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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 WEALTHY INC. and DALE  
BUCZKOWSKI,

12 Plaintiffs,

13 v.

14 SPENCER CORNELIA, CORNELIA  
MEDIA LLC, and CORNELIA  
EDUCATION LLC,

15 Defendants.  
16

Case No.: 2:21-cv-01173-JCM-EJY

**RESPONSE IN OPPOSITION TO  
DEFENDANTS' SPECIAL MOTION TO  
DISMISS PURSUANT TO NRS 41.660  
AND MOTION FOR SUMMARY  
JUDGMENT**

**ORAL ARGUMENT REQUESTED  
PURSUANT TO LR 78-1**

17 Plaintiffs Wealthy Inc. and Dale Buczkowski ("Plaintiffs") hereby file their Response in  
18 Opposition to Defendants' Special Motion to Dismiss Pursuant to NRS 41.660 and Motion for  
19 Summary Judgment [ECF No. 61 and ECF No. 62]<sup>1</sup>.

20 **I. INTRODUCTION**

21 Defendants Spencer Cornelia, Cornelia Media LLC, and Cornelia Education LLC  
22 (collectively, "Defendants") ask the Court to grant summary judgment in their favor on all of  
23 Plaintiffs claims for relief, each based on Defendants publication of defamatory and disparaging  
24 statements on their promotional YouTube channel, a conduit for the accumulation of business.  
25 However, the Court cannot say, as a matter of law, that Plaintiffs' claims for relief fail.  
26  
27

28 <sup>1</sup> Defendants filed two identical briefs as ECF No. 61 and ECF No. 62. For brevity, Plaintiffs will reference ECF No. 61 in this Response.

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1 That is, Defendants do not dispute that they published all the statements at issue in this  
 2 litigation. In fact, Defendants litter their Special Motion to Dismiss Pursuant to NRS 41.660 and  
 3 Motion for Summary Judgment [ECF No. 61] ("Motion") with admissions that they published  
 4 videos with statements disparaging Plaintiffs' business. What is more, Defendants concede that at  
 5 least one of the statements is false.

6 What Defendants omit from the Motion is that some of those disparaging statements related  
 7 to Plaintiffs' real-estate business were published on their YouTube page which solicits customers  
 8 for their own real-estate coaching business and provides revenue each time the audience clicks on  
 9 ads contained on their YouTube page.

10 After the dust settles from discarding all of the inadmissible exhibits and unsubstantiated  
 11 statements of fact, Defendants' Motion remains bare and does not demonstrate their entitlement to  
 12 summary judgment. When the Court considers what admissible evidence remains of Defendants'  
 13 Motion, it will come to the inevitable conclusion that it must deny the Motion.

14 **II. THE COURT CANNOT CONSIDER DEFENDANTS' EXHIBITS BECAUSE THEY**  
 15 **ARE IRRELEVANT, UNAUTHENTICATED, AND HEARSAY.**

16 "A trial court can only consider admissible evidence in ruling on a motion for summary  
 17 judgment." *Orr v. Bank of America*, 285 F.3d 764, 773 (9<sup>th</sup> Cir. 2002) (citations omitted).  
 18 "Authentication is a 'condition precedent to admissibility.'" *Id.* The Ninth Circuit has "repeatedly  
 19 held that unauthenticated documents cannot be considered in a motion for summary judgment." *Id.*  
 20 (citing *Cristobal v. Siegel*, 26 F.3d 1488, 1494 (9<sup>th</sup> Cir. 1994); *Hal Roach Studios, Inc. v. Richard*  
 21 *Feiner & Co., Inc.*, 896 F.2d 1542, 1550-51 (9<sup>th</sup> Cir. 1989); *Beyene v. Coleman Sec. Servs., Inc.*,  
 22 854 F.2d 1179, 1182 (9<sup>th</sup> Cir. 1988); *Canada v. Blain's Helicopters, Inc.*, 831 F.2d 920, 925 (9<sup>th</sup>  
 23 Cir. 1987); *Hamilton v. Keystone Tankship Corp.*, 539 F.2d 684, 686 (9<sup>th</sup> Cir. 1976)).

24 As a threshold matter, Plaintiffs object to most of Defendants' exhibits and assertions of fact  
 25 in support of the Motion because Defendants "cannot produce admissible evidence to support the  
 26 fact," and the Court should disregard them when considering the Motion. FRCP 56(c)(2).

27 First, Defendants attach printouts from numerous websites, none of which are properly  
 28 authenticated. *See* FRE 901(a) ("To satisfy the requirement of authenticating or identifying an item

1 of evidence, the proponent must produce evidence sufficient to support a finding that the item is  
2 what the proponent claims it is."); *See also Memory Lane, Inc. v Classmates, Inc.*, 646 Fed.Appx.  
3 502 (9<sup>th</sup> Cir. 2016) (noting that the inclusion of affidavits from the Internet Archive office manager  
4 providing relevant information about the database properly authenticated printouts); *Bennet v.*  
5 *North American Bancard, LLC* 2022 WL 1667045 at \*10, n. 1 (2022); *Weinhoffer v. Davie Shoring,*  
6 *Inc.*, 23 F.4<sup>th</sup> 579 (5<sup>th</sup> Cir. 2022) ("Although a witness need not be a document's author to  
7 authenticate it for purposes of Rule 901, we have observed that a witness attempting to authenticate  
8 online content as evidence was unlikely to have the requisite direct knowledge where that content  
9 was created and maintained by a third party."); *United States v. Jackson*, 208 F.3d 633 (7<sup>th</sup> Cir.  
10 2000) (upholding district court's preclusion of use of internet postings as hearsay and as improperly  
11 authenticated). Additionally, most of the printouts Defendants attach are inadmissible hearsay  
12 pursuant to FRE 802 that Defendants cannot use to "otherwise corroborat[e] many of the claims."  
13 (Motion [ECF No. 61] at 19:11-12.)

14 Plaintiffs object to the following exhibits as inadmissible hearsay, irrelevant, and/or  
15 inadmissible for Defendants' failure to authenticate: Exhibit Nos. 1 (unauthenticated), 2  
16 (unauthenticated), 5 (unauthenticated), 5-1 (and all of its subparts) (hearsay and unauthenticated),  
17 7 (unauthenticated), 8 (hearsay and unauthenticated), 9 (hearsay and unauthenticated), 10 (hearsay  
18 and unauthenticated), 11 (hearsay and unauthenticated), 12 (hearsay and unauthenticated), 31  
19 (hearsay), and 32 (unauthenticated and irrelevant).

20 In support of their assertion that Plaintiffs "are at least limited-purpose public figures,"  
21 (Motion [ECF No. 61] at 9:16-17), Defendants attach over fifty (50) exhibits of printouts of media  
22 articles, most of which are irrelevant and inadmissible. *See* FRE 402. That is, to demonstrate that  
23 Plaintiffs were limited-purpose public figures at the time they published the videos containing the  
24 statements, Defendants cite to articles which were published **after** the statements were made. *See*  
25 *Fitzgerald v. Penthouse Intern., Ltd.*, 691 F.2d 666, 668 (4<sup>th</sup> Cir. 1982) (listing as one of the  
26 requirements for a limited purpose public figure that "the plaintiff retained public figure status at  
27 the time of the alleged defamation.") Any popularity that Plaintiffs enjoy today is irrelevant to their  
28 status at the time the statements were made and the Court should disregard all of the following

1 exhibits, which post-date the statements that Mr. Cornelia published: Exhibit Nos. 5-A, 5-G, 5-H,  
 2 5I, 5-J, 5-L, 5-O, 5-P, 5-Q, 5-R, 5-S, 5-T, 5-U, 5-V, 5-W, 5-X, 5-Y, 5-AA, 5-AB, 5-AH, 5-AL, 5-  
 3 AN, 5-AP, 5-AS, 5-AT, and 5-AU.

4 Likewise, Defendants attach additional exhibits that post-date the interviews to demonstrate  
 5 that Plaintiffs are limited-purpose public figures and that Defendants believe the published  
 6 statements to be true. Accordingly, they cannot be used to demonstrate that Plaintiffs were limited-  
 7 purpose public figures at the time the statements were made, *id.*, nor can they be used to  
 8 demonstrate that Defendants believed the truthfulness of the statements; the Court should disregard  
 9 the following exhibits when deciding Defendants' Motion: Exhibit Nos. 8, 11, 12, 28, and 29.

10 Lastly, Defendants attach a series of altered, cut and pasted comments that are purportedly  
 11 comments from Facebook; without authentication, timestamps, content, or context, they are  
 12 inadmissible and the Court should disregard Exhibit No. 30 to the Motion. *Orr*, 285 F.3d at 773.  
 13 Likewise, Exhibit No. 31 is inadmissible hearsay, does not have dates, was not properly  
 14 authenticated and is irrelevant.

### 15 **III. STATEMENT OF DISPUTED FACTS**

#### 16 **A. Plaintiffs are Not Public Figures.**

17 Pursuant to LR 56-1, "Motions for summary judgment and responses thereto must include  
 18 a concise statement setting forth each fact material to the disposition of the motion that the party  
 19 claims is or is not genuinely in issue, citing the particular portions of any pleadings [or evidence]."  
 20 Defendants' Motion contains a bevy of assertions that are genuinely in dispute and Plaintiffs wish  
 21 to clarify for the Court.

22 Defendants start their LR 56-1 Statement of Facts with the following: "Plaintiffs' Complaint  
 23 contains sufficient allegations to show they are at least limited-purpose public figures" (Motion  
 24 [ECF No. 61] at 9:16-17) without any citation to support this assertion. Plaintiffs dispute that they  
 25 are limited-purpose public figures. In support of their argument disguised as facts, Defendants state  
 26 that Plaintiffs have "an Instagram account with 4 million followers and claim to provide 'coaching  
 27 10,000+ in over 50 countries,' showing they have a global presence in the wealth management and  
 28 lifestyle coaching fields." (Motion [ECF No. 61] at 10:5-10.) However, Defendants cite to a

1 printout from the "derekmoneyberg" Instagram account dated February 11, 2022, over a year after  
2 the statements were published. (*Id.*) They additionally cite to Mr. Buzkowski's deposition where  
3 he was asked if he has four million followers and he replied, "I do *currently*." (Ex. 2 to Motion  
4 [ECF No. 61-1] at 119:11-13) (emphasis added.)

5 Likewise, Defendants reference a printout of the Derek Moneyberg YouTube page to  
6 demonstrate it "has over 130,000 subscribers," but the printout is dated April 4, 2022, over a year  
7 after the statements were published. (Motion [ECF No. 61] at 10:13-15.) Defendants' attempt to  
8 inflate Plaintiffs' popularity to suggest they are public figures is belied by their citation to the  
9 Complaint when Plaintiffs' YouTube channel had approximately 23,700 subscribers. (Motion  
10 [ECF No. 61] at 9:25-27.)

11 Next, Defendants attach the third-party hearsay of Reddit posts in support of allegations  
12 that Mr. Buczkowski "had an arrest record," "is a scammer," and "that he does not have a real  
13 degree from a university." (Motion [ECF No. 61] at 11:5-15.) In addition to being inadmissible  
14 hearsay evidence (*see* Section II, *supra.*), Defendants ignore that the Reddit exhibits have a post  
15 stating that "Derek Moneyberg does have a University of Chicago MA Business Administration  
16 degree." (*See* Exhibit 8 to Motion [ECF No. 61-3] at 51.)

17 **B. Mr. Buczkowski was Not Involved in an Illegal Marijuana Grow Operation.**

18 After describing the circumstances of a civil forfeiture case in which Mr. Buczkowski  
19 allegedly filed a claim for property, Defendants state that they "interpreted these facts to mean that  
20 Plaintiff Buczkowski had knowledge of, and was likely involved in, an illegal marijuana grow  
21 operation, even if he was not arrested for his knowledge and involvement." (Motion [ECF No. 61]  
22 at 13:2-4.) Defendants' declaration that they unreasonably "interpreted" that Mr. Buczkowski was  
23 involved in an illegal marijuana grow operation, even though no law enforcement agency came to  
24 the same conclusion, is a matter for argument, not for a section of undisputed facts. Plaintiffs  
25 adamantly dispute these facts as demonstrated by Plaintiff Buczkowski's testimony: "I've never  
26 been convicted of a drug crime. I've never been charged with a drug crime. I've never been arrested  
27 for a drug crime. The things Mr. Mulvehill says or the things that your client said and published  
28 are false." (Excerpts of Deposition of Dale Buczkowski, Ex. 1, at 20:17-21.)

1           **C.     Plaintiffs were Not Involved in Money Laundering.**

2           After outlining to the Court that one of Mr. Buczkowski's companies has an inactive  
3 Facebook page and a website that is under construction, Defendants jump to the puzzling  
4 conclusion that they "did not believe Larson Consulting was a legitimate business," and thus, "there  
5 was a strong chance Larson Consulting was a front used for an improper purpose, such as  
6 potentially money laundering." (Motion [ECF No. 61] at 13:25-14:4.) This weak inferential  
7 argument is not a fact and certainly not an undisputed fact. Neither Plaintiffs nor Larson Consulting  
8 are involved in money laundering. (*See* Declaration of Dale Buczkowski, Ex. 3 to Motion for  
9 Partial Summary Judgment [ECF No. 60-4] at 4:21-13.)

