone: (702) 728-5300; Fax (702) 425-8220

9 Email: maggie@nvlitigation.com

10 *Counsel for Defendants Katy Zilverberg*

11 *and Victoria Eagan*

12 **EIGHTH JUDICIAL DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 JASON T. SMITH, an individual,

Case No.: A-19-798171-C

15 Plaintiff,

Dept. No.: XXIV

16 vs.

17 **NOTICE OF NON OPPOSITION**
18 **TO SPECIAL MOTION TO**
19 **DISMISS PURSUANT TO NEV.**
20 **REV. STAT. § 41.660 (ANTI-**
21 **SLAPP)**

22 KATY ZILVERBERG, an individual;
23 VICTORIA EAGAN, an individual; and
24 DOES I through X, inclusive, and ROA
25 CORPORATIONS I through X, inclusive,

26 Defendants.

27 Defendants Katy Zilverberg and Victoria Eagan hereby provide notice to the Court
28 that Plaintiff Jason T. Smith has not timely served or filed a response in opposition to
Defendants' Special Motion to Dismiss Plaintiff's Complaint Pursuant to Nev. Rev. Stat. §
41.660. This notice is based on the following Memorandum of Points and Authorities and
exhibits attached thereto, and the papers and pleadings already on file herein.

Dated this the 19th day of September, 2019.

/s/ Leo S. Wolpert

MARGARET A. MCLEATCHIE, Nevada Bar No. 10931

ALINA M. SHELL, Nevada Bar No. 11711

LEO S. WOLPERT, Nevada Bar No. 12658

MCLEATCHIE LAW

Counsel for Defendants Katy Zilverberg

and Victoria Eagan

MEMORANDUM OF POINTS AND AUTHORITIES

The overarching purpose of Nevada’s anti-SLAPP statute is “to protect First Amendment rights by providing defendants with a procedural mechanism to dismiss meritless lawsuit[s] that a party initiates primarily to chill a defendant’s exercise of his or her First Amendment free speech rights before incurring the costs of litigation.” *Coker v. Sassone*, 135 Nev. Adv. Op. 2, 432 P.3d 746, 748 (2019). To further the end of expeditiously disposing of SLAPPs, Nevada law mandates that the Court rule on an anti-SLAPP motion to dismiss “within 20 judicial days after the motion is served upon the plaintiff.” Nev. Rev. Stat. § 41.660(3)(f). Indeed, this matter is set for hearing on October 3, 2019—19 judicial days after Defendants’ anti-SLAPP motion to dismiss was filed and served on September 6, 2019. Given this condensed timeframe, a plaintiff’s timely opposition to an anti-SLAPP motion to dismiss is critical to avoid prejudicing defendants by hamstringing their ability to timely reply to said opposition.

The Eighth Judicial District Court Rules mandate that “within 10 days after service of [a] motion ... the opposing party must serve and file written notice of nonopposition or opposition thereto, together with a memorandum of points and authorities and supporting affidavits, if any, stating facts showing why the motion and/or joinder should be denied.” EDCR 2.20(e). Defendants’ anti-SLAPP motion to dismiss was filed and served on September 6, 2019. Under NRCP 6(a)(1)—which includes Saturdays, Sundays and legal holidays in computing deadlines—the deadline for opposing the anti-SLAPP motion to dismiss was September 16, 2019.¹ As of today, September 19, 2019—thirteen days after service of Defendants’ anti-SLAPP motion to dismiss—no such opposition has been served or filed by Plaintiff Jason T. Smith.

This Court may construe failure of an opposing party to serve and file written opposition “as an admission that the motion ... is meritorious and a consent to granting the

¹ Although EDCR 1.14(a) excludes Saturdays, Sundays, and non-judicial days from the computation of time, that rule was suspended on March 12, 2019 pursuant to Administrative Order 19-03.

same.” EDCR 2.20(e); *see also King v. Cartlidge*, 121 Nev. 926, 928, 124 P.3d 1161, 1162-63 (2005); *Las Vegas Fetish & Fantasy Halloween Ball, Inc. v. Ahem Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008). Defendants have given Mr. Smith nearly three extra days to file his opposition before filing the instant notice. Furthermore, strict adherence to deadlines is particularly important in the anti-SLAPP context, as delays in litigation further the SLAPP plaintiff’s aim of censoring defendants by keeping his meritless litigation hanging over their heads. Thus, this Court should exercise its discretion to construe Plaintiff’s untimely opposition as an admission that his case was unmeritorious from the beginning and a consent to dismiss his lawsuit with prejudice, impose attorney’s fees and costs on him, and award Defendants a statutory award of \$10,000.00 each.

Respectfully submitted this 19th day of September, 2019.

