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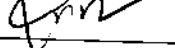
12-012447-CI P P-71 DOC

Reference No.: 12-012447-CI

PLAINTIFF EXHIBIT# 71 ID 2/26/16
(Date)

PLAINTIFF EXHIBIT# 71 Evidence 3/8/16
(Date)

KEN BURKE, Clerk of the Circuit Court

By: 
Deputy Clerk



One Woman's Crusade Against Revenge Porn



Adrian Chen

Filed to: THE INTERNET 5/01/13 2:55pm



One of the most insidious aspects of revenge porn—the non-consensual erotica pioneered by the likes of Hunter Moore—is the fact that victims have typically had little legal recourse to stop porn websites from profiting off their most compromising images. But a new wave of revenge porn victims are speaking out and organizing. One of the most prominent is the woman behind the advocacy group End Revenge Porn. She's been anonymous until today, when she was profiled by BetaBeat and revealed herself to be 29-year-old Florida PhD student Holly Jacobs.



Revenge-Porn Troll Hunter Moore Wants To Publish Your Nudes With Directions to Your House

You may recall our old friend Hunter Moore, the 26-year-old insomniac who ran the much ballyhooed..

Jacobs' story is typical among revenge porn victims: she claims her ex spent years tormenting her by sending the nude photos and explicit videos she made for his private enjoyment to coworkers and friends, and posting them on revenge porn websites. It got to the point where she changed her name to try to escape her embarrassing Google results and quit a job as a teaching assistant after her employer learned of the pics. Now she's become the first person to file a criminal suit against someone for distributing revenge porn—whom she tells BetaBeat is her ex boyfriend Ryan Seay.

Not only that, she's sued a number of websites that distributed content, including their service providers, in civil court. This tactic was also used by a host of women who found themselves on the revenge porn site Texxxan.com. Going after the secondary distributors, rather than the asshole who first posted the stuff, is a sketchier prospect thanks to the expansive protections afforded to sites that host user-submitted content under Section 230 the Communications Decency Act.

But all this attention will help the push for anti-revenge porn laws like the one proposed in Jacobs' home state of Florida. As more people advocate for legal protection from revenge porn, you can expect some debate between anti-revenge porn activists and free speech crusaders who are skeptical of any government move to regulate content on user-generated sites. Even law professor Mary Anne Franks, a strong supporter of anti-revenge porn legislation, cautions that the Florida Law defines Revenge Porn so broadly it "could potentially include a photograph of someone standing next to a picture of Botticelli's Venus."

But Jacobs' story further supports the case for new laws specifically addressing revenge porn, which overwhelmingly hurts women while enriching terrible people like Hunter Moore. It should be easier for normal people to get their leaked photos taken down from porn sites than starting an advocacy group and spending thousands on legal fees.

"I hope that I'll set an example and show this is how you overcome this," Jacobs told BetaBeat, "by coming forward."

masldkgasodig ▶ Adrian Chen

5/01/13 3:15pm

Playing the devil's advocate for the purpose of discussion. I haven't fully formed any personal opinion, and of course the woman's story sounds awful. But.


How is sending a photo of yourself non-consensual?

Isn't this exactly the sort of thought process behind Hulk Hogan's bid to have Gawker take down their video/piece regarding his recorded tryst?

The Beans, Oh the Beans! ▶ masldkgasodig
5/01/13 10:21pm

Tracking down your ex's friends and co-workers to shame them with photos you only agreed to share with your partner is abuse and should be prosecuted under stalking laws IMO.

The whole "she agreed to take the pics once so..." line of thinking is a slipper slope into the "she agreed to sleep with him once so..." type of thinking. Giving consent to take pictures with your partner is not consent to share them with the internet. It seems pretty cut and dry to me.

 kinse ▶ The Beans, Oh the Beans!
12/12/13 7:21am

There should be a website dedicated to publishing the names of all you femi-fascists who want laws to protect you from everything.

Don't want revenge porn photos of you circulating? Either don't take the photos or don't behave like a heartless bitch after you took and distributed them.


The Beans, Oh the Beans! ▶ kinse
12/12/13 4:48pm

And there should be a website dedicated to publishing the names of all you misogynist, sociopathic douchebags who want to act like pieces of shit to a woman who obviously trusted you at some point. Actually, not just women, but all partners, because this happens to men too, and it's equally shitty. No one should be treated this way. This isn't a feminist issue, this is a human issue.

This is *exactly* why I would never take photos like this. Assholes like you ruin it for the vast majority of decent, non-insane partners who wouldn't take advantage of having leverage to ruin someone's life.

Having naked pictures of an ex does NOT give you the right to use those against her because she breaks some arbitrary rule you've set up in your head about how you "deserve" to be treated. Period. And honestly, considering how nut jobs like you talk, I'm sure whatever "heartless" actions occurred, you thoroughly deserved them.

Make no mistake, DudeBro, *you* and your ilk are in the minority. The laws *will* catch up to the technology. It's inevitable.

 kinse ▶ The Beans, Oh the Beans!
12/14/13 12:42am

Femifascist, we are just beginning to fight back against your man-hating agenda, your women are angels on earth bs, and your desire to limit our freedoms. You ain't seen nothing yet.