10       **IV.    UNDISPUTED FACTS**

11           **A.     Basis of Plaintiffs' Claims for Relief**

12           On June 21, 2021, Plaintiffs filed their Complaint, asserting: 1) Unfair Competition and  
13 False Advertising under the Lanham Act, 15 U.S.C. § 1125 et seq.; 2) Defamation; 3) Intentional  
14 Infliction of Emotional Distress; and 4) Business Disparagement. (Complaint [ECF No. 1].) These  
15 claims are based on two videos released by Defendant Spencer Cornelia on his YouTube channel  
16 that contain false and defamatory statements that harmed Plaintiffs. The videos consist of excerpts  
17 of interviews of non-party John Mulvehill conducted by Mr. Spencer and include statements which  
18 are not matters of opinion but are unqualified and provably false statements of fact. (*See* Section  
19 IV(C), *infra*.) These false statements include assertions that Mr. Buczkowski: lied about his  
20 educational achievement (*See* Excerpts of Transcription of YouTube Video The Authentic or  
21 Charlatan, Ex. 2, at WEALTHY 000061); laundered money (*See* Excerpts of Transcription of  
22 YouTube Video Derek Moneyberg – Fake Guru?, Ex. 3, at WEALTHY 000125); manufactured  
23 and/or sold illegal drugs (*See* Ex. 3, at WEALTHY 000125); framed Mr. Mulvehill for his 2013  
24 arrest in Las Vegas, leading to four felony and four misdemeanor charges (*See* Ex. 3, at  
25 WEALTHY000117-WEALTHY000118, WEALTHY000123-WEALTHY000124); and was  
26 involved in the death of the woman who was involved in the arrest of Mr. Mulvehill (*See* Ex. 3, at  
27 WEALTHY000124).

1           **B. Mr. Buczkowski's Business**

2           Mr. Buczkowski graduated from the University of Chicago Booth School of Business with  
 3 a Masters of Business Administration (MBA) degree in 2015. (Declaration of Dale Buczkowski in  
 4 Support of Motion for Partial Summary Judgment, [ECF No. 60-3, at ¶ 3.) He is the President and  
 5 Co-Founder of Larson Consulting, founded in 2011, which is dedicated to helping leaders solve  
 6 critical strategic issues, accelerate growth, and improve the reputation and brand of their  
 7 organizations in the context of strongly held values. (*Id.*, at ¶ 4.) Wealthy Inc. ("Wealthy") was  
 8 founded in 2019 and is a leading entrepreneurship, finance, business, real-estate and self-  
 9 improvement company owned and operated by Mr. Buczkowski, under the federally registered  
 10 trademark, Derek Moneyberg®. (*Id.*, at ¶ 5.) Wealthy offers three entry level programs entitled  
 11 Moneyberg® Mentoring, Markets Mastery, and Real Estate Riches. These programs focus on  
 12 entrepreneurship, financial markets, and real-estate investing. These programs are currently offered  
 13 at \$5,000 each. (*Id.*, at ¶ 6.) Wealthy also offers its clients a program entitled Mastermind Network,  
 14 which currently requires a \$20,000 initiation fee and a \$5,000 annual renewal fee. This program  
 15 provides a monthly coaching call and a forum for top students to network and exchange ideas in a  
 16 high value environment. (*Id.*, at ¶ 7.) Wealthy also offers 1-ON-1 Training with Derek  
 17 Moneyberg® which is currently offered at prices starting at \$60,000 and including prices of  
 18 \$75,000 or more, for well qualified applicants. (*Id.*, at ¶ 8.)

19           **C. Content of the Statements**

20           1. The Videos<sup>2</sup> include the following assertions that Mr. Buczkowski lied about his  
 21 educational achievement:

22           "[JA:] I'm Derek Moneyberg, I have this University of Chicago degree  
 23 which is not even true . . . ." (Ex. 2, at WEALTHY000061).  
 24 "[JA:] . . . someone said in one of  
 25 the YouTube comments they provided proof that like that he never went to  
 26 . . . Chicago Business School, he did like  
 27 some kind of online thing." (Ex. 3, at WEALTHY000128).  
 28 "[JA:] He just repackaged content, and then made it out, he made himself  
 out to be some kind of genius because he studied business but he doesn't  
 have a real . . . uh, he never actually went to University of Chicago." (Ex.

<sup>2</sup> The quotations from the transcript of the videos utilize "JA" to designate non-party John Mulvehill aka John Anthony and "SC" to designate Defendant Spencer Cornelia.

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1 3, at WEALTHY000139).  
2 "[JA:] He's always saying like, well I have this Ivy League degree and he  
3 didn't attend Chicago Business School, some online thing." (Ex. 3, at  
4 WEALTHY000152).

5 2. The Videos include the following assertions that Mr. Buczkowski laundered money:

6 "[JA:] ... he had a business called like Larson  
7 Consulting which, which has like no you know substance behind it online,  
8 but it looks very well like it could be a front. [SC:] Yeah the address is  
9 right down the street from my house here too in Vegas. [JA:] It looks, it  
10 looks very well it could be a front for laundering money." (Ex. 3, at  
11 WEALTHY000125).

12 3. The Videos include the following assertions that Mr. Buczkowski manufactured  
13 and/or sold illegal drugs:

14 "[SC:] That's shady yeah so the next note on my notes is the drug house. So  
15 you believe, well I guess with public record. He must have been running a  
16 drug operation, if it's a house tied to him, it was a house purchased using  
17 drug money... "[JA:] He has like a lengthy arrest record where he was involved  
18 with, you know property forfeiture for manufacturing illegal drugs, for battery, all  
19 kinds of ...

20 4. The Videos include the following assertions that Mr. Buczkowski framed Mr.  
21 Mulvehill for his 2013 arrest:

22 "[JA:] That's why I don't give a f- saying all this stuff. Like, they came  
23 after me trying to set me up for an arrest in the past – in the past which  
24 we'll discuss in another video that mother-er." (Ex. 2, at  
25 WEALTHY000070-WEALTHY000071).

26 "[JA:] ... they'll play like as low  
27 and dirty as they possibly can. Even to the point of setting people up for  
28 arrests, even in the point of using intimidation and bullying and threats, and  
all this stuff." (Ex. 3, at WEALTHY000134).  
"[JA:] Yeah, I actually got arrested ... I'll explain later, okay  
never explained, without going into all the details of what happened, you  
know, it's, it's very obvious that he was involved there." (Ex. 3, at  
WEALTHY000117-WEALTHY000118).

5. The Videos include the following assertions that Mr. Buczkowski was involved in  
the death of the woman who was involved in the arrest of Mr. Mulvehill:

"[JA:] That girl a 28 year old, living in Las Vegas who's like the primary  
witness in the case ended up dead, and I couldn't find the cause of death I  
searched for it. 28 doesn't make much sense. [SC:] Wow, that was really  
bizarre. [JA:] That was the link to him." (Ex. 3, at WEALTHY000124).



1 **V. LEGAL STANDARD**

2 **A. Summary Judgment Standard**

3 "A party is entitled to summary judgment when the pleadings and discovery show that there  
4 are no genuine issues as to any material fact, and that the moving party is entitled to judgment as a  
5 matter of law. FRCP 56(c); *Anderson v. Liberty Lobby, Inc.*, 477 U. S. 242, 248, 106 S. Ct. 2505,  
6 91 L. Ed.2d (1986). If the evidence is such that a reasonable jury could return a verdict in favor of  
7 the nonmoving party, then there are genuine issues of material fact. *See Anderson*, 477 U. S. at  
8 348. All facts and inferences shall be drawn in the light most favorable to the nonmoving party.

9 The nonmoving party need not present its own affidavits, but may rely on the 'depositions, answers  
10 to interrogatories, and admissions on file' to designate specific facts showing that there is a genuine  
11 issue for trial. *Id.*

12 **B. Anti-SLAPP Standard**

13 Just as under the standard for summary judgment which requires denial of the Motion if a  
14 reasonable jury could return a verdict for Plaintiffs, the anti-SLAPP motion must be denied if  
15 Plaintiffs have demonstrated with prima facie evidence a probability of prevailing on its claims.  
16 (*See infra.*) An analysis under an anti-SLAPP special motion to dismiss is a two-pronged approach.  
17 *Rosen v. Tarkanian*, 135 Nev. 436, 438, 453 P.3d 1220, 1223 (2019). To invoke the anti-SLAPP  
18 statute, a defendant must satisfy the first prong by showing "by a preponderance of the evidence  
19 that the claim is based upon a good faith communication in furtherance of the right to petition or  
20 the right to free speech in direct connection with an issue of public concern." *Id.*; NRS 41.660(3)(a).  
21 The "good faith communication" must be either "truthful" or "made without knowledge of its  
22 falsehood" and it must have a "direct connection with an issue of public interest." NRS 41.637(4).  
23 "When a party moves for a special motion to dismiss it bears the initial burden of production and  
24 persuasion." *Davis v. Parks*, 61150, 2014 WL 1677659, at \*4 (Nev. Apr. 23, 2014) (internal  
25 citations and punctuation omitted).

26 Pursuant to NRS 41.637, there are four<sup>3</sup> categories of communications, at least one of which

27 \_\_\_\_\_  
28 <sup>3</sup> In their Motion, Defendants only discuss one of the four categories of communications  
and, accordingly, concede the inapplicability of the others. (Motion [ECF No. 61], at 27:90-29:10.)

1 must be demonstrated to satisfy the defendant's burden under the first prong of an anti-SLAPP  
2 analysis:

3 Good faith communication in furtherance of the right to petition or the right to free  
4 speech in direct connection with an issue of public concern means any

5 ...  
6 4. Communication made in direct connection with an issue of public interest in a  
7 place open to the public or in a public forum, which is truthful or is made without  
8 knowledge of its falsehood.

9 If, and only if, the defendant satisfies its burden under the first prong of an anti-SLAPP  
10 special motion to dismiss, the plaintiff has the burden of satisfying the second prong by  
11 demonstrating with prima facie evidence a probability of prevailing on its claims. *Rosen*, 135 Nev.  
12 at 439, 453 P.3d at 1223.

## 13 VI. ARGUMENT

14 Defendants request that the Court grant summary judgment in their favor and dismiss  
15 Plaintiffs' claims for relief under Nevada's anti-SLAPP statutes. (*See generally* Motion [ECF No.  
16 61]). However, each of Plaintiffs' claims for relief are based on Defendants' publication of numerous  
17 statements that defame and disparage Plaintiffs. Defendants do not dispute that they published the  
18 videos containing the statements. (*See generally* Motion [ECF No. 61].) Additionally, Defendants  
19 do not dispute that the statements were false. (*Id.*) These undisputed facts demonstrating Plaintiffs'  
20 probability of prevailing on their claims dictate that the Court deny the Motion, in its entirety.

### 21 A. Defendants Misrepresented the Quality of Plaintiffs' Services and Commercial 22 Activities as Provided in the Lanham Act.

23 Under the Lanham Act, civil liability exists for a person or business that uses promotion  
24 and advertisement to disparage another business to obtain business and profit. 15 USC § 1125.  
25 Here, Defendants have published provocative and false statements about Plaintiffs on YouTube for  
26 the purpose of profit. Defendants stood to profit by discrediting Plaintiffs and their business,  
27 including their real-estate program, and thus gaining consumers for their e-books, their mentorship  
28 program, and through revenue generated through audience viewing of YouTube ads. The Lanham  
Act provides, in part, that:

1 Any person who, on or in connection with any goods or services, or any container  
 2 for goods, uses in commerce any word, term, name, symbol, or device, or any  
 3 combination thereof, or any false designation of origin, false or misleading  
 4 description of fact, or false or misleading representation of fact, which--

5 **(B)** in commercial advertising or promotion, misrepresents the nature,  
 6 characteristics, qualities, or geographic origin of his or her or another person's  
 7 goods, services, or commercial activities,

8 shall be liable in a civil action by any person who believes that he or she is or is  
 9 likely to be damaged by such act.

10 15 USC § 1125(a)(1)

11 The 9<sup>th</sup> Circuit has adopted the following definition to identify "advertising" or  
 12 "promotion": (1) commercial speech, (2) by a defendant who is in commercial competition with  
 13 plaintiff, (3) for the purpose of influencing consumers to buy defendant's goods or services, and (4)  
 14 that is sufficiently disseminated to the relevant purchasing public. *Ariix, LLC v. Nutrisearch Corp.*,  
 15 985 F.3d 1107, 1115 (9<sup>th</sup> Cir. 2021) (citing *Coastal Abstract Serv., Inc. v. First Am. Title Ins. Co.*,  
 16 173 F.3d 725, 735 (9<sup>th</sup> Cir. 1999)).

17 **1. The videos Defendants published were commercial speech.**

18 Although commercial speech is "usually defined as speech that does no more than propose  
 19 a commercial transaction," "courts view this definition as just a starting point." *Ariix, LLC v.*  
 20 *Nutrisearch Corp.*, 985 F.3d 1107, 1115 (9<sup>th</sup> Cir. 2021). The Ninth Circuit provided guideposts  
 21 that provide "strong support that the speech should be characterized as commercial speech ... [1]  
 22 the speech is an advertisement, [2] the speech refers to a particular product, and [3] the speaker has  
 23 an economic motivation." *Id.* at 1115-16 (citing cases). Each of these criteria is met, here, and the  
 24 statements Defendants published are commercial speech and the Court should deny the Motion.

25 **a. The publication of the statements included advertisements.**

26 Addressing the first guidepost, one court noted that "[i]n some cases, it may be obvious  
 27 whether statements were made in advertising or promotion. Yet ... communications need not  
 28 necessarily resemble traditional television, radio, print, or Internet advertisements to fall within the  
 purview of the Lanham Act." *Grubbs v. Sheakley Group, Inc.*, 807 F.3d 785, 799 (6<sup>th</sup> Cir. 2015).

Defendants claim that "[t]here is not a single mention of Defendants' goods or services."  
 (Motion [ECF No. 61] at 15:21-23.) This is not true. First, Defendants utilized their platform on

1 YouTube to advertise their products and services by promoting Defendant Cornelia's House Hack  
 2 Expert book and First 1,000 Subscribers mentoring program on Spencer Cornelia's YouTube  
 3 channel. (Spencer Cornelia YouTube About Page, Ex. 4.) Additionally, Mr. Cornelia's real estate  
 4 business was also referred to in the First Video:

5 SPENCER CORNELIA:· By the way, he has shared the screenshots with me.· We  
 6 are talking about someone who knows nothing about a topic, is asked to research  
 7 the topic, and then they write the copy for this program as a real estate riches or a  
 8 stock market –

9 JOHN ANTHONY:· Yeah.

10 SPENCER CORNELIA:· -- mastery.

11 JOHN ANTHONY:· And it -- and it pisses you off, too, because you do some real  
 12 estate stuff on the side.· And here you have --

13 SPENCER CORNELIA:· Right.

14 (Ex. 2 at WEALTHY000062).