/s/ Leo S. Wolpert

MARGARET A. MCLETCHIE, Nevada Bar No. 10931

ALINA M. SHELL, Nevada Bar No. 11711

LEO S. WOLPERT, Nevada Bar No. 12658

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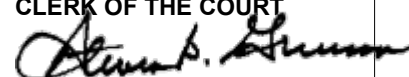
*Counsel for Defendants Katy Silverberg
and Victoria Eagan*

CERTIFICATE OF SERVICE

Pursuant to Administrative Order 14-2 and N.E.F.C.R. 9, I hereby certify that on this 19th day of September, 2019, I did cause a true copy of the foregoing NOTICE OF NON OPPOSITION TO SPECIAL MOTION TO DISMISS PURSUANT TO NEV. REV. STAT. § 41.660 (ANTI-SLAPP) in *Smith v. Silverberg et al.*, Clark County District Court Case No. A-19-798171-C, to be served using the Odyssey E-File & Serve electronic court filing system, to all parties with an email address on record.

/s/ Pharan Burchfield

EMPLOYEE of McLetchie Law



OPPS

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Attorneys for Plaintiff

DISTRICT COURT

COUNTY OF CLARK, NEVADA

JASON T. SMITH, an individual

Plaintiff,

vs.

KATY ZILVERBERG, an individual;
VICTORIA EAGAN, an individual; and DOES I
through X, inclusive, and ROE
CORPORATIONS I through X, inclusive,

Defendant(s).

Case No.: A-19-798171-C

Dept. No.: XXIV

**OPPOSITION TO NOTICE OF NON
OPPOSITION TO SPECIAL MOTION TO
DISMISS PURSUANT TO NEV. REV.
STAT. § 41.660 (ANTI-SLAPP); AND
COUNTER-MOTION TO STRIKE
NOTICE OF NON OPPOSITION TO
SPECIAL MOTION TO DISMISS
PURSUANT TO NEV. REV. STAT.
§ 41.660 (ANTI-SLAPP)**

Plaintiff Jason T. Smith (“Plaintiff” or “Smith”), an individual, by and through counsel of record, the law firm of Holley Driggs Walch Fine Puze Stein & Thompson, hereby files his Opposition to Notice of Non Opposition to Special Motion to Dismiss Pursuant to Nev. Rev. Stat. § 41.660 (ANTI-SLAPP) and Counter-Motion to Strike Notice of Non Opposition to Special Motion to Dismiss Pursuant to Nev. Rev. Stat. § 41.660 (ANTI-SLAPP.

Pursuant to the Order Amending the Rules of Civil Procedure, Rule Rules of Appellate Procedure, and the Nevada Electronic Filing and Conversion Rules, filed December 31, 2018 (the “Order”), the Nevada Supreme Court ordered:

IT IS FURTHER ORDERED that on or after the effective date, these amended rules shall control when conflicts arise between these amended rules and the local rules or the district court rules. Time frames accruing on or after the effective date of these amended rules shall be calculated under these amended rules. If a reduction in the time to respond or other adverse consequent results from the change in and application of these amended rules, an extension of time or other relief may be warranted to prevent prejudice.

Moreover, pursuant to the amended NRCP rules, NRCP 6(a) provides that "...time periods between 6 and 15 days are now set to 14 days..." See NRCP6(a).

Thus, pursuant to the amended NRCP rules and the Nevada Supreme Court's Order, Plaintiff's Opposition to Special Motion to Dismiss Pursuant to Nev. Rev. Stat. § 41.660 (ANTI-SLAPP) is due on September 20, 2019. At a minimum, pursuant to the Court's Order, in order to prevent severe prejudice, the additional time should be given to allow Plaintiff to file his Opposition to Special Motion to Dismiss Pursuant to Nev. Rev. Stat. § 41.660 (ANTI-SLAPP) on September 20, 2019, the time allowed under the amended rules, and allow this case to be heard on its merits.

Thereby, Plaintiff respectfully requests this Court to disregard and strike the Notice of Non-Opposition to Special Motion to Dismiss Pursuant to Nev. Rev. Stat. § 41.660 (ANTI-SLAPP) and allow Plaintiff to file his Opposition by September 20, 2019.

Dated this 19th day of September 2019.

**HOLLEY DRIGGS WALCH
 FINE PUZEY STEIN & THOMPSON**

/s/Kimberly P. Stein

KIMBERLY P. STEIN, ESQ.

Nevada Bar No. 8495

MIKKAELA VELLIS, ESQ.

Nevada Bar No. 14294

400 South Fourth Street, Third Floor

Las Vegas, Nevada 89101

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the **OPPOSITION TO NOTICE OF NON
OPPOSITION TO SPECIAL MOTION TO DISMISS PURSUANT TO NEV. REV. STAT.
§ 41.660 (ANTI-SLAPP); AND COUNTER-MOTION TO STRIKE NOTICE OF NON
OPPOSITION TO SPECIAL MOTION TO DISMISS PURSUANT TO NEV. REV. STAT.
§ 41.660 (ANTI-SLAPP)** was served in accordance with Administrative Order 14-2, this
19th day of September, 2019, addressed to the following:

Margaret A. McLetchie, Esq.
Alina M. Shell, Esq.
Leo S. Wolpert, Esq.
McLetchie Law
701 E. Bridger, Avenue, Suite 520
Las Vegas, NV 89101
E-mail: maggie@lvlitigation.com

*Attorneys for Defendants
Katy Zilverberg and Victoria Eagan*

/s/Andi Hughes
An employee of Holley Driggs Walch
Fine Puzey Stein & Thompson