UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CANDICE LUE, Plaintiff, - against - JPMORGAN CHASE & CO. et al., Defendants.	No. 19-CV-09784 (KPF)

MEMORANDUM OF LAW
IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS

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Attorneys for Defendants

PRELIMINARY STATEMENT

In her Amended Complaint, Plaintiff Candice Lue, a former analyst for JPMorgan Chase & Co. ("Chase"), alleges that Chase and the individual defendants defamed her in court filings during a prior litigation.

As demonstrated below, Plaintiff's claims fail as a matter of law because each and every one of the statements about which she complains was made in the context of, and was directly relevant to, the prior litigation. As such, the statements are protected by an absolute privilege pursuant to New York's longstanding public policy. Even without regard to the privilege, the statements forming the basis of Plaintiff's Complaint were not reasonably susceptible of a defamatory meaning, and are not actionable for that reason alone.

Accordingly, Plaintiff's claims should be dismissed in their entirety.

BACKGROUND

In 2016, Plaintiff sued Chase and several current and former Chase employees for discrimination and retaliation arising out of the termination of her employment. *See Lue v. JPMorgan Chase & Co., et al.,* No. 16-CV-3207 (AJN) (GWG) ("*Lue I*"); Am. Compl. ¶ 14. On March 27, 2018, Judge Alison J. Nathan granted the defendants' motion for summary judgment and dismissed Plaintiff's claims in their entirety with prejudice. The Second Circuit affirmed on April 24, 2019, and the Supreme Court denied *certiorari* on October 15, 2019. *See* 2018 WL 1583295 (S.D.N.Y. Mar. 27, 2018), *aff'd*, 768 F. App'x 7 (2d Cir. 2019), *cert. denied*, No. 19-260, 2019 WL 5150527 (U.S. Oct. 15, 2019).[1]

[1] For the Court's convenience, a copy of the decisions from the District Court and Second Circuit are annexed hereto as **Exhibits A and B**, respectively.

Eight days after the Supreme Court's denial of her petition for *certiorari*, Plaintiff commenced this action. She alleges that, in filings with the court during *Lue I*, the Defendants "defamed [her] character . . . [and] knowingly made false, misleading, libelous, perjurious and disparaging statements against and about [her] that maliciously and mendaciously made [her] out to be a vindictive, lying, troublesome, uncongenial and elitist person and a less desirable/undesirable employee." Am. Compl. ¶¶ 17, 20. Plaintiff further alleges that "[b]y simply Googling [her] name, anyone in the world can read and/or purchase copies of the" Defendants' "misleading, libelous, perjurious, malicious, mendacious and disparaging statements about and against [her] . . . ." *Id.* ¶ 20.

Based on these allegations, Plaintiff asserts seven causes of action: (1) defamation, (2) common law conspiracy, (3) false and fraudulent acts and conduct, (4) actual malice, (5) libel, (6) defamation per se, and (7) defamation by implication. *Id.* ¶¶ 21-29, 30-33, 34-37, 38-45, 46-49, 50-54, 55-63.

For the reasons argued below, all of these claims should be dismissed.

LEGAL STANDARD

Pursuant to Fed. R. Civ. P. 12(b)(6), a complaint should be dismissed for failure to state a claim upon which relief can be granted where the plaintiff has not alleged "sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). A claim is "plausible on its face" only when the complaint "pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Id.* at 677-78. The plaintiff must allege "more than an unadorned, the-defendant-unlawfully-harmed-me accusation." *Id.* at 678 (citing *Papasan v. Allain*, 478 U.S. 265, 286 (1986)). "Factual allegations must be enough to raise a right to relief above the speculative level." *Twombly*, 550 U.S. at 555.

When reviewing a motion to dismiss, the court must "accept[] all factual allegations in the complaint and draw[] all reasonable inferences in the plaintiff's favor." *ATSI Communications, Inc. v. Schaar Fund, Ltd.*, 493 F.3d 87, 98 (2d Cir. 2007). Additionally, on a motion to dismiss to a *pro se* plaintiff's complaint, the court may consider factual allegations made in the plaintiff's papers opposing the motion and the legal memorandum "for purposes of supplementing and clarifying the allegations in the complaint." *Regnante v. Sec. & Exch. Officials*, 134 F. Supp. 3d 749, 755 n.5 (S.D.N.Y. 2015) (Failla, J.) (internal citations and quotations omitted). While a *pro se* plaintiff's complaint should be interpreted to raise the strongest arguments that it suggests, the court must not assume that the plaintiff can prove facts or establish claims that she has not alleged in the complaint. *Sommersett v. City of New York*, No. 09 CIV. 5916 LTS KNF, 2011 WL 2565301, at *4 (S.D.N.Y. June 28, 2011).