15 The Ninth Circuit has recognized that although social media posts "may not have the indicia  
 16 of a traditional advertisement, there can be little doubt that these paid posts are in fact  
 17 advertisements." *Ariix*, 985 F.3d at 1116. Despite its non-traditional format, Defendants'  
 18 promotion on their YouTube channel of their House Hacking Expert e-book, the First 1,000  
 19 Subscribers program, and the monthly membership for coaching is an advertisement. Defendants'  
 20 advertisement and promotion of their services on their YouTube channel were indicative of  
 21 commercial speech and the Court should deny the Motion as it relates to Plaintiffs' claims under  
 22 the Lanham Act.

23 **b. The statements disparage Plaintiffs' particular product of wealth**  
 24 **coaching.**

25 Plaintiff Buczkowski owns and operates Wealthy Inc. which "is a leading entrepreneurship,  
 26 finance, business, real-estate and self-improvement company." (*See* Section IV(B), *supra.*) Mr.  
 27 Buczkowski operates the business under the federally registered trademark, Derek Moneyberg®.  
 28 (*Id.*) That is, Plaintiffs' product *is* the services it provides in coaching on finance, business, and  
 real-estate.

The second guidepost to characterizing statements as commercial speech is that the speech  
 refers to a particular product. *Ariix, LLC.*, 985 F.3d at 1115-16. Defendants' assert that "criticisms  
 of Buczkowski alone [] do not relate to Plaintiffs' goods or services." (Motion at 23:23-25.)

1 However, Defendants undermine that assertion by conceding that the "videos primarily consist of  
 2 Mulvehill discussing how Buczkowski and his various services are ineffective and that he makes  
 3 false promises in the hope of having customers purchase increasingly expensive services." (Motion  
 4 at 10:8-10.) Defendants also concede that Mr. Cornelia stated that "Derek Moneyberg fits all of  
 5 the checkboxes for scammer of the year." (Motion [ECF No. 61] at 12:11-12.)

6 The videos are littered with statements about Plaintiffs' services demonstrative of  
 7 commercial speech. A few examples include:

8 JA: ... he said he's trained his sales team on how to get guys basically  
 predatory loans.

9 SC: By the way, there's a – like the seminar – people who run seminars do  
 10 this, apparently. Where, like, in person, they'll have you call the bank and, lie about  
 your income ... I wouldn't be surprised if they do the same thing.  
 (Ex. 2 at WEALTHY000069.)

11 JA: what he's saying is that tons of guys that couldn't afford it are getting  
 12 signed up for credit cards and loans that they – that they know for a fact they can't  
 repay, okay, which is illegal. ... they say, Okay, now perfect, you have a 10k line.  
 You can get into these two mentorships.  
 13 (Ex. 2 at WEALTHY000070.)

14 JA: Now they've got a 19-year-old doing research on real estate investing to  
 same people on a real estate course ... And the real estate ones come out in January.  
 And this is going to be keep [sic] going. Yeah, he's obviously just making a f-ing  
 15 scam and shit.

16 These false accusations that Wealthy sales team members coerce customers to get credit  
 17 cards just to purchase their mentorship programs are disparaging to Plaintiffs' services. Likewise,  
 18 the statements that the Wealthy real estate program is a scam disparages the particular product of  
 19 real estate coaching and is demonstrative of commercial speech. *Ariix, LLC v. Nutriscarch Corp.*,  
 20 985 F.3d at 1115 (9<sup>th</sup> Cir. 2021).

21 Because Defendants have conceded that they published statements that attack the products,  
 22 namely financial and business coaching, of Wealthy, the statements are properly characterized as  
 23 commercial speech and the Court should deny the Motion as to the claims under the Lanham Act.

24 **c. Defendants were economically motivated to take clients from**  
 25 **Plaintiffs.**

26 The intersection of Defendants' advertisements and their publication of statements about  
 27 Plaintiffs' services is where Defendants' motivation is apparent. First, both the House Hack Expert  
 28 program and the First 1,000 Subscribers program solicit donations, providing five different methods

1 to make payments to Defendants. (First 1,000 Subscribers, Ex. 5, at WEALTHY000016; House  
 2 Hack Expert, Ex. 6, at WEALTHY00007.) Second, each of the programs advertises a monthly  
 3 membership program providing members access to a private Discord<sup>4</sup> community, monthly  
 4 coaching calls, and answers to all questions. (Ex. 5 At WEALTHY000016; Ex. 6 at  
 5 WEALTHY00007; *see also* Excerpts of Deposition of Spencer Cornelia, Ex. 7, at 14:14-25 ("I also  
 6 had a hundred dollar membership for – you would get access to the e-books and then chat with me  
 7 if you wanted to talk about the contents of the e-books.")) Third, "[w]hen ads are played on  
 8 [Defendants'] videos and an audience member watches the ads, [Defendants] get paid." (Ex. 7, at  
 9 15:8-12.)

10 By releasing videos that disparage Plaintiffs and discredit their business, coupled with  
 11 offering the same services, Defendants stand to profit. That is, someone watching the videos and  
 12 deciding not to use Plaintiffs' services can just click a button on the same web page and obtain  
 13 similar services from Defendants. (*See* Ex. 4; *see also* Ex. 7 at 40:7-10 (when asked if he publishes  
 14 information about his house hacking program on YouTube, Mr. Cornelia testifying "I have made  
 15 videos about it, yes. I have made, I believe two videos on the topic.") Defendants had economic  
 16 motivation to publish the videos containing defamatory and disparaging statements and said  
 17 statements are properly characterized as commercial speech. Because Defendants cannot  
 18 demonstrate that, as a matter of law, the statements they published were not commercial speech,  
 19 the Court should deny the Motion as it relates to Plaintiffs' Lanham Act claim for relief.

## 20 2. *Defendants are in Commercial Competition with Plaintiffs.*

21 Defendants are in direct commercial competition with Plaintiffs, who Defendants state, in  
 22 their LR 56-1 Statement of Facts, are "a leading entrepreneurship, finance, **real-estate** and self-  
 23 improvement company." (Motion [ECF No. 61] at 9:19-20) (emphasis added.) That is, Defendants'  
 24 House Hack Expert e-book is a real estate program in competition with Plaintiffs. It specifically  
 25 addresses "[a] common worry throughout real estate investing communities [as to] how their  
 26

27 <sup>4</sup> Discord is a VoIP and instant messaging social platform where users have the ability to  
 28 communication with voice calls, video calls, and text messaging.  
<https://en.wikipedia.org/wiki/Discord> (last visited October 27, 2022).

1 specific strategy will work in various market conditions." (Ex. 6 at WEALTHY00008.) The attacks  
2 in the videos attacked Plaintiffs' real estate business as evidenced by the published statement calling  
3 Plaintiffs' "real estate course ... a f-ing scam." (Ex. 2 at WEALTHY000072.) The videos  
4 disparaging Plaintiffs' real estate course were released on the same YouTube page where  
5 Defendants advertise their House Hack Expert real estate e-book.

6 **3. *Defendants Published the Videos to Influence Consumers to Purchase***  
7 ***Defendants' Services Instead of Plaintiffs'.***

8 The third factor in characterizing whether speech is an advertisement or promotion requires  
9 that it influences consumers to purchase the products of the publisher. *Ariix, LLC v. Nutriscarch*  
10 *Corp.*, 985 F.3d at 1115. By publishing statements that mischaracterize Plaintiffs' services as  
11 "scams," Defendants influenced their viewers to look for an alternative program for real estate  
12 mentorship. (Excerpts of Deposition of Spencer Cornelia, Ex. 7, at 89:7-24) ("Q. in these videos,  
13 did you mention any of – any of the products that you offer to third parties ... for sale? A. I believe  
14 I did, yes ... There are two e-books. One is on house hacking, the other is on the first 1,000  
15 subscribers for growing a channel on YouTube.") Because the statements that Defendants  
16 published attacked Plaintiffs' services (*see* Section VI(A)(1), *supra.*); because Defendants had  
17 economic motivation to publish the videos containing the defamatory and disparaging statements  
18 (*see* Section VI(A)(1), *supra.*); and because Defendants are in commercial competition with  
19 Plaintiffs (*see* Section VI(A)(2), *supra.*), Plaintiffs' claim for relief under the Lanham Act does not  
20 fail as a matter of law and the Court should deny the Motion.

21 **4. *Defendants Sufficiently Disseminated the Videos to the Relevant***  
22 ***Purchasing Public.***

23 The fourth factor in characterizing whether speech is an advertisement or promotion is  
24 whether it is sufficiently disseminated to the relevant purchasing public. Defendants concede that  
25 Mr. Cornelia published the First and Second videos on his YouTube channel. (Ex. 7, at 81:1-16.)  
26 Additionally, Defendants concede that "[t]here is no dispute that the statements at issue were made  
27 in a place open to the public or a public forum." (Motion [ECF No. 61] at 29:14-15.) Because  
28 Defendants are in competition with Plaintiffs, (*see* Section VI(A)(2), and because Defendants

1 solicit sales on their YouTube page, (*see* Section VI(A)(3), the undisputed public forum where  
 2 Defendants published the videos was a *relevant* purchasing public. After all, Defendants broadcast  
 3 through YouTube on real estate as demonstrated by Spencer Cornelia's testimony when he stated  
 4 that "house hacking ... is something that I consider myself an expert in." (Ex. 7 at 39:17-19.)

5 **B. Defendants Failed to Show, by a Preponderance of the Evidence, that Plaintiffs**  
 6 **Claims are Based upon a Good Faith Communication in Furtherance of the**  
 7 **Right to Free Speech in Connection with an Issue of Public Concern.**

8 To invoke the anti-SLAPP statute, a defendant must satisfy the first prong by showing "by  
 9 a preponderance of the evidence that the claim is based upon a good faith communication in  
 10 furtherance of the right to petition or the right to free speech in direct connection with an issue of  
 11 public concern." NRS 41.660(3)(a); *see* Section V(B), *supra*.

12 **1. *Defendants Published Statements that Did Not Have a Direct Connection***  
 13 ***to an Issue of Public Interest***

14 The relevant category for the Court's analysis is that found within NRS 41.637(4) which  
 15 includes a "[c]ommunication made in direct connection with an issue of public interest in a place  
 16 open to the public or in a public forum."

17 Defendants suggest that the community of people who "have heard of Plaintiffs" "has a  
 18 significant interest in hearing about how Plaintiffs are scamming their customers." (Motion [ECF  
 19 No. 61] at 29:7-9.) Attempting to link the statements to their stated matter of public interest,  
 20 Defendants assert that the "statements in the Videos *primarily* concern Plaintiffs' credibility as a  
 21 businessman, *potential* ethical and legal problems with the services they provide, and the quality  
 22 of services they provide." (*Id.* at 29:3-5) (emphasis added.) This is not a recognizable public  
 23 interest, and the Court should deny the Motion on that basis alone. *See Kevin Zhang Inc. v. Rozsa*,  
 24 No. 2:20-CV-6247-SVW, 2021 WL 1570837, at \*3 (C.D. Cal. Jan. 27, 2021) ("It is true that  
 25 statements warning consumers of fraudulent or deceptive business practices constitute a topic of  
 26 widespread public interest. Here, by contrast, [defendant] made all of his statements on YouTube  
 27 videos [not] on a consumer watchdog website or to a consumer protection bureau.")

28 Even if the Court were to find Defendants established a legitimate public interest (they did  
 not), Defendants ignore the multiple damaging statements they published which have *no* link,



1 whatsoever, to their stated public interest. First, Defendants published statements that Mr.  
2 Buczkowski was lying about his MBA from the University of Chicago. (*See* Section IV(C), *supra.*)  
3 These statements were not a matter of concern to a substantial amount of people, nor do they have  
4 a degree of closeness to Defendants' stated public interest in scamming; Defendants cannot take  
5 shelter under the anti-SLAPP statutes. *Coker v. Sassone*, 135 Nev. 8, 13, 432 P.3d 746, 750 (2019)  
6 (quoting *Shapiro v. Welt*, 133 Nev. 35, 39, 389 P.3d 262, 268 (2017)) ("there should be some degree  
7 of closeness between the challenged statements and the asserted public interest.")

8 Second, Defendants published statements that insinuated that Plaintiff Buczkowski used  
9 one of his businesses for money laundering. (*See* Section IV(C), *supra.*) These defamatory  
10 statements have no link to Defendants' asserted public interest of scamming and they do not fall  
11 under the protection of an the anti-SLAPP statutes. *Id.* ("there should be some degree of closeness  
12 between the challenged statements and the asserted public interest.")

13 Third, Defendants published statements that Plaintiff Buczkowski "must have been running  
14 a drug operation." (*See* Section IV(C), *supra.*) Not only are the false and defamatory statements  
15 unrelated to Defendants' stated public interest in "scamming," they also only relate to a matter of  
16 mere curiosity which do not rise to the level of public interest. *Coker*, 135 Nev. at 8, 432 P.3d at  
17 750 ("public interest does not equate with mere curiosity."). That is, the allegations of drug  
18 involvement are gossip, not topics involving entrepreneurship, business or real-estate. These  
19 statements have no connection with an issue of public interest and, thus, cannot enjoy anti-SLAPP  
20 protection. *Id.*; NRS 41.637(4).

21 Fourth, Defendants published statements alleging that "they came after me trying to set me  
22 up for an arrest." (*See* Section IV(C), *supra.*) The statements accusing Plaintiffs of setting up non-  
23 party Mr. Mulvehill for his arrest have no degree of closeness to the issue of scamming. *See Coker*,  
24 135 Nev. at 13, 432 P.3d at 750 ("there should be some degree of closeness between the challenged  
25 statements and asserted public interest."). Further, the circumstances of Mr. Mulvehill's arrest are  
26 a matter of concern only to himself and a small audience and are not an issue of public concern.  
27 *Id.* ("a matter of public interest should be something of concern to a substantial number of people;  
28

1 a matter of concern to a speaker and a relatively small specific audience is not a matter of public  
2 interest.")