 Frank_Elways ▶ Adrian Chen
5/01/13 3:08pm

Is the marked change in tone between this post and the Hulk Hogan episode based solely on the fact that he is a public figure?

destor23 ▶ Frank_Elways
5/01/13 3:31pm

To be fair, Gawker did remove the tape, just not AJ's write-up of its contents. Gawker said, in effect, "you can own the images, but not our writing about the images." Still, Gawker clearly sees Hogan and Holly in very different moral lights, which might not be fair. They both were recorded and both had those images spread around without consent. I'd like to see the wealthy former World Champion donate to Holly's cause and maybe even support her publicly. That would be cool, brother.

As for Gawker's editorial consistency — I can sympathize in one way. While there's no public interest served by showing off Hogan's python, Gawker has for years covered celebrity sex tapes that were just cynical (and effective) ploys for attention, relevance and money. Holly, meanwhile, is an out and out victim.

teriblehuman ▶ Frank_Elways
5/01/13 3:32pm

Two things:

1. Yeah, rules are different when you become a public person.
2. The video was just one piece of the puzzle. The Florida judge told Gawker it could even talk about the video. Public person or not, you can't tell a media outlet to not talk about something that exists.



horsetachio ▶ terriblehuman
5/01/13 4:50pm

Morally, they're the same action, so Gawker is still guilty of a type of hypocrisy, no matter what the law says. Legally, they can fight for their 'first amendment' rights if they so choose, but that doesn't change anything about how scummy it was to publish to begin with.

terriblehuman ▶ horsetachio
5/01/13 4:54pm

I do think there's a distinction to be drawn between person who lives a public life and willingly opened his private life to public consumption, and a private person.

cheerful_exgirlfriend ▶ Adrian Chen
5/01/13 3:02pm

Good for her for speaking out.

I hope that someday it's the *person that shares* such obviously private correspondence who is ridiculed and not the person who happens to be naked.



Russianist ▶ Adrian Chen
5/01/13 3:24pm

I don't know if her lawsuits are going to stand up, and hope that legislators will keep any new laws restricting speech within the rubric of exceptions to the First Amendment (e.g. threats, intimidation, coercion, extortion).

However, if the only thing her efforts accomplish is to demonstrate conclusively that Ryan Seay is a creepy loser and alert women to that fact, she's won. And if those efforts inspire other revenge-porn victims to name creepy losers, so much the better.



odette1 ▶ Adrian Chen
5/01/13 3:16pm

Perhaps it should be written as a stalking law as well. What her boyfriend did sounds very stalker-esque, hunting down friends and co-workers in that way.

reggiebushlateral ▶ odette1
5/01/13 3:44pm

What about defamation?

terriblehuman ▶ reggiebushlateral
5/01/13 4:03pm

Defamation covers false statements. That doesn't seem to be the case here.

reggiebushlateral ▶ terriblehuman
5/01/13 4:16pm

You are right. I am wrong.

CommonVices ▶ reggiebushlateral
5/01/13 5:17pm

terriblehuman is correct, in that defamation claims don't apply to factual information. Some states, however, including Florida, recognize so-called "privacy torts," and will permit a plaintiff to assert a claim for "publication of private facts."

I haven't read any of Jacobs' complaints, so I don't know if this is something she's already alleged.

<http://www.dmlp.org/legal-guide/pu...>

EasttoMidwest ▶ Adrian Chen
5/01/13 6:44pm

I would think that the traditional porn industry would be pushing for legislation that required distributors of pornography to have signed consent waivers of those featured because it would cut down on pirated porn. And they could do it under the guise of being a responsible industry which wants to protect victims of revenge porn.

citizenskoal ▶ Adrian Chen
5/01/13 3:23pm

Ugh, obviously her ex is a creep and should get hit with defamation suits.

However, will this eliminate all "amateur/homemade" porn??

What's a man to fap to? I mean god DID make facebook for a reason but doesn't mean a man can't enjoy some homemade flicks from time to time

HorrifyingClown ▶ Adrian Chen
5/01/13 3:05pm

Dunno what kind of pathetic creep feels the need to post nude photos of their exes on the internet, and I'd love to see law that prevents this kind of assholishness.



dsfsdg4r4f ▶ Adrian Chen
5/01/13 3:23pm

Really I don't think she does nor should she have a legal foot to stand on. The fact of the matter is that if you make a porn video expect the worst. The law clearly states that the person has to have knowledge they're being shot in the video; so its not like it was a hidden camera. If you give consent to have a movie made realize the consequences and go with it or DON'T make the video/allow the video to be shot.

terriblehuman ▶ dsfsdg4r4f
5/01/13 3:46pm

While the "make a sex tape at your own peril" is good advice, you realize the production and distribution are two different transactions?



All Hail The Big Cat ▶ dsfsdg4r4f
5/01/13 4:23pm

Considering revenge porn sites are a relatively new phenomenon in the course of human history, when exactly did it become common knowledge to the general public, particularly women, that they should suffer the consequences forever of nudie pics at the hands of a vengeful ex? And how fun can it be for

men when women are fearful of being punished financially, emotionally, professionally for the rest of their lives to experiment sexually with photos or videos?

Kaye Syrah Syrah ▸ Adrian Chen
5/01/13 3:04pm

If they think they might want to hand over a nudie pic, people really, REALLY MUST start making sure they get something equally compromising from their partner in the hand-off. If they won't give it, that should tell a lass something about her safety.

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