ARGUMENT

A. Defendants' Statements In *Lue I* Are Subject to an Absolute Privilege

All of Plaintiff's claims sound in defamation, either explicitly or implicitly. Causes of action 1 and 5-7 are, by their very terms, claims for defamation,[2] while causes of action 2-4 are defamation claims disguised as something else.[3] Because all of the purportedly defamatory statements were made as part of the litigation of *Lue I*, they are protected by absolute privilege, and Plaintiff's claims are barred as a matter of law.

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[2] *See* Am. Compl. Causes of Action 1 (Defamation), 5 (Libel), 6 (Defamation Per Se), and 7 (Defamation by Implication).

[3] *See* Am. Compl. Cause of Action 2 (Common Law Conspiracy) at ¶ 31 (Defendants "acted in concert with each other to commit false and fraudulent acts and conduct by knowingly, purposefully and intentionally making false, misleading, libelous, perjurious, malicious, mendacious and disparaging statements against and about me" during *Lue I*); Cause of Action 3 (False and Fraudulent Acts and Conduct) at ¶ 35 (same); and Cause of Action 4 (Actual Malice) at ¶ 40 (Defendants "acted with actual malice because they knowingly published false, misleading, libelous, malicious, mendacious, perjurious and disparaging statements against and about me" in *Lue I*).

"To state a cause of action for defamation under New York law, 'a plaintiff must allege that the defendant published a false statement, *without privilege* or authorization, to a third party, constituting fault as judged by, at a minimum, a negligence standard, and it must either cause special harm or constitute defamation per se." *Cao-Bossa v. New York State Dep't of Labor*, No. 118CV0509GTSTWD, 2019 WL 2743505, at *6 (N.D.N.Y. July 1, 2019) (emphasis added) (citing *Rosner v. Amazon.com*, 18 N.Y.S.3d 155, 157 (2d Dept. 2015).

"A statement made in the course of a judicial proceeding 'is absolutely privileged if, by any view or under any circumstances, it may be considered pertinent to the litigation.'" *Fabrizio v. Spencer*, 248 A.D.2d 351, 351 (2d Dept. 1998) (quoting *Martirano v. Frost*, 25 N.Y.2d 505, 507 (1969)). "[A]ny matter which, by any possibility, under any circumstances, at any stage of the proceeding, may be or may become material or pertinent is protected by an absolute privilege . . . irrespective of the motive of the speaker or writer," even if the individual spoke or wrote with actual malice. *Kelly v. Albarino*, 485 F.3d 664, 666 (2d Cir. 2007) (internal citations omitted). "[T]he privilege which the law gives to persons in such circumstances, to speak freely, is absolute, however malicious the intent or false the charge may be." *Hemmens v. Nelson*, 138 N.Y. 517, 523 (1893).

The privilege for statements made during litigation is interpreted "extremely broad[ly]" and "embraces anything that may possibly or plausibly be relevant or pertinent, with the barest rationality, divorced from any palpable or pragmatic degree of probability." *Lipin v. Nat'l Union Fire Ins. Co. of Pittsburgh, Pa.*, 202 F. Supp. 2d 126, 137 (S.D.N.Y. 2002) (internal quotations omitted). Any doubts with respect to the question of pertinence "are to be resolved in favor of pertinence." *Gristede's Foods, Inc. v. Poospatuck (Unkechauge) Nation*, 2009 WL 4547792, at *9 (E.D.N.Y. Dec. 1, 2009).

Defamation claims founded upon statements made in the course of judicial proceedings are subject to dismissal at the pleading stage based on this absolute privilege. *See, e.g., Santaniello v. T-Mobile,* No. 12-CV-5273 (PGG), slip op. at 3-6 (S.D.N.Y. Mar. 27, 2018) (dismissing defamation claims based on absolute privilege because the alleged statements were made during the course of the judicial proceeding and were "unquestionably pertinent").