3 Fifth, Defendants published statements that Plaintiff Buczkowski had a "link" to the death  
4 of the woman who was connected to the crimes for which Mr. Mulvehill was arrested. (*See* Section  
5 IV(C), *supra*.) There is no degree of closeness between these defamatory statements and  
6 Defendants' asserted public interest in scamming. *See Coker*, 135 Nev. at 13, 432 P.3d at 750  
7 ("there should be some degree of closeness between the challenged statements and asserted public  
8 interest.").

9 Defendants failed to meet their burden under the first prong because they did not  
10 demonstrate that the statements have a direction connection to a matter of public interest and the  
11 Court should deny their Motion. *See Coker*, 135 Nev. at 13, 432 P.3d at 750 ("there should be  
12 some degree of closeness between the challenged statements and asserted public interest.").

13 **2. The Published Statements Were False and Were Not Made in Good Faith.**

14 In conclusory fashion, Defendant Cornelia informs the Court that he "published the videos  
15 in good faith" because he "did not know or believe any statement in any of the videos at issue,  
16 whether uttered by him or Mulvehill, was false." (Motion [ECF No. 61], at 30:9-16.) However,  
17 Defendants' assertion does not satisfy their burden under the first prong because "the relevant  
18 inquiry in prong one of the anti-SLAPP analysis is whether a preponderance of the evidence  
19 demonstrates that ... the statements were made in good faith under the anti-SLAPP statute because  
20 the gist or sting of the statements were substantively true." *Rosen*, 135 Nev. at 1224, 453 P.3d at  
21 440 (citations and quotations omitted).

22 **a. The statements were false.**

23 Here, Defendants do not claim, much less demonstrate, that the statements they published  
24 were true. *See Barret v. Rosenthal*, 40 Cal.4<sup>th</sup> 33, 45, 146 P.3d 510, 517 (2006) ("Publication is a  
25 necessary element of all defamation claims, and includes every repetition and distribution of a  
26 defamatory statement."); (Motion [ECF No. 61], at 29:16-30:16.) Additionally, Defendants do not  
27 claim that the gist or the sting of the statements were substantively true. *Rosen*, 135 Nev. at 1224,  
28 453 P.3d at 440 (citations and quotations omitted). Rather, they simply state that they "did not

1 know or believe any statement ... was false." (Motion [ECF No. 61], at 30:9-10.) In defense of  
 2 their ignorance of the truth, Defendants assert that Mr. Cornelia "reviewed significant evidence  
 3 provided by Mulvehill regarding Plaintiffs and their business practices, in addition to his own  
 4 research concerning Mulvehill's claims, and found Mulvehill and his sources to be credible. (Ex.  
 5 7 at 7:16-10:3, 45:6-10, 74:2-80:9, 81:1-85:4, 86:3-87:12.) In support of Mr. Cornelia's assertion  
 6 that he "reviewed significant evidence provided by [Mr.] Mulvehill," conducted "his own research  
 7 concerning [Mr.] Mulvehill's claims, and found Mulvehill and his sources to be credible,"  
 8 Defendants cite to Mr. Cornelia's deposition which includes some of the following supporting  
 9 testimony:

10 Q. And what research did you conduct into Stacey Lynn Saunders?

A. **So I was not able to access that information.**

11 (*Id.*, at 78:5-79:11) (emphasis added.)

12 Q. Why didn't anything that [Mr. Mulvehill] said ... seem implausible?

A. Well, for first, his "lay count," as he words it ... I found that to be an  
 13 accurate number ...

14 (*Id.*, at 79:15-80:9.)

15 Q. Okay ... did you perform any – any research to verify any of the  
 statements or the claims that Mr. Mulvehill made?

A. So on his videos there's ... numerous comments being left about the  
 16 plaintiffs on those specific videos. You also had Reddit posts ...

17 Q. Okay. And these statements from these other people ... were they  
 consistent with what Mr. Mulvehill said to you or in his prior videos?

A. Not everything specifically, of course, but were – was there an indication  
 18 that there was a lot of things going on with the business that weren't favorable or  
 positive? Absolutely.

19 (*Id.*, at 85:5-86:2) (emphasis added.)

20 Q. ... did you perform any research into whether Mr. Buczkowski did have  
 those education credentials?

A. No, because I found it irrelevant ...

21 (*Id.*, at 86:6-20.)

22  
 23 To sum up Mr. Cornelia's testimony in support of his belief that the statements were true:  
 24 he found Mr. Mulvehill credible because he claimed to have slept with 1300 women and Mr.  
 25 Cornelia believed it was true; he didn't research Mr. Buczkowski's education because he "found it  
 26 irrelevant"; posts on Reddit and comments on YouTube videos did not specifically confirm the  
 27 published statements but they provided "an indication" that Plaintiffs' business was not "favorable  
 28 or positive"; and, regarding the statements that Mr. Buczkowski was linked to the death of a woman,

1 he was not "able to access that information" about the death of the woman. All of the statements  
2 published by Defendants were false and they did not satisfy their burden under the first prong of an  
3 anti-SLAPP motion and the Court should deny the Motion.

4 **b. The gist or sting of the statements were defamatory.**

5 When looking at all of the false statements together, the gist or sting is not substantively  
6 true, and Defendants did not demonstrate by a preponderance of the evidence that they published  
7 them in good faith. *Rosen*, 135 Nev. at 1224, 453 P.3d at 440 (citations and quotations omitted)  
8 ("[T]he relevant inquiry in prong one of the anti-SLAPP analysis is whether a preponderance of the  
9 evidence demonstrates that ... the statements were made in good faith under the anti-SLAPP statute  
10 because the gist or sting of the statements were substantively true.")

11 Defendants cite to *Williams v. Lazer*, 459 P.3d 93, 98 (2021), to demonstrate that they acted  
12 in good faith. (Motion [ECF No. 61] at 29:26-30:16.) Although the *Williams* court found that the  
13 defendant satisfied the first prong of an anti-SLAPP motion, that case is distinguishable from this  
14 case for several reasons.

15 First, the defendant in *Williams* made "generalized statements that [plaintiff] acted  
16 unethically and unprofessionally" and the court found those to be statements of opinion. *Id.* at 97.  
17 Here, Plaintiffs have identified specific statements of fact that Mr. Buczkowski lied about his  
18 education and was involved in money laundering and a drug operation; none of the statements in  
19 this litigation were generalized statements of opinion. (*See* Section IV(C), *supra.*)

20 Second, the defendant in *Williams* stated that she believed the statements were true "based  
21 on her experience with [plaintiff]." Here, when Mr. Cornelia was asked if he ever met Mr.  
22 Buczkowski, he stated: "I have not." (Ex. 7 at 72:19-20.) And, when asked what research he  
23 conducted on Plaintiffs, he stated that "I did, probably, a google search of Derek. It wouldn't have  
24 been anything more than that." (*Id.* at 21:7-10.) Unlike the defendant in *Williams*, Defendants had  
25 no first-hand experience to support the statements. The defendant in *Williams* provided an affidavit  
26 describing specific experiences that she had with the plaintiff that showed that even if she did not  
27 know the falsity of *some* of the statements, her first-hand experiences with plaintiff demonstrated  
28 that the gist of the statements was substantively true. *Williams*, 459 P.3d at 98. Here, Defendants

1 cannot demonstrate that the gist of the statements is true because all of the statements are false.  
2 (*See* Section VI(B)(2)(a), *supra*.)

3 Defendants suggest that they did not know the statements were false when they published  
4 them. (Motion [ECF No. 61] at 30:9-10.) They base their claim on the credibility of non-party  
5 Mulvehill because they state they "had no reason to doubt Mulvehill at the time." (*Id.* at 30:12-15.)  
6 However, the Court should assess Defendants' credibility because Defendants had plenty of  
7 reasons to doubt Mulvehill's credibility and their asserted belief in the veracity of the statements is  
8 unfounded. For example, when asked if Mr. Mulvehill expressed animosity toward Mr.  
9 Buczkowski, Mr. Cornelia testified: "Yes." (Ex. 7 at 56:2-5.) As the questioning continued, Mr.  
10 Cornelia revealed plenty of reasons to doubt the veracity of the statements such as when asked if  
11 Mr. Mulvehill expressed ill will toward Mr. Buczkowski, Mr. Cornelia testified: "yes. There was  
12 mention of name-calling ... a reference to brass knuckles ... From my memory, it sounds right [that  
13 Mr. Mulvehill implied he would like to use brass knuckles on Mr. Buczkowski]." (*Id.* at 56:8-57-  
14 8.)

15 Although Defendants claim that they had no reason to doubt Mulvehill, their reliance on  
16 Mulvehill is unfounded and they have not demonstrated good faith. Absent a showing of good faith  
17 by Defendants, the Court should deny the Motion.

18 **C. Defendants Fail to Demonstrate that Plaintiffs' Defamation Claim for Relief**  
19 **Fails.**

20 A claim for relief for defamation<sup>5</sup> requires: (1) a false and defamatory statement; (2) an  
21 unprivileged publication to a third person; (3) fault, amounting to at least negligence; and (4) actual  
22 or presumed damages. *CCSD v. Virtual Educ. Software, Inc.*, 125 Nev. 374, 385, 213 P.3d 496,  
23 503 (2009) (citations and quotations omitted). "However, if the defamatory communication  
24 imputes 'a person's lack of fitness for trade, business, or profession,' or tends to injure the plaintiff  
25 in his or her business, it is deemed defamation per se and damages are presumed." *Id.* (quoting *K-*  
26 *Mart Corp. v. Washington*, 109 Nev. 1180, 1192, 866 P.2d 274, 282 (1993). "A statement is

27 \_\_\_\_\_  
28 <sup>5</sup> Plaintiffs incorporate by reference each of their arguments contained within their Motion  
for Partial Summary Judgment on their Defamation claim for relief [ECF No. 60].

1 defamatory when it would tend to lower the subject in the estimation of the community, excite  
2 derogatory opinions about the subject, and hold the subject up to contempt." *Lubin v. Kunin*, 117  
3 Nev. 107, 111, 17 P.3d 422, 425 (2001) (citations omitted). "Whether a statement is defamatory is  
4 generally a question of law." *Id.*

5 When the plaintiff is a public figure or a limited-purpose public figure, he must show actual  
6 malice by the defendant. *Pegasus v. Reno Newspapers, Inc.*, 118 Nev. 706, 719, 57 P.3d 82, 90-91  
7 (2002) (citing *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 342-43, 94 S.Ct. 2997, 41 L.Ed.2d 789  
8 (1974)). Actual malice exists when the statement is made with knowledge that it was false or  
9 reckless disregard of whether it was true or not. *Id.* Public figures are those "who achieve such  
10 pervasive fame or notoriety that they become a public figure for all purposes and in all contexts."  
11 *Id.* However, a limited-purpose public figure is someone who "voluntarily injects himself or is  
12 thrust into a particular public controversy or public concern, and thereby becomes a public figure  
13 for a limited range of issues." *Id.*

14 ***1. Defendants are Liable for Publishing the Videos Containing the***  
15 ***Statements.***

16 Defendants' argument that it is not responsible for statements they published because they  
17 were made by Mulvehill should be summarily dismissed. "Publication is a necessary element of  
18 all defamation claims, and includes every repetition and distribution of a defamatory statement."  
19 *Barret v. Rosenthal*, 40 Cal.4<sup>th</sup> 33, 45, 146 P.3d 510, 517 (2006). Additionally, liability of a  
20 publisher or defamatory statements is established at the least by negligence. *CCSD v. Virtual Educ.*  
21 *Software, Inc.* 125 Nev 374, 385, 213 P.3d 496, 503 (2009). Negligence is "[t]he failure to exercise  
22 the standard of care that a reasonably prudent person would have exercised in a similar situation."  
23 *Negligence, Black's Law Dictionary* (11<sup>th</sup> ed. 2019).

24 Additionally, Defendants argue that the Court must look at the context of the defamatory  
25 statements. (Motion [ECF No. 61] at 32:1-11) (citing *Balzaga v. Fox News Network, LLC*, 173  
26 Cal. App. 4th 1325, 1339 (2009).) The *Balzaga* Court elaborated on context by holding that the  
27 Court must "view the broadcast as a whole" and conclude what meaning people of average  
28

1 intelligence and understanding would give it. *Balzaga v. Fox News Network, LLC*, 173 Cal. App.  
2 4th 1325, 1339 (2009).

3 Here, the Court should start its examination of context by looking at the title of the videos:  
4 "Authentic or Charlatan" and "Derek Moneyberg – Fake Guru?" (Ex. 2 at WEALTHY000058; Ex.  
5 3 at WEALTHY000116.) Furthermore, the thumbnail for each video on Mr. Cornelia's YouTube  
6 page shows a picture of Mr. Buczkowski with the word "SCAMMER" in bright red lettering.  
7 (Spencer Cornelia YouTube Main Page and Thumbnail Images, Ex. 8.) What is more, Plaintiffs  
8 have not asserted their Defamation claim for one isolated statement but rather dozens of pages of  
9 disparaging statements. *Balzaga v. Fox News Network, LLC*, 173 Cal. App. 4th 1325, 1339 ("the  
10 fact that a statement standing alone could be construed as false is not sufficient to support a  
11 defamation claim.")