Here, as expressly stated in the Amended Complaint (*see, e.g.*, ¶¶ 17, 19, 20, 22-28), all of the allegedly defamatory statements about which Plaintiff complains were made in the context of and were pertinent to *Lue I.* Accordingly, the statements are subject to an absolute privilege, and for that reason alone Plaintiff's claims must be dismissed as a matter of law.

B. <u>Even If Not Subject to an Absolute Privilege, Plaintiff's Claims Still Fail</u>

In a submission to the Court in response to Defendants' request for a pre-motion conference, Plaintiff seeks to avoid dismissal by arguing that Defendants' absolute privilege defense lacks merit because

> [n]o where during the course of my . . . lawsuit . . . did the Defendants explicitly state that I, Plaintiff, Candice Lue is a vindictive, lying, uncongenial and elitist person and a less desirable/undesirable employee and no where in my Amended Complaint did I state that the Defendants explicitly described me as any of the such either. 'Absolute privilege' protects actual statements made which are defamatory **on its face/as stated** during the course of a judicial proceeding. 'Absolute privilege' does not protect statements made during a judicial proceeding that are **not** defamatory **on its face/as stated** but only when opined and/or interpreted defame one's character due to anyone's/society's opinion and/or interpretation of the said statements which is anyone's/society's absolute civil right.
>
> * * *
>
> '[A]bsolute privilege' is based solely on the actual statements made during a judicial proceeding, not on anyone's/society's opinion and/or interpretation of the said statements . . . . If Defendants . . . had explicitly stated in their Declarations that I, Plaintiff, Candice Lue is a vindictive, lying, uncongenial and elitist person and a less desirable/undesirable employee then those defamatory statements would be protected from civil liability for defamation . . . but for their statements made **under penalty of perjury**, 'absolute privilege' is not warranted and . . . does not

> protect [Defendants] from anyone's/society's opinion and/or interpretation of their perjurious statements as that is their (anyone's/society's) absolute civil right."

Dkt. No. 22 at 1-2 (emphasis in original). Thus, Plaintiff appears to argue that if Defendants had launched *ad hominem* attacks in their litigation papers, *those* attacks would be privileged, but because they did not, and because the statements in the declarations are instead open to "anyone's/society's opinion and/or interpretation," Defendants purportedly lose the protection of the privilege.

In an attempt to demonstrate her point, Plaintiff makes reference to a statement that finds its genesis in Defendants' 56.1 statement in *Lue I*: "Except for the first few months of her employment, Plaintiff reported to Sullivan while she was in the Commodities Operations Department." *Lue I*, Dkt. 90, ¶ 3.[4] Plaintiff argues that, although this statement is not patently defamatory, "it is one of [Defendants'] false and fraudulent acts and conduct to **make me out** to be a **liar** because it contradicts what I stated in paragraph 49 of my Amended Complaint." Dkt. No. 22 at 2 (emphasis in original). In effect, Plaintiff argues that Defendants have defamed her because a submission they made in *Lue I* contained a statement that contradicted what she alleged in her complaint.

Plaintiff's argument betrays a fundamental misunderstanding of defamation as a cause of action. Under her theory, a defamation claim would lie each and every time a defendant filed an answer to a complaint that denied the plaintiff's allegations. Moreover, the statement about which Plaintiff complains, which concerns the identity of her supervisor during her employment with Chase, is not "reasonably susceptible of a defamatory meaning" and therefore is "not actionable . . . ." *Al Hirschfeld Found. v. Margo Feiden Galleries Ltd.*, No. 16 CIV. 4135 (PAE), 2019 WL

[4] For the Court's convenience, a copy of Defendants' 56.1 statement in *Lue I* is annexed hereto as **Exhibit C**.

2022180, at *18 (S.D.N.Y. May 8, 2019) (citations and quotation marks omitted). On the contrary, a defamatory statement is one that "exposes an individual to public hatred, shame, obloquy, contumely, odium, contempt, ridicule, aversion, ostracism, degradation, or disgrace, or . . . induce[s] an evil opinion of one in the minds of right-thinking persons, and . . . deprives one of . . . confidence and friendly intercourse in society." *Wexler v. Allegion (UK) Ltd.*, 374 F. Supp. 3d 302, 310 (S.D.N.Y. 2019) (internal quotation marks omitted). The statements described in Plaintiff's submission cannot possibly be the foundation for a defamation claim because they are not reasonably susceptible of a defamatory meaning.[5]

The remainder of the statements about which Plaintiff complains were simply comments about Lue's work performance (*see, e.g.*, Am. Compl. ¶ 23 (complaining that her then-supervisor critiqued her communication style) *and* Am. Compl. ¶ 31 (complaining about Chase's characterization of her work performance in its appellate brief), and thus are not actionable as defamatory. "Under New York law, the evaluation of an employee's performance, even an unsatisfactory evaluation, is a matter of opinion that cannot be objectively categorized as true or false and cannot be actionable." *Brattis v. Rainbow Adver. Holdings, L.L.C.*, 2000 WL 702921, at *4 (S.D.N.Y. May 31, 2000) (collecting cases); *see also Chimarev v. TD Waterhouse Inv'r Servs., Inc.*, 99 F. App'x 259, 263 (2d Cir. 2004) ("an employer has the right, without judicial interference, to assess an employee's performance on the job, so that negative internal assessments cannot support a claim for defamation.") (internal quotations marks omitted).[6]

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[5] The same is true for many of the other statements about which Plaintiff complains, which pertain to the identity and role of her predecessor, *see* Am. Compl. ¶ 24 ("However, prior to Lue's arrival in the CRG, Baruch Horowitz, a Caucasian male and a Senior Associate (a higher rank than Lue's role of Analyst), was solely responsible for performing the Tasks.") and tasks performed by other members of her department, *see id.* at ¶ 25 ("Another member of the group had to step in and print the materials in Lue's stead.").

[6] Although perjury is not a cause of action in her complaint—and Plaintiff concedes that such a cause of action would fail in any event, *see* Dkt. 22 at 4—Plaintiff makes reference to it as a "predicate for other tort claims if the elements of those torts can otherwise be proven." *Id.* (citing *Morgan v. Graham*, 228 F.2d

Finally, Plaintiff alleges that, "[b]y simply Googling [her] name, anyone in the world can read and/or purchase copies of the" Defendants' "misleading, libelous, perjurious, malicious, mendacious and disparaging statements about and against [her] . . . ." Am. Compl. ¶ 20. The argument is disingenuous and confounding because *Plaintiff* is the one who placed the information online, thereby making it readily available to anyone with an internet connection. Specifically, after commencing *Lue I*, Plaintiff created a Twitter account (https://twitter.com/Candice_Lue), where she commented about the lawsuit and criticized Judge Nathan repeatedly. See **Exhibit D**.[7] She also created a website to chronicle what she said was her "fight against racial discrimination," and on that website hosts and highlights the very declarations she now complains have damaged her reputation. *See* http://candicelue.com/Defendants_Declarations_aka_LIES_under_Penalty_of_Perjury.htm *and* **Exhibit E**.[8] Thus, to the extent that a Google search of "Candice Lue" leads to these documents, it is only because *Plaintiff herself placed them there.*

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625 (10th Cir. 1956)). As the Amended Complaint makes clear, however, the "other tort claims" to which Plaintiff is referring are defamation, and because Defendants' statements in *Lue I* were privileged, Plaintiff cannot, as a matter of law, establish the elements of the "other tort claims."

[7] This Court may take judicial notice of Plaintiff's Twitter account and her postings. *See Christa McAuliffe Intermediate Sch. PTO, Inc. v. de Blasio*, 364 F. Supp. 3d 253, 263 (S.D.N.Y.), *aff'd*, 788 F. App'x 85 (2d Cir. 2019).

[8] This Court may also take judicial notice on a motion to dismiss of Plaintiff's own website. *See Doron Precision Sys., Inc. v. FAAC, Inc.*, 423 F. Supp. 2d 173, 179 n.8 (S.D.N.Y. 2006).

CONCLUSION

For the foregoing reasons, Defendants respectfully request that this Court dismiss Plaintiff's claims in their entirety with prejudice.