12 Not only does Defendants' "context" argument fail to support their Motion, it provides  
13 support for Plaintiffs' Defamation claim since the entire tone of the videos containing the statements  
14 was disparaging to Plaintiffs. (*See generally* Exs. 2 & 3.) Because the videos followed a format  
15 where Defendants and non-party Mulvehill went from one false and defamatory statement to  
16 another, the context was defamatory and the Court should deny the Motion. (*Id.*)

## 17 **2. Defendants Published False Statements of Fact, not Statements of** 18 **Opinion**

19 Defendants take the position that several of the statements were "not an assertion of fact,"  
20 (Motion [ECF No. 61] at 32:13-14), but rather "are protected opinion based on true discolored  
21 facts" (Motion [ECF No. 61] at 33:2-3.). However, Defendants only address some of the statements  
22 at issue in this litigation. (Motion [ECF No. 61] at 32:12-34:8.) For example, Defendants fail to  
23 address the statement that Mr. Buczkowski lied about his educational achievements, (*see generally*  
24 Motion [ECF No. 61]), and admitted that they didn't even bother to research his education (*See* Ex.  
25 7 at 86:6-20) (Spencer Cornelia testifying, after being asked if he researched Mr. Buczkowski's  
26 education, "No.") Additionally, Mr. Cornelia has conceded that these statements are false. (*See*  
27 Cornelia Responses to Plaintiffs' First Set of Interrogatories to Defendants Pursuant to FRCP 33,  
28

1 Ex. 9, at Response No. 9) ("The only statement alleged in the Complaint Defendant now believes  
2 to be false are those concerning the legitimacy of Buczkowski's education credentials.)

3 Whether a statement is one of fact or of opinion is a question of law. *Nevada Ind.*  
4 *Broadcasting*, 99 Nev. at 410, 664 P.2d at 342. The question the Court must ask is "whether a  
5 reasonable person would be likely to understand the remark as an expression of the source's opinion  
6 or as a statement of existing fact." *Id.*

7 Assertions that Mr. Buczkowski having a degree from the University of Chicago "is not  
8 true" and that "[h]e must have been running a drug operation, if it's a house tied to him, it was a  
9 house purchased using drug money" are assertions of fact, not expressions of opinion.  
10 (*See* Section IV(C), *supra.*) A reasonable person would understand the statements  
11 as expressions of fact and the Court should deny Defendants' Motion.

#### 12 **a. Money Laundering**

13 In the Motion, buried in their argument that the statements were opinions, Defendants  
14 concede that they were, in fact, statements of fact. Defendants state that "Mulvehill then concluded,  
15 based on this disclosed fact, that 'it very well ... could be a front for laundering money.'" (Motion  
16 [ECF No. 61] at 32:18-19.) A conclusion is "something that you decide when you have thought  
17 about all the information connected with the situation."  
18 <https://www.oxfordlearnersdictionaries.com/us/definition/english/conclusion> (last visited on  
19 October 20, 2022.) A reasonable person would likely understand the remark as a statement of fact  
20 and Defendants' publication of statements accusing Plaintiffs of money laundering is defamation.  
21 *Nevada Ind. Broadcasting*, 99 Nev. at 410, 664 P.2d at 342.

#### 22 **b. Drug Operation**

23 Defendants published statements that "[h]e must have been running a  
24 drug operation, if it's a house tied to him, it was a house purchased using drug money ... He has  
25 like a lengthy arrest record where he was involved with, you know property forfeiture for  
26 manufacturing illegal drugs, for battery." (*See* Section IV(C), *supra.*) Again, Defendants concede  
27 that this is a statement of fact when it discusses the reasonableness "for Cornelia to conclude ...  
28 that Buczkowski was involved in a drug operation." (Motion [ECF No. 61] at 33:10-12.) Mr.



1 Cornelia's illogical conclusions are not relevant to the Court's analysis because Defendants  
2 published false statements and they cannot transform these false statements into truth through  
3 irresponsible inferences drawn from the assertions that "Buczowski was *allegedly* friends with  
4 Lantz and that his father was *allegedly* involved in the marijuana grow operation." (Motion [ECF  
5 No. 61] at 33:4-6.)

6 In support of their illogical inferences, Defendants state "Plaintiffs do not, and cannot,  
7 dispute the procedural posture of the civil forfeiture case and that the allegations in those complaints  
8 are matters of public record." (Motion [ECF No. 61] at 33:9-10.) However, Plaintiffs object to all  
9 pleadings and filings that Defendants included with their Motion in support of the statements that  
10 Plaintiffs were involved in a drug operation. Exhibit Nos. 13, 14, and 16 were unauthenticated and  
11 irrelevant since they do not demonstrate the truthfulness of the statements; although the Court may  
12 take judicial notice that the pleadings exist, it cannot take judicial notice of the allegations contained  
13 within them when Plaintiffs were not parties to the actions and when Plaintiffs dispute any  
14 allegations relating to them. *See Lee v. City of Los Angeles*, 250 F.3d 668, 690 (9<sup>th</sup> Cir. 2001)  
15 (holding that district court erred when it granted motion to dismiss "by taking judicial notice of  
16 disputed matters of facts to support its ruling").

17 **c. Other Statements Unaddressed by Defendants.**

18 In addition to the above-discussed statements, Plaintiffs base their Defamation claim on  
19 statements that Defendants published alleging that Mr. Buczowski was associated with the death  
20 of a woman, that he framed Mr. Mulvehill for his arrest, and that Mr. Buczowski lied about his  
21 educational achievements. (*See* Section IV(C), *supra*.) Defendants provide no legal argument  
22 regarding these statements and, through silence, concede that summary judgment should not be  
23 granted in their favor on Plaintiff's Defamation claim. (Motion [ECF No. 61] at 30:17-37:12.)

24 Rather, Defendants assert that the "statement that Buczowski was lying about his education  
25 ... is an incredibly minor, off-handed comment that Cornelia barely thought about." (*Id.* at 36:20-  
26 22.) Not only is the statement that Mr. Buczowski lied about his education not an "off-handed  
27 comment," it also is not "minor" since Plaintiffs' business is providing wealth, real-estate, and  
28 business coaching; whether he has an MBA is relevant to consumer choices when deciding to hire

1 him. The statements were false, Defendants published them, and the Court should deny their  
2 Motion as to the Defamation claim for relief.

3 What's more, when discussing the accusations that Mr. Buczkowski was involved in the  
4 death of a woman and that he set up Mr. Mulvehill, Defendants deflect by stating "there is little to  
5 no research Cornelia could have performed to verify Mulvehill's claims" so, instead, he "found  
6 Mulvehill credible and decided to trust him regarding the statements." (Motion [ECF No. 61] at  
7 37: 7-11.) If Defendants thought they did not have information to verify the statements, they should  
8 have refused to publish the statements. Defendants did not make this conscious choice and the  
9 Court should deny their Motion as to the Defamation claim for relief.

10 **3. *Plaintiffs are Not Limited-Purpose Public Figures.***

11 Without providing any legal authority for their bold assertion, Defendants state that  
12 "Plaintiffs are public figures by virtue of their aggressive advertising and promotion of their  
13 services." (Motion [ECF No. 61] at 34:17-18.) Yet, Defendants' logic that aggressive advertising  
14 makes one a public figure is not supported by the very standard that they provide that "[a] limited  
15 purpose public figure 'voluntarily injects himself or is drawn into a particular public controversy  
16 and thereby becomes a public figure for a limited range of issues.'" (Motion [ECF No. 61] at 34:10-  
17 13) (citing *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 351 (1974)). However, Defendants do not,  
18 because they cannot, cite to any authority that a company or a person who utilizes "aggressive  
19 advertising and promotion of their services" is transformed into a limited purpose public figure by  
20 virtue of its marketing techniques. Additionally, Defendants do not allege that Plaintiffs injected  
21 themselves into a particular public controversy. Nor could they, for several reasons.

22 First, there was no public controversy regarding (1) whether Mr. Buczkowski lied about  
23 attending the U. Chicago business school, (2) whether Larson Consulting engages in money  
24 laundering, (3) whether Mr. Buczkowski manufactured drugs, (4) whether he framed Mr.  
25 Mulvehill, or (5) whether he had something to do with the death of a woman involved with Mr.  
26 Mulvehill's arrest. Plaintiffs' marketing activities related to Wealthy and Derek Moneyberg do not  
27 relate to these defamatory statements, and do not convert these issues into matters in which they  
28 are limited purpose public figures. *Oracle USA, Inc. v. Rimini Street, Inc.*, 6 F. Supp. 3d 1108,

1 1129 (D. Nev. 2014) ("The court finds that these comments were not directed at the public in order  
2 to influence resolution of the litigation or some broader issue about third-party software support,  
3 but were directed to increase Rimini's exposure and business.")

4 Second, Mr. Buczkowski has not publicly commented on these topics or voluntarily acted  
5 to influence resolution of a public issue. Mr. Buczkowski has not publicly discussed the subject  
6 matter of the defamatory statements, and Defendants cannot point to evidence that says otherwise.

7 Third, to the extent that Plaintiffs' marketing transformed them into limited purpose public  
8 figures, *Steaks Unlimited, Inc. v. Deaner*, 623 F.2d 264 (3d Cir. 1980), they could only be  
9 characterized as limited purpose public figures regarding criticisms of Wealthy, Inc. and the Derek  
10 Moneyberg brand, not to personal attacks. But the defamatory statements involve topics wholly  
11 unrelated to those criticisms. The actual malice standard only applies to limited-purpose public  
12 figures where "the alleged defamation is related to the plaintiff's participation in the controversy."  
13 *Planet Aid, Inc. v. Reveal Center for Investigative Reporting*, No. 21-15690 (9th Cir. August 11,  
14 2022) (citing *Waldbaum v. Fairchild Publications, Inc.*, 627 F.2d 1287 (D.C. Cir. 1980)  
15 ("Misstatements wholly unrelated to the controversy. . . do not receive the New York Times  
16 protection."). Because Plaintiffs are not limited-purpose public figures, they do not need to  
17 demonstrate malice.

18 **4. Defendants Acted with Malice by Publishing the Videos Containing the**  
19 **Disparaging and Defamatory Statements.**

20 "[A]ctual malice is proven when a statement is published with knowledge  
21 that it was false or with reckless disregard for its veracity." *Pegasus*, 118 Nev.  
22 at 722, 57 P.3d at 92.

23 Although Plaintiffs are not limited-purpose public figures and do not have to demonstrate  
24 actual malice, Defendants acted with malice when they published the videos. The videos are riddled  
25 with obscenities and disdain for Plaintiffs and Defendants demonstrated a reckless disregard for the  
26 veracity of the statements through failure to responsibly research, (*see* Section VI(B)(2)(a)), or  
27 verify the statements. *Pegasus*, 118 Nev. at 722, 57 P.3d at 92. Additionally, Defendants  
28 demonstrated reckless disregard by relying on Mr. Mulvehill for the veracity of the statements

1 despite his expressed animosity toward Mr. Buczkowski. (See Section VI(B)(2)(b).) Defendants'  
2 reckless disregard for the veracity of the statements they published demonstrate malice and the  
3 Court should deny the Motion. *Pegasus*, 118 Nev. at 722, 57 P.3d at 92.

4 **5. *The Statements Impugn Mr. Buczkowski's Fitness for Business and***  
5 ***Damages are Presumed.***

6 Statements that impugn a plaintiff's fitness for trade, business, or his profession are deemed  
7 defamation per se and damages are presumed.<sup>6</sup> *CCSD v. Virtual Educ. Software, Inc.*, 125 Nev at  
8 385, 213 P.3d at 504 (citing cases). Here, three of the five statements impugn Mr. Buczkowski's  
9 fitness for trade, business, and his business acumen. The statement alleging that Mr. Buczkowski  
10 lied about his educational achievements calls into question his qualifications to provide wealth  
11 coaching. (See Ex. 2 at WEALTHY000061) ("I'm Derek Moneyberg. I have this University of  
12 Chicago degree, which is not true."); See *Nevada Ind. Broadcasting v. Allen*, 99 Nev. 404, 664 P.2d  
13 337 (1983) (holding that a political candidate was entitled to recover under defamation per se for  
14 comments that injured his professional reputation.). Similarly, the allegations that he was involved  
15 in drug dealing and money laundering suggest that he has built wealth through illegal channels, not  
16 through the methods and strategies that he teaches in his seminars. (See Ex. 3 at  
17 WEALTHY000125) (Spencer Cornelia stating "he must have been running a drug operation. If it's  
18 a house tied to him, it was a house purchased using drug money ... Do you think that's how he  
19 made his money?"); *CCSD*, 125 Nev. at 385, 213 P.3d at 504 ("Thus, if a statement accused an  
20 individual of personal misconduct in his or her business or attacks the individual's business  
21 reputation, the claim may be one for defamation per se."). Each of these statements impugns Mr.  
22 Buczkowski's fitness to provide wealth coaching and are, per se, defamatory with presumed  
23 damages. *Id.* Because damages are presumed, the Court should deny the Motion as it relates to  
24 Plaintiffs' Defamation claim for relief.

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<sup>6</sup> Although damages are presumed in cases of defamation per se, Plaintiffs will prove the amount of damages at trial and attach their First Amended Expert Witness Designation containing the expert report, Professor McDonough's Estimation of Economic Damages on Behalf of the Plaintiffs in *Wealthy Inc. et al v. Cornelia et. al.*, 2:21-cv-01173-JCM-EJY (D. Nev.), in support of damages as Ex. 10.

1           **D. Defendants' Publication of the Videos Containing the Defamatory and**  
2           **Disparaging Statements Intentionally Inflicted Emotional Distress upon**  
3           **Plaintiffs**

4           A claim for relief under Intentional Infliction of Emotional Distress ("IIED") requires  
5           extreme and outrageous conduct with the intention of, or reckless disregard for, causing emotional  
6           distress that causes plaintiff to suffer severe or extreme emotional distress. *Olivero v. Lowe*, 116  
7           Nev. 395, 398, 995 P.2d 1023, 1025 (2000) (citing *Star v. Rabello*, 97 Nev. 124, 125, 625, P.2d 90,  
8           91-92 (1981)) (listing factors for IIED claim for relief as: 1) extreme and outrageous conduct with  
9           the intention of, or reckless disregard for, causing emotional distress; 2) plaintiff suffering severe  
10          or extreme emotional distress; and 3) actual or proximate causation).

11          It is undisputed that Defendants published the videos containing the defamatory and  
12          disparaging statements about Plaintiffs. In doing so, their conduct was extreme and outrageous due  
13          to the shocking content of the statements that Plaintiffs launder money, were involved in a drug  
14          operation, and had a link to the death of a woman. (Section IV(C).)