Dated: New York, New York
March 20, 2020

Respectfully submitted,

SEYFARTH SHAW LLP

By: */s/ Anshel Joel Kaplan*
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CERTIFICATE OF SERVICE

I, Anshel Joel Kaplan, hereby certify that on March 20, 2020, I served a true and correct copy of the foregoing document, via overnight mail, upon *Pro Se* Plaintiff Candice Lue at the following address of record:

Candice Lue
[redacted]

/s/ Anshel Joel Kaplan
Anshel Joel Kaplan

Candicelue.Com

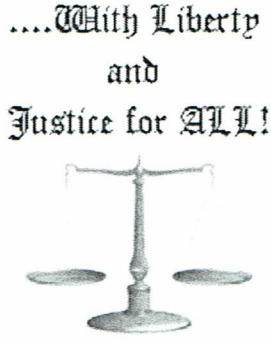
EMPLOYMENT RACIAL DISCRIMINATION & RETALIATION

Lue v. JPMorgan Chase & Co. et al

(U.S. Supreme Court: Case # 19-260)

Breaking Breaking Breaking Breaking Breaking Breaking Breaking

I have filed a Defamation of Character lawsuit against JPMorgan Chase & Co., et al as the TRUTH about my Employment Racial Discrimination and Retaliation lawsuit against them must come out!
Read the Complaint at: http://candicelue.com/JPMorgan_Chase_Defamation_of_Character_Complaint.pdf
Also, click on "The Latest" tab above and go to pages 3 and 4 for more.



(Jamaican National Heroes: Granny Nanny and Marcus Garvey)

For taking a stance against being treated as the "help/house slave" by a racist JPMorgan Chase manager, JPMorgan Chase fired me. In addition to reporting the matter to the Equal Employment Opportunity Commission (EEOC), see the stance I took against Employment Racial Discrimination at:
http://candicelue.com/My_Stance_Against_Employment_Racial_Discrimination.pdf

aiding and abetting PERJURY, in vi

Candice Lue's Mission Statement

To fight the multi-billion dollar powerhouse, JPMorgan Chase & Co. and its eight (8) managers who UNLAWFULLY perpetrated Employment Racial Discrimination and Retaliation against me and who with the help of the **CORRUPT JUDICIARY** are now trying to have my lawsuit dismissed **with prejudice** by way of a fallacious and mendacious Motion for Summary Judgment. ("Dismissed with prejudice" means that my lawsuit be dismissed permanently. A case dismissed with prejudice is over and done with, once and for all, and can't be brought back to court - Bearing in mind that this "dismissal" would be based on the LIES, some of which were made **under Penalty of Perjury**, contained in the Defendants' said Motion for Summary Judgment.)

I have provided hundreds of pages of evidence to the Court dispelling the plethora of LIES harbored in the said perpetrators'/tortfeasors' Motion for Summary Judgment for which they need to be punished to the full extent of the law for LYING UNDER PENALTY OF PERJURY (click here to read the BLATANT lies and click here to read my Opposition/Responses to those said lies).

However, in her quest to shelter the multi-billion dollar Defendants, JPMorgan Chase & Co., et al from their CRIMES of Perjury and Obstruction of Justice and to prejudice my Employment Racial Discrimination and Retaliation lawsuit, Judge Alison J. Nathan who was appointed to the Federal Bench by the first and only Black president of the United States of America, President Barack Obama has ordered that ALL my Oppositions/Responses which include eight (8) Affidavits and almost 500 pages of evidence (everything totaling less than 1,000 pages) in Opposition/Response to the **NINE (9) individual Defendants'** CRIMINAL Motion for Summary Judgment be STRICKEN from the Court's docket with the frivolous reason being, are you ready for this?..... It is overly burdensome for the perpetrators/tortfeasors of the Employment Racial Discrimination and Retaliation against me to read and reply to (click here to see my first Response to Judge Alison J. Nathan's biased August 11, 2017 Order, click here to see my Addendum to this said Response and click here to read my Response to Judge Alison J. Nathan's prejudicial Order of August 21, 2017).

My lawsuit against JPMorgan Chase & Co., et al consists of NINE (9) individual Defendants and TEN (10) Causes of Action. So, the Defendants' attorneys whining that my Oppositions/Responses to each of the NINE (9) individual Defendants' Motion for Summary Judgment (totaling less than 1,000 pages) to dismiss my lawsuit against them with prejudice is "*overly burdensome*" for them to read and to reply to is just a cop out as the only thing "*overly burdensome*" about my said Oppositions/Responses is the evidence stacked up against them that has made it AS CLEAR AS DAY that my Civil and Constitutional Rights under Title VII of the Civil Rights Act of 1964 and 42 U.S.C. § 1981 were violated by JPMorgan Chase & Co., et al, that my Claims of Employment Racial Discrimination and Retaliation against the said Defendants are valid and that six (6) of the eight (8) Defendants/Declarants LIED under Penalty of Perjury, **A CRIME** pursuant to 18 USC § 1621.

Anyone of reasonable mind can see that Judge Alison J. Nathan's arbitrary striking of my said Oppositions/Responses from the District Court's docket is GROSSLY unfair and prejudicial. First, it cannot be reasonable and/or logical for Judge Nathan to impose the same page limit for a Memorandum of Law in Opposition that she would allow for a case in opposition to **one (1) Defendant** upon a case in opposition to **nine (9) individual Defendants** where each and every one of the said Defendants has specific and

different Causes of Action against them and each and every one of the said Defendants is motioning the Court to dismiss with prejudice, the said specific and different Causes of Action against them.

Judge Alison J. Nathan's Order is a clear violation of my Fifth and Fourteenth Amendment Rights to Procedural Due Process. Click here to read the Judicial Misconduct Complaint I filed against Judge Alison J. Nathan which was dismissed by the COMPLICIT and equally CORRUPT Second Circuit Court of Appeals and click here to read the Petition I filed to have my said Judicial Misconduct Complaint reviewed by the Judicial Council as it should have NEVER been dismissed. Also, click on "The Latest" above and go to page 3 for the latest update.

The "Fight" is on. My inspiration is in my footnote.

"In order to preserve the integrity of the judiciary, and to ensure that justice is carried out in each individual case, judges must adhere to high standards of conduct" - York v. United States 785 A.2d 651 655 (DC 2001)".

It doesn't matter your race and/or your financial status, as a U.S. Citizen,
you are entitled to FAIR JUSTICE in a U.S. Court of Law.
DEMAND IT!

Harriet Tubman, Rosa Parks, Dr. Martin Luther King, Jr., Nelson Mandela, Bob Marley, Marcus Garvey and so many others "paid it forward" for me. Hopefully, I will be able to "pay it forward" for others.

Candicelue.Com

Defendants' Declarations aka LIES Under Penalty of Perjury

In the case of Lue v. JPMorgan Chase & Co. et al (U.S. Supreme Court: Case # 19-260)

CLICK HERE TO SEE MY RESPONSES TO THE BLATANT LIES

Defendant Alex Khavin's "Declaration" in Support re: 89 Motion for Summary Judgment - (Docket # 92)

- Read Defendant Alex Khavin's LIES UNDER PENALTY OF PERJURY

Defendant Fidelia Shillingford's "Declaration" in Support re: 89 Motion for Summary Judgment - (Docket # 93)

- Read Defendant Fidelia Shillingford's LIES UNDER PENALTY OF PERJURY

Defendant Chris Liasis' "Declaration" in Support re: 89 Motion for Summary Judgment - (Docket # 94)

- Read Defendant Chris Liasis' LIES UNDER PENALTY OF PERJURY

Defendant Michelle Sullivan's "Declaration" in Support re: 89 Motion for

Summary Judgment - (Docket # 95)

Read Defendant Michelle Sullivan's LIES UNDER PENALTY OF PERJURY

Defendant Helen DuBowy's "Declaration" in Support re: 89 Motion for Summary Judgment - (Docket # 96)

- Read Helen Dubowy's - The Main Aider and Abettor Declaration

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Declarant Kimberly Dauber's "Declaration" in Support re: 89 Motion for Summary Judgment - (Docket # 97)

- Read Declarant Kimberly Dauber's LIES UNDER PENALTY OF PERJURY

Defendant John Vega's "Declaration" in Support re: 89 Motion for Summary Judgment - (Docket # 98)