15          Contrary to Defendants' assertion that Mr. Buczkowski does not allege "anything more  
16          detailed than a conclusory allegation of 'severed or emotional distress'", (Motion [ECF No. 61] at  
17          38:10-11), Plaintiffs have pled that the statements "brought back terrible emotional and childhood  
18          trauma for Mr. Buczkowski" and that he has "endured significant mental anguish, including  
19          anxiety, tension, lost sleep and overeating" as a result of the statements Defendants published.  
20          (Compl. [ECF No. 1].) Defendants' claim that "Buczkowski cannot show he suffered emotional  
21          distress" does not create an undisputed issue of fact entitling them to summary judgment. Rather,  
22          that is an issue for a jury to decide and the Court should deny Defendants' Motion.

23           **E. Business Disparagement**

24          To succeed in a claim for business disparagement, the plaintiff must prove: (1) a false  
25          and disparaging statement, (2) the unprivileged publication by the defendant, (3) malice, and (4)  
26          special damages. *Clark Cnty. Sch. Dist. v. Virtual Educ. Software, Inc.*, 125 Nev. 374, 386, 213  
27          P.3d 496, 504-05 (2009). As opposed to defamation, which merely requires some evidence of fault  
28          amounting to at least negligence, business disparagement requires malice. *Id.* Malice is proven  
when the plaintiff can show either that the defendant published the disparaging statement with the

1 intent to cause harm to the plaintiff's pecuniary interests, or the defendant published  
2 a disparaging remark knowing its falsity or with reckless disregard for its truth. *Id.*

3 In requesting that the Court grant summary judgment in their favor on Plaintiffs' Business  
4 Disparagement claim, Defendants simply reference the Court to their argument on defamation.  
5 (Motion [ECF No. 61] at 38:13-21.) However, Defendants do not claim that their publication was  
6 privileged and, thus, concede that they were not. *See, e.g., Sahara Gaming Corp. v. Culinary*  
7 *Workers Union Local 226*, 115 Nev. 212, 215, 984 P.2d 164, 166 ("The law has long recognized a  
8 special privilege of absolute immunity from defamation given to the news media and the general  
9 public to report newsworthy events in judicial proceedings."); *Pope v. Motel 6*, 121 Nev. 307, 317,  
10 114 P.3d 277, 284 (2005) (concluding that a qualified privilege applies to statements made to police  
11 in aid of law enforcement). Additionally, Defendants concede that at least one of the statements is  
12 false and provide only illogical inferences as support that the other statements were opinion. (*See*  
13 *Section VI(B)(2), supra.*) Additionally, Defendants have shown a reckless disregard for the  
14 veracity of the statements they published, demonstrating that they acted with malice and the Court  
15 should deny their Motion as to Plaintiffs' Business Disparagement claim. (*See Section VI(C)(4),*  
16 *supra.*)

## 17 VII. CONCLUSION

18 For the foregoing reasons, the Court should deny Defendants' Motion.

19 Respectfully submitted this 28th day of October, 2022.

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21 By: /s/ Tamara Beatty Peterson

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**CERTIFICATE OF SERVICE**

Pursuant to Fed.R.Civ.P.5(b), and Section IV of District of Nevada Electronic Filing Procedures, I certify that I am an employee of Peterson Baker, PLLC, and that a true and correct copy of the **RESPONSE IN OPPOSITION TO DEFENDANTS' SPECIAL MOTION TO DISMISS PURSUANT TO NRS 41.660 AND MOTION FOR SUMMARY JUDGMENT** was served via electronic service, via CM/ECF, on this 28th day of October, 2022, and to the following:

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**INDEX OF EXHIBITS**

<b>Exhibit Number</b>	<b>Title</b>
	Declaration of Tamara Beatty Peterson, Esq.
1.	Excerpts of Deposition of Dale Buczkowski taken on August 13, 2022
2.	Excerpts of Transcription of YouTube Video The Authentic or Charlatan
3.	Excerpts of Transcription of YouTube Video Derek Moneyberg – Fake Guru?
4.	Spencer Cornelia YouTube About Page
5.	Excerpts of Spencer Cornelia's First 1,000 Subscribers e-book
6.	Excerpts of Spencer Cornelia's House Hack Expert e-book
7.	Excerpts of Deposition of Spencer Cornelia taken on May 11, 2022
8.	Spencer Cornelia YouTube Main Page and Thumbnail Images
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11.	Spencer Cornelia's Response to Plaintiffs' First Set of Requests for Admission
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16.	Cornelia Education LLC's Response to Plaintiffs' Second Set of Requests for Admission



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10 *Attorneys for Plaintiffs Wealthy Inc. and*  
11 *Dale Buczkowski*

12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 WEALTHY INC. and DALE  
15 BUCZKOWSKI,

16 Plaintiffs,

17 v.

18 SPENCER CORNELIA, CORNELIA  
19 MEDIA LLC, and CORNELIA  
EDUCATION LLC,

20 Defendants.

Case No.: 2:21-cv-01173-JCM-EJY

**DECLARATION OF TAMARA BEATTY  
PETERSON**

21 I, Tamara Beatty Peterson, hereby declare under penalty of perjury, as follows:

22 1. I am an attorney, duly licensed to practice law in the State of Nevada and counsel  
23 of record for Dale Buczkowski and Wealthy Inc. ("Plaintiffs"). I make this Declaration in support  
24 of Plaintiffs' Opposition to Defendants' Special Motion to Dismiss Pursuant to NRS 41.660 and  
25 Motion for Summary Judgment ("Opposition"). I have personal knowledge of the facts set forth  
26 below, and if called upon to do so, am competent to testify thereto.

27 2. Plaintiffs' Complaint was filed in the United States District Court, District of Nevada  
28 on June 21, 2021.

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1           3.       Attached to the Motion as **Exhibit 1** are relevant excerpts of the Deposition of Dale  
2 Buczkowski taken on August 13, 2022, along with the cover page and reporter's certification page.

3           4.       Attached to the Motion as **Exhibit 2** are relevant excerpts from the transcription of  
4 the December 19, 2020 YouTube video entitled "The Authentic or Charlatan." The transcription  
5 was authenticated by each of the Defendants in their first response to Plaintiffs' First Set of Requests  
6 for Admission, which are attached to the Motion as **Exhibits 11, 12, & 13**.

7           5.       Attached to the Motion as **Exhibit 3** are relevant excerpts from the transcription of  
8 the February 19, 2021 YouTube video entitled "Derek Moneyberg – Fake Guru?" The transcription  
9 was authenticated by each of the Defendants in their twelfth response to Plaintiffs' Second Set of  
10 Requests for Admission, which are attached to the Motion as **Exhibits 14, 15, & 16**.

11          6.       Attached to the Motion as **Exhibit 4** is a screenshot of Defendant Spencer Cornelia's  
12 YouTube About page, which was served on a flash drive via U.S. Mail on February 17, 2022, along  
13 with Plaintiffs' First Supplement to Initial Disclosures Pursuant to F.R.C.P. 26 which was served  
14 via electronic mail on February 17, 2022.

15          7.       Attached to the Motion as **Exhibit 5** are excerpts of Spencer Cornelia's First 1,000  
16 Subscribers e-book, which was served on a flash drive via U.S. Mail on February 17, 2022, along  
17 with Plaintiffs' First Supplement to Initial Disclosures Pursuant to F.R.C.P. 26 which was served  
18 via electronic mail on February 17, 2022.

19          8.       Attached to the Motion as **Exhibit 6** are excerpts of Spencer Cornelia's House Hack  
20 Expert e-book, which was served on a flash drive via U.S. Mail on February 17, 2022, along with  
21 Plaintiffs' First Supplement to Initial Disclosures Pursuant to F.R.C.P. 26 which was served via  
22 electronic mail on February 17, 2022.

23          9.       Attached to the Motion as **Exhibit 7** are excerpts of the Deposition of Spencer  
24 Cornelia taken on May 11, 2022, along with the cover page and reporter's certification page.

25          10.       Attached to the Motion as **Exhibit 8** is a screenshot of Defendant Spencer Cornelia's  
26 YouTube Main Page and Thumbnail Images, which was served on a flash drive via U.S. Mail on  
27 February 17, 2022, along with Plaintiffs' First Supplement to Initial Disclosures Pursuant to  
28 F.R.C.P. 26 which was served on Defendants via electronic mail on February 17, 2022.

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1           11. Attached to the Motion as **Exhibit 9** is Spencer Cornelia's Responses to Plaintiff's  
2 First Set of Interrogatories to Defendants Pursuant to FRCP 33, which was verified by Defendant  
3 Spencer Cornelia through sworn declaration and which the Certificate of Service states was  
4 electronically mailed on March 21, 2022.

5           12. Attached to the Motion as **Exhibit 10** is Professor McDonough's Estimation of  
6 Economic Damages on Behalf of the Plaintiffs in *Wealthy Inc. et al v. Cornelia et. al.*, 2:21-cv-  
7 01173-JCM-EJY (D. Nev.) which was served on Defendants via electronic mail and via U.S. Mail  
8 on January 10, 2022.

9           13. Attached to the Motion as **Exhibit 11** is Spencer Cornelia's Response to Plaintiffs'  
10 First Set of Requests for Admission for which the Certificate of Service states that they served via  
11 electronic mail on March 21, 2022.

12           14. Attached to the Motion as **Exhibit 12** is Cornelia Media LLC's Response to  
13 Plaintiffs' First Set of Requests for Admission for which the Certificate of Service states that they  
14 served via electronic mail on March 21, 2022.

15           15. Attached to the Motion as **Exhibit 13** is Cornelia Education LLC's Response to  
16 Plaintiffs' First Set of Requests for Admission for which the Certificate of Service states that they  
17 served via electronic mail on March 21, 2022.

18           16. Attached to the Motion as **Exhibit 14** is Spencer Cornelia's Response to Plaintiffs'  
19 Second Set of Requests for Admission for which the Certificate of Service states that they served  
20 via electronic mail on June 10, 2022.

21           17. Attached to the Motion as **Exhibit 15** is Cornelia Media LLC's Response to  
22 Plaintiffs' Second Set of Requests for Admission for which the Certificate of Service states that  
23 they served via electronic mail on June 10, 2022.

24           18. Attached to the Motion as **Exhibit 16** is Cornelia Education LLC's Response to  
25 Plaintiffs' Second Set of Requests for Admission for which the Certificate of Service states that  
26 they served via electronic mail on June 10, 2022.

27  
28

1 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is  
2 true and correct.

3 Executed on this 28<sup>th</sup> day of October, 2022, in Las Vegas, Nevada.  
4

5 /s/ Tamara Beatty Peterson  
6 TAMARA BEATTY PETERSON, ESQ., Bar No. 5218  
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# **EXHIBIT 1**

## **Excerpts of Deposition of Dale Buczowski taken on August 13, 2022**

# **EXHIBIT 1**

**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
**Dale Buczkowski, Vol 1 on 08/13/2022**

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

WEALTHY INC. and DALE	)	Case No.
BUCZKOWSKI,	)	2:21-cv-01173-JCM-EJY
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
SPENCER CORNELIA, CORNELIA	)	
MEDIA LLC, and CORNELIA	)	
EDUCATION LLC,	)	
	)	
Defendants.	)	
_____	)	

DEPOSITION OF DALE BUCZKOWSKI  
Taken on Saturday, August 13, 2022  
By a Certified Court Reporter  
Volume I  
At 12:05 p.m.  
At 400 South Seventh Street, Third Floor  
Las Vegas, Nevada

Reported by: Carla N. Bywaters, CCR 866

**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
**Dale Buczkowski, Vol 1 on 08/13/2022**

1           A       Or are you asking me to recall a specific time  
2 in the 1990s that I may have ingested some drug? Is  
3 that your question?

4           Q       No, I'm not asking about a specific time. I'm  
5 not asking you about a date or a time. I'm saying that  
6 most human beings can tell you, "I have used cocaine or  
7 I haven't used cocaine." Have you ever used cocaine?

8           A       I don't recall a specific time using cocaine.

9           Q       Have you ever used marijuana?

10          A       I think I may have smoked marijuana as a  
11 teenager a couple of times.

12          Q       Have you ever bought or sold it?

13          A       No.

14          Q       But Mr. Mulvehill did accuse you of that?

15                THE WITNESS: I've never been --

16                MR. VOCKRODT: Objection. Form.

17                THE WITNESS: I've never been convicted of a  
18 drug crime. I've never been charged with a drug crime.  
19 I've never been arrested for a drug crime. The things  
20 Mr. Mulvehill says or the things that your client said  
21 and published are false.

22 BY MR. RANDAZZA:

23          Q       What did my client said?

24          A       He supported these same assertions and  
25 published them.

**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
**Dale Buczkowski, Vol 1 on 08/13/2022**

1 Q So what are these accusations?

2 A Review the video on specifics.

3 Q Well, you filed two federal lawsuits over it,  
4 sir. You can't recall what offended you so much to file  
5 a federal lawsuit?

6 MR. VOCKRODT: Objection. Form.

7 BY MR. RANDAZZA:

8 Q Answer.

9 A Things that were said are defamatory. Things  
10 that were said were harmful to my reputation. Do I  
11 remember the specific word-for-word quote? No, I don't.  
12 But I believe your client asserts and published that I  
13 was involved in -- that I was charged with drug crimes,  
14 and it was a matter of public record. I believe that's  
15 his assertion.

16 Q They were charging you?

17 A No. I believe he says that it's a matter of  
18 public record, that I was either charged or convicted of  
19 drug crimes. I believe convicted, but again I don't  
20 know the details. We'd have to refer back to your  
21 client's videos where he published to the world that  
22 were reviewed by many people that caused harm to my  
23 reputation when he said those untrue things about me.

24 Q Did somebody refuse to do business with you  
25 because they thought you didn't graduate from the



**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
**Dale Buczkowski, Vol 1 on 08/13/2022**

1 REPORTER'S CERTIFICATE

2 STATE OF NEVADA )  
 ) ss  
3 COUNTY OF CLARK )

4 I, Carla N. Bywaters, a duly certified court  
reporter licensed in and for the State of Nevada, do  
5 hereby certify:

6 That I reported the taking of the deposition of the  
witness, DALE BUCZKOWSKI, at the time and place  
7 aforesaid;

8 That prior to being examined, the witness was by me  
duly sworn to testify to the truth, the whole truth, and  
9 nothing but the truth;

10 That I thereafter transcribed my shorthand notes  
into typewriting and that the typewritten transcript of  
11 said deposition is a complete, true and accurate record  
of testimony provided by the witness at said time to the  
12 best of my ability.

13 I further certify (1) that I am not a relative,  
employee or independent contractor of counsel of any of  
14 the parties involved in said action; nor a person  
financially interested in the action; nor do I have any  
15 other relationship with any of the parties or with  
counsel of any of the parties involved in the action  
16 that may reasonably cause my impartiality to be  
questioned; and (2) that transcript review pursuant to  
17 FRCP 30(e) was requested.

18 IN WITNESS WHEREOF, I have hereunto set my hand in  
the County of Clark, State of Nevada, this 23rd day of  
19 August 2022.

20

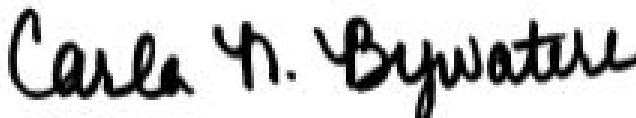
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Carla N. Bywaters, CCR 866

# **EXHIBIT 2**

## **Excerpts of Transcription of YouTube Video The Authentic or Charlatan**

**EXHIBIT 2**

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TRANSCRIPTION OF YOUTUBE VIDEO

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THE AUTHENTIC OR CHARLATAN

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Saturday, December 19, 2020

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Proceedings recorded by electronic sound recording;

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Transcript produced by transcription service.

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Transcribed by: BECKY J. PARKER, RPR, CCR

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Nevada Certified Court Reporter No. 934

1 buy more stuff, okay, which is fine if the content  
2 works.

3 Now, here's the big smoking gun. He  
4 outsources 100 percent of his content. Yes,  
5 100 percent. And not only that, but to little kids.  
6 Okay? This guy that I spoke to is 21. He just got  
7 through with college. Okay? Didn't know a whole lot  
8 about business, has no real-world professional  
9 experience. He wrote 100 percent of Derek's business  
10 mentorship. Yes, 100 percent.

11 Derek goes on, I'm Derek Moneyberg. I have  
12 this University of Chicago degree, okay, which is not  
13 even true. He attended some online classes. Most of  
14 what he says is a full fabrication. Literally,  
15 100 percent of his content is outsourced. Okay? So  
16 he's having guys research stuff about business, about  
17 stocks, about real estate.

18 I showed you the screenshots that were  
19 shared. Basically he has, for his real estate  
20 mentorship program coming in January, he has -- he has  
21 it being written by a 19-year-old Romanian kid who  
22 literally in the screenshots is, like, Hey, I know  
23 nothing about real estate. I'm going to start doing  
24 some research.

25 So what he's having these guys do, what

1 composes his business mentorship stuff and all this  
2 bullsh- mentorship programs, he's having, like, 19- and  
3 20-year-old kids, who are working for free, doing  
4 research to try to just find like -- that's why the  
5 content's all recycled. It's just stuff they found on  
6 the internet and in books.

7 SPENCER CORNELIA: By the way, he has shared  
8 the screenshots with me. We are talking about someone  
9 who knows nothing about a topic, is asked to research  
10 the topic, and then they write the copy for this program  
11 as a real estate riches or a stock market --

12 JOHN ANTHONY: Yeah.

13 SPENCER CORNELIA: -- mastery.

14 JOHN ANTHONY: And it -- and it pisses you  
15 off, too, because you do some real estate stuff on the  
16 side. And here you have --

17 SPENCER CORNELIA: Right.

18 JOHN ANTHONY: -- that knows literally  
19 nothing, that's 19, and he's designing a course that  
20 people are going to pay 5K just because it's going to  
21 have some good marketing behind it. Okay? Keep in  
22 mind, Derek is using the marketer that RSD uses, career  
23 scammer, this guy Mitch McHale, or whatever. Tai Lopez  
24 used him. You guys, you know -- you know, enough said  
25 there. All the -- he's -- he's the clas- -- it's a

1 day.

2 He said that as of March of 2020, these  
3 motherfuckers are -- he said he's trained his sales team  
4 on how to get guys basically predatory -- predatory  
5 loans. Okay? Like, so what's happening when they run  
6 into guys that can't afford the 5K mentorship on the  
7 phone, okay, that came in through ads and these other  
8 f-ing, you know, dec- -- deceptive things where he's  
9 making himself out to be the man -- keep in mind, the  
10 courses are content written by, like, 21-year-olds that  
11 have no f-ing clue, unpaid guys that are just building  
12 out a course that -- that's meant to upsell his other  
13 courses. That's it. Okay? No f-ing real value there.

14 But they're -- they're getting guys to get  
15 these loans and these credit cards that can be given out  
16 to, like, anyone, even with bad credit.

17 SPENCER CORNELIA: By the way, there's a --  
18 like the seminar -- people who run seminars do this,  
19 apparently. Where, like, in person, they'll have you  
20 call the bank and, like, lie about your income. Like,  
21 say, No, no, when you take the program, you'll start  
22 making 100K a year in your new business. Lie to the  
23 credit card companies. I wouldn't be surprised if they  
24 do the same thing.

25 JOHN ANTHONY: Yeah. Yeah. He didn't go

1 into the full details, but what he -- what he's saying  
2 is that tons of guys that couldn't afford it are getting  
3 signed up for credit cards and loans that they -- that  
4 they know for a fact they can't repay, okay, which is  
5 illegal. Okay? They're not doing the lending  
6 themselves, but they're putting them in contact.  
7 They're coercing them heavily, which is illegal, to take  
8 out loans and credit cards that they cannot afford.  
9 They know for a fact they can't afford, with massive  
10 interest rates and penalties and all this stuff,  
11 which -- so these -- and it's ruining guys' lives.  
12 They're getting them to max the credit cards too.

13           So when they get this card, they say, Okay,  
14 now perfect, you have a 10K line. You can get into  
15 these two mentorships. Or if they get approved for  
16 more, okay, we can get you into these three mentorships.  
17 Look, now -- now your life is going to be for the  
18 better. You're going to make all that money back in no  
19 time. No, they're not. Okay? Now their life is  
20 ruined.

21           And he gave me examples, and I've gotten  
22 emails of all kinds of examples of guys literally having  
23 mental breakdowns. Okay? Literally lives being  
24 destroyed. Okay? That's why I don't give a f- saying  
25 all this stuff. Like, they came after me, trying to set

1 me up for an arrest in the past -- in the past, which  
2 we'll discuss in another video, that motherf-er. Okay,  
3 but --

4 SPENCER CORNELIA: Which, by the way, like,  
5 John, share with me. He gets email -- like, understand  
6 the -- the venom he comes at this. He gets the emails  
7 all the time of all the kids whose lives have been  
8 ruined. So he sees it firsthand. So when he speaks on  
9 this, he's speaking from many students reaching out  
10 and --

11 JOHN ANTHONY: Yeah.

12 SPENCER CORNELIA: -- speaking negatively of  
13 this. And for guys like us, we -- we take it to heart  
14 because we hate hearing these stories.

15 JOHN ANTHONY: Yep. Yeah. And -- and so  
16 these -- these are guys with their lives ab- --  
17 absolutely ruined. These are guys that are  
18 impressionably young men that are, like, depressed, that  
19 are down and out. They have nowhere to turn. Okay?  
20 And they f-ing exploit them and make them f-ing take out  
21 loans and lines of credit so that they can get the money  
22 for their programs. And they know these guys can't  
23 repay it.

24 Literally there's multiple stories of guys  
25 with their lives totally ruined. Okay? And that is why



1 it's important to make this video now, because they're  
2 upping the ante now. Now they've got a 19-year-old  
3 doing research on real estate investing to scam people  
4 on a real estate course. Now they have the 21-year-old  
5 that quit. They were trying to have him write the  
6 negotiations program. He doesn't know sh- about  
7 negotiations. It's just going to be recycled sh- they  
8 found on the internet.

9           SPENCER CORNELIA: Yeah, I think -- I don't  
10 think you mentioned that yet, but there's going to be a  
11 new course called "Negotiations." And so we're -- we're  
12 up to now five programs at 5,000 each, which is 25,000.  
13 There's an upsell to a 25,000 course on its own. So  
14 we're talking --

15           JOHN ANTHONY: Yeah.

16           SPENCER CORNELIA: -- \$50,000 for the full  
17 funnel.

18           JOHN ANTHONY: And the real estate ones come  
19 out in January. And this is just going to be keep  
20 going. Yeah, he's obviously just making a f-ing scam  
21 and shit.

22           SPENCER CORNELIA: There's going to be a  
23 social media mastery, you know, social media type  
24 program. How to become an influencer. That'll be next.

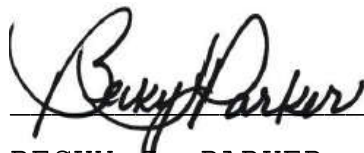
25           JOHN ANTHONY: Yeah. Yeah. Okay. So -- so

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C E R T I F I C A T E

I, BECKY J. PARKER, do hereby certify that the foregoing pages constitute a full, true, and accurate transcript of the digital recording, all transcribed to the best of my skill and ability.

WITNESS my hand this 4th day of February, 2022.



BECKY J. PARKER, RPR, CCR

Nevada Certified Court Reporter No. 934

# **EXHIBIT 3**

## **Excerpts of Transcription of YouTube Video Derek Moneyberg – Fake Guru?**

# **EXHIBIT 3**

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TRANSCRIPTION OF YOUTUBE VIDEO

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DEREK MONEYBERG - FAKE GURU?

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Friday, February 19, 2021

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Proceedings recorded by electronic sound recording;

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Transcript produced by transcription service.

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Transcribed by: BECKY J. PARKER, RPR, CCR

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Nevada Certified Court Reporter No. 934

1 FRIDAY, FEBRUARY 19, 2021

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4 (Introductory statement.)

5 SPENCER CORNELIA: If you missed Part 1, link  
6 is in the description for you to watch later.

7 John Anthony Lifestyle joined me to share all of the  
8 shady business practices of Derek Moneyberg, which  
9 continues into this video. If you enjoy expose-type  
10 videos in the dating niche, then check out his channel  
11 in the description. Enjoy.

12 (YouTube video begins.)

13 JOHN ANTHONY: Yeah. I -- I actually got  
14 arrested. My only time I've ever been arrested in my  
15 life, it was hanging out with this motherfucker one on  
16 one. Okay? He's like one of the worst human beings  
17 I've ever met.

18 I didn't know at the time, but he was using  
19 aliases. Okay? His real name is Dale Buczkowski. He  
20 goes by the alias -- he was going by the alias RSD Derek  
21 and had his face hidden and everything. And we can show  
22 you -- I'll send you a picture from when he -- he came  
23 to visit me in Vegas.

24 Basically I get a text that said, Hey, I'm  
25 coming to Vegas. Don't -- don't let anyone know I'm in

1 town. I'll explain later. Okay? Never explained.  
2 Without going into all the details of -- of what  
3 happened, you know, it's -- it's very obvious that he  
4 was involved there. Yeah.

5 But basically I found out this guy was using  
6 aliases, burner phones. I did some research on him,  
7 had -- had some people help me do some research on him  
8 and he has, like, a lengthy arrest record where he was  
9 involved with, you know, property forfeiture for -- for  
10 manufacturing illegal drugs, for battery. All kinds of  
11 stuff.

12 SPENCER CORNELIA: It's public record too.  
13 Like it's -- it's known. It's public.

14 JOHN ANTHONY: Yeah. Yeah, and -- yeah, and  
15 he's tried to hide all of it. And basically what --  
16 what this guy has done is he's -- he's, like, no  
17 different than any of the -- the fake gurus that -- that  
18 you roast all the time on -- on your channel, is he's  
19 regurgitating stuff from, like, Sam Lovens or -- or  
20 Dan Pena or, like, you know, just some classical  
21 business guys or stuff you could read in Forbes  
22 Magazine. And he just gives, like, a -- some very basic  
23 regurgitated stuff, and then it's just very  
24 high-pressure sales tactics to buy his courses, his  
25 high-ticket courses. So he even has, like, a \$75,000

1 coaches who know how to do it, but then if you're a fake  
2 guru, you can use the same messaging and it's -- it  
3 can --

4 JOHN ANTHONY: Yeah.

5 SPENCER CORNELIA: -- just still sucker  
6 people in.

7 JOHN ANTHONY: Yeah. Yeah. It always  
8 bothered me because I -- I was the guy that, like, I --  
9 I didn't -- I didn't come into this at all from the  
10 internet marketing side. I came into this from, like,  
11 learning the real skill and, like, putting in the blood,  
12 sweat, and tears and, like, just relentlessly optimizing  
13 a system over 15 years, which is why I take even more  
14 offense to the fact that there's all these clowns making  
15 a mockery of it, you know, teaching trash systems and  
16 just ripping people off. And I always deal with the  
17 fallout because I'm the guy in the industry that  
18 actually fixes the problem. So I've been talking to  
19 guys for many years that, you know, spent lots of time,  
20 effort, and money and didn't get anywhere.

21 SPENCER CORNELIA: You -- at -- at the time  
22 of your arrest, for a guy that's been in this dating  
23 world for so long, you've had basically one night that  
24 ended in an arrest, and it happened to be with Derek, or  
25 Dale is his real name.

1 JOHN ANTHONY: Yep.

2 SPENCER CORNELIA: And --

3 JOHN ANTHONY: And we -- and we were one on  
4 one as well.

5 SPENCER CORNELIA: You were one on one. And  
6 there -- I know there was a lot of shady stuff, too,  
7 where he disappeared, he changed his number or  
8 something, and then it's, like, he's your friend, he's  
9 hanging out with you, and you get arrested, and then  
10 he's gone.

11 JOHN ANTHONY: He was using a -- a burner  
12 phone and he was using an alias at that time. And he  
13 claimed to not know the -- the girls that we approached.  
14 And then it turns out that one of the main girls in the  
15 group was working, like, a block from where he lives in  
16 Chicago. And then that girl ended up dead. That girl,  
17 a 28-year-old living in Las Vegas was like the primary  
18 witness in the case, ended up dead. And then -- and I  
19 couldn't find the cause of death. I searched for it.  
20 28, doesn't make much sense. I think that was, like,  
21 the --

22 SPENCER CORNELIA: Wow. That's really  
23 bizarre.

24 JOHN ANTHONY: -- that was the link to him.

25 SPENCER CORNELIA: That's shady.



1 Yes. So the next note on my notes is the --  
2 the drug house. So you -- do you believe -- well, I  
3 guess with public record, he must have been running a  
4 drug operation. If it's a house tied to him, it was a  
5 house purchased using drug money. Is there any reason  
6 to believe that it was him running a drug operation? Do  
7 you think that's how he made his money?

8 JOHN ANTHONY: I don't -- I don't know the  
9 details of it. I know -- I know he was -- he has  
10 listed, like, that he -- that he had a business called,  
11 like, Larson Consulting which -- which has, like, no,  
12 you know, substance behind it online, but it looks very  
13 well like it could be a --

14 SPENCER CORNELIA: Yeah.

15 JOHN ANTHONY: -- front.

16 SPENCER CORNELIA: The address is right down  
17 the street from my house here, too, in Vegas.

18 JOHN ANTHONY: It looks -- it looks very well  
19 like it could be a front for laundering money.

20 SPENCER CORNELIA: Yeah. I would love to  
21 know the details. And, clearly, he's not going to be  
22 one to share it with us. But there -- there is -- you  
23 know, sometimes when you look into people, it's, like,  
24 okay, there's some smoke here. There -- there's  
25 something that we're not seeing and we won't know

1 programs are not delivering what's promised, or at least  
2 the expectations of the students.

3 JOHN ANTHONY: Uh-huh. Yep. Yeah, he  
4 also -- like, even his credentials. Like, someone said  
5 in one of the YouTube comments, they provided proof  
6 that, like -- that he never went to -- like, you know,  
7 he never attended Chicago business school. He did,  
8 like, some kind of online thing. And it -- it's --  
9 there's just so much shady stuff. He -- he -- he's  
10 always just building up, like, Oh, I have -- I have all  
11 this money. I have all this knowledge and all this  
12 stuff. And then he's -- he's putting up stuff on  
13 Instagram with, like, it looks like a -- a tiny  
14 apartment with like a -- a dingy little fridge and stuff  
15 like that.

16 SPENCER CORNELIA: Yeah. So let's speak  
17 about the bootcamp reviews. Do you still run bootcamps,  
18 or at least pre-health event?

19 JOHN ANTHONY: Yep.

20 SPENCER CORNELIA: Were you running in-person  
21 bootcamps?

22 JOHN ANTHONY: Yep.

23 SPENCER CORNELIA: Okay. So what -- I've  
24 never done a bootcamp, but I'm -- obviously I'm familiar  
25 with this -- the industry.

1 a false copyright strike on it within, like, 12 hours.  
2 But I had a lawyer review it before I even put it out,  
3 and when I fought back, I said they're abusing the  
4 copyright system. RSD has put a whole bunch of strikes  
5 on my channel abusing the copyright system, you know.  
6 And -- and you deal with this stuff, too, when you --  
7 when you take on these guys.

8           They -- they delete the comments. They try  
9 to suppress things. And I've been -- I've been taking  
10 them on for years and -- and they'll go and spread  
11 rumors when guys are try- -- debating between my program  
12 and the other program. They'll tell people that I'm a  
13 rapist, for example. I've never been accused or charged  
14 with rape. That situation with Derek did not involve  
15 any sex in the case or any kind of rape accusation.

16           So, you know, like, it's very, very  
17 frustrating that they -- they'll play, like, as low and  
18 dirty as they possibly can, even to the point of setting  
19 people up for arrests. Even to the point of using  
20 intimidation and bullying and -- and threats and all  
21 this stuff. And you have these guys that don't know any  
22 better. Right? And they're -- everyone's just getting  
23 kind of swept along, you know. And all these reviews  
24 just involve the guys emptying their pockets and -- and  
25 receiving nothing in return. And it's --

1 Another guy spent upwards of 20,000 for all  
2 his expenses. Took -- took three programs with Derek.  
3 Derek was a father figure afterwards. He realized he  
4 got f-ed in the ass big time. I don't know if we're  
5 allowed to talk like that on your channel, but I just  
6 did.

7 This is a different guy. This is separate  
8 guy, 27-year-old that -- having a mental breakdown after  
9 the third program. Told -- told lots of shady stories  
10 about Derek being a heavy racist and sociopath.

11 SPENCER CORNELIA: False prophets, man.

12 JOHN ANTHONY: Yeah. So, I mean, like, to  
13 sum up, it's -- it's basically, like, all the -- all the  
14 videos are just to build the -- to build the fake image  
15 and get you to sign up for their courses. And he -- he  
16 pads this stuff acting rich. Okay? Obviously, it's not  
17 true. He's in, like, you know, tiny apartments with --  
18 with dingy fridges and stuff like that. Say -- he --  
19 he's always saying, Oh, I have this Ivy League degree.  
20 You know, he didn't even attend a Chicago business  
21 school. Some online thing.

22 He's trying to, like, hide all his, like,  
23 criminal past. There's, like, tons of -- of shady  
24 stuff. Why -- why is he running around with aliases and  
25 burner phones and all this stuff. And -- and he's

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C E R T I F I C A T E

I, BECKY J. PARKER, do hereby certify that the foregoing pages constitute a full, true, and accurate transcript of the digital recording, all transcribed to the best of my skill and ability.

WITNESS my hand this 4th day of February, 2022.




BECKY J. PARKER, RPR, CCR

Nevada Certified Court Reporter No. 934

# **EXHIBIT 4**

## **Spencer Cornelia YouTube About Page**

# **EXHIBIT 4**

[www.youtube.com](https://www.youtube.com) › [channel](#) › [about](#) 

## Spencer Cornelia - YouTube

I have two mentorship programs: 1) **House Hack Expert** - I teach people how to live for free 2) **First 1,000 Subscribers** - I teach people how to attain their first ...

# **EXHIBIT 5**

## **Excerpts of Spencer Cornelia's First 1,000 Subscribers e-book**

# **EXHIBIT 5**



## Please Read

I am offering this eBook FREE because I want everyone to access it and have a chance at learning how to earn your first 1,000 subscribers on YouTube.

If you receive value from this eBook, I am accepting donations. If you'd like to donate and support the creation of this material, then you can donate in any of the following ways:

Donation Amounts: \$5 / \$25 / \$50 / \$100 / \$250 / \$500

Venmo: @Spencer-Cornelia

Cash App: \$SpencerCornelia

Paypal: [spencer0cornelia@gmail.com](mailto:spencer0cornelia@gmail.com)

Coinbase (Ethereum): 0x8443c1af59E77a956E43727a75D54EBFc1BF99B3

Coinbase (Bitcoin): 3QphERCvz9Wm5qW4vtag1Y1S911ZezdVQD

If you'd like to join my monthly membership for access to a Private Discord Community, Monthly Coaching Calls, and Access to having all of your questions answered, then you can join the VIP YouTube Coaching Patreon membership here: <https://www.patreon.com/spencercornelia>

# **EXHIBIT 6**

## **Excerpts of Spencer Cornelia's House Hack Expert e-book**

# **EXHIBIT 6**

## Please Read

I am offering this eBook FREE because I want everyone to access it and have a chance at learning how to become a house hack expert.

If you receive value from this eBook, I am accepting donations. If you'd like to donate and support the creation of this material, then you can donate in any of the following ways:

Donation Amounts: \$5 / \$25 / \$50 / \$100 / \$250 / \$500

Venmo: @Spencer-Cornelia

Cash App: \$SpencerCornelia

Paypal: [spencer0cornelia@gmail.com](mailto:spencer0cornelia@gmail.com)

Coinbase (Ethereum): 0x8443c1af59E77a956E43727a75D54EBFc1BF99B3

Coinbase (Bitcoin): 3QphERCvz9Wm5qW4vtag1Y1S911ZezdVQD

If you'd like to join my monthly membership for access to a Private Discord Community, Monthly Coaching Calls, and Access to having all of your questions answered, then you can join the VIP House Hack Expert Patreon membership here: <https://www.patreon.com/spencercornelia>

## Module 1: Why This Model of Investing Works

Because you're renting by the room, you are able to attain a higher income per house than if you were renting the entire house to a single renter.

In my experience, I'm able to charge \$500 to \$700 per month total for rent + utilities. The more bedrooms, the more income. Generally, a 3-4 bed house is going to be your break even point if you're living in the house, renting all of the rooms, and have a low down payment mortgage such that you have a high monthly cost. From what I've seen, most 3 bed houses will greatly diminish your costs but not quite break even. Most 4 bed houses will break even at worst and cash flow a few hundred dollars per month at best. 5+ bed houses is where the crazy cash flow numbers start to enter the picture.

A common worry throughout real estate investing communities is how their specific strategy will work in various market conditions.

There will always be a need for affordable housing. This model does not attract families looking for their own home, but there will always be a huge need for young singles looking for an affordable option who are comfortable living with roommates.

If you provide nice, affordable housing, the market will reward you. As long as you have a pool of employed renters available, this model will work in any market.

# **EXHIBIT 7**

## **Excerpts of Deposition of Spencer Cornelia taken on May 11, 2022**

**[FILED UNDER SEAL]**

**EXHIBIT 7**

# **EXHIBIT 8**

## **Defendant Spencer Cornelia's YouTube Main Page and Thumbnail Images**

# **EXHIBIT 8**



Authentic or Charlatan: Derek Moneyberg | RSD Derek

29,136 views · Dec 19, 2020

👍 1.2K    💬 66    ➦ SHARE    ⌵ SAVE    ⋮




**Spencer Comelia**   
139K subscribers

JOIN

SUBSCRIBE

Derek Moneyberg, formerly RSD Derek, was a dating instructor for RSD for years. Within the past year, he has finally shown his face on camera and has become a popular guru on social media. Derek Moneyberg is now promoting the Moneyberg Business Mentoring

SHOW MORE



**SCAMMER?**

**PART 2**

Derek Moneyberg - Fake Guru?

14,622 views · Feb 19, 2021

563 127 SHARE SAVE

**Spencer Comella** 139K subscribers

Part 1: <https://youtu.be/47X1P03F-Is>

Derek Moneyberg, formerly RSD Derek, was

SHOW MORE

JOIN SUBSCRIBE

Join this channel and unlock members-only perks





### 2020 Charlatan of the Year Awards

15,708 views

671 148 SHARE SAVE



**Spencer Comella**   
139K subscribers

JOIN

SUBSCRIBE

The 2020 Charlatan of the Year Awards presented by all of the fake gurus on social media.

Awards:

[SHOW MORE](#)

64 Comments

SORT BY

# **EXHIBIT 9**

## **Spencer Cornelia's Responses to Plaintiff's First Set of Interrogatories to Defendants Pursuant to FRCP 33**

# **EXHIBIT 9**

RANDAZZA | LEGAL GROUP

Marc J. Randazza, NV Bar No. 12265  
Alex J. Shepard, NV Bar No. 13582  
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Telephone: 702-420-2001  
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Attorneys for Defendants  
Spencer Cornelia, Cornelia Media LLC,  
and Cornelia Education LLC

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WEALTHY INC. and DALE  
BUCZKOWSKI,  
  
Plaintiff,  
  
v.  
  
SPENCER CORNELIA, CORNELIA  
MEDIA LLC, and CORNELIA  
EDUCATION LLC,  
  
Defendants.

Case No. 2:21-cv-01173-JCM-EJY

**DEFENDANT SPENCER CORNELIA'S  
RESPONSES TO PLAINTIFFS' FIRST  
SET OF INTERROGATORIES TO  
DEFENDANTS PURSUANT TO FRCP 33**

Pursuant to Fed. R. Civ. P. 26 and 33, Defendant Spencer Cornelia hereby respond to Plaintiffs Wealthy Inc. and Dale Buczkowski's (collectively, "Plaintiffs") First Set of Interrogatories Pursuant to FRCP 33.

These responses are made solely for the purpose of, and in relation to, this action. Each response is given subject to all appropriate objections (including but not limited to objections concerning competency, relevancy, materiality, propriety, and admissibility), which would require the exclusion of any statement contained herein if the request were asked of, or any statement contained herein was made by, a witness present and testifying in court. All such objections and grounds therefore are reserved and may be interposed at the time of trial.

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Except for facts explicitly admitted herein, no admission of any nature whatsoever is to be implied or inferred. The fact that any request herein has been responded upon should not be taken as an admission, or a concession, of the existence of any facts set forth or assumed by such request, or that such response constitutes evidence of any fact thus set forth or assumed. All responses must be construed as given on the basis of present recollection.

**GENERAL OBJECTIONS**

1. Defendant objects to the subject interrogatories to the extent that they request the disclosure of information protected by the attorney-client privilege, the work-product doctrine, or any other recognized privilege or immunity.

2. Defendant objects to the subject interrogatories to the extent that they do not seek relevant information or are not proportional to the needs of the case. The providing of answers in response to any request is not to be deemed or construed as an admission by Defendant that the information is in fact relevant to this action.

3. Defendant objects to the subject interrogatories to the extent that they call for information not in the possession, custody, or control of Defendant.

4. To the extent words or phrases used in the requests are vague, ambiguous, or otherwise overbroad, Defendant shall respond in a manner in which he believes, in good faith, to be requested thereby.

5. Defendant states that discovery in this matter is continuing and ongoing and that it is possible that additional information responsive to the interrogatories will be identified subsequent to the date of this response.

6. All responses made herein are based upon the best knowledge, information, and belief held by Defendant at the time of the response.

7. Defendant objects to the Definitions to the extent they conflict with the definitions applicable in the Federal Rules of Civil Procedure and/or the Local Rules