- Read the biased/so called "investigator" - Defendant John Vega's Declaration

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Declarant Baruch Horowitz's "Declaration" in Support re: 89 Motion for Summary Judgment - (Docket # 99)

- Read Declarant Baruch Horowitz's LIES UNDER PENALTY OF PERJURY

Defendant Thomas Poz (did not submit a Declaration)

- More on Defendant Thomas Poz

Defendant Philippe Quix (did not submit a Declaration)

• More on Defendant Philippe Quix

Defendants' Statement of Undisputed Material Facts under Local Civil Rule 56.1 - (Docket # 90)

• Read the LIES in the Defendants' Statement of "Undisputed" Material Facts

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Defendants' Memorandum of Law in Support of Their Summary Judgment - (Docket # 91)

• Read the LIES in the Defendants' Memorandum of Law in Support of Their Summary Judgment

CLICK HERE TO SEE MY RESPONSES TO THE BLATANT LIES

PENALTY OF PERJURY - 18 U.S.C. § 1621

Whoever in any DECLARATION, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true; is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both.

THE CLEAN HANDS DOCTRINE

The clean hands doctrine is a rule of law that someone bringing a lawsuit or motion and asking the court for equitable relief must be INNOCENT of wrongdoing or unfair conduct relating to the subject matter of his/her claim."

In other words, JPMorgan Chase & Co., et al bringing a motion and asking the Court for equitable relief must be INNOCENT of wrongdoing, THE CRIMES OF PERJURY AND OBSTRUCTION OF JUSTICE.

Harriet Tubman, Rosa Parks, Dr. Martin Luther King, Jr., Nelson Mandela, Bob Marley, Marcus Garvey and so many others "paid it forward" for me. Hopefully, I will be able to "pay it forward" for others.

Candice Lue
@Candice_Lue

Take a stance against Employment Racial Discrimination & Retaliation! Take a stance against Judicial Racial Injustice. See more at candicelue.com

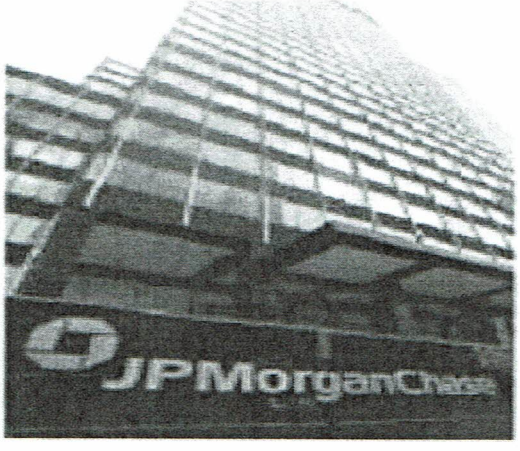
#JPMorganChase #JPMC #Chase #goodtrouble #diversity #inclusion #Equality #SCOTUS #Justice #systemicinjustice

In the REAL LIFE DAVID (Daisy) v. GOLIATH LAWSUIT

LUE V. JPMORGAN CHASE & CO., ET AL (1:16-CV-03207)

Candice Lue

V.



See more at http://candicelue.com

There is a CULTURE of Discrimination at JPMorgan Chase & Co. when a senior member of the company's HR department who is charged with "investigating" discrimination complaints (an employee who is an attorney by profession in my case) is swamped with work and/or his schedule is booked to capacity.

EVIDENCE AVAILABLE UPON REPUTABLE REQUEST

7:29 AM · Mar 28, 2018 · Twitter Web Client

Candice Lue
@Candice_Lue

Judge Alison J. Nathan: President Barack Obama appointed you to the Federal Bench because he thought U would help to provide the LONG AWAITED JUSTICE for Blacks & other Minorities but you chose instead to aid & abet PERJURY and OBSTRUCT JUSTICE #goodtrouble #JPMorganChase #JPMC

9:51 AM · Mar 28, 2018 · Twitter Web Client

Candice Lue
@Candice_Lue

Another article showing that President Barack Obama appointed Judge Alison J. Nathan's fitness to serve on the federal bench was in doubt from the start: judicialactiongroup.org/data/sites/71/... #ProtectOurCourts #Resist #MAGA #KAG2020 #WhatsatStake

6:43 AM · Jul 23, 2018 · Twitter Web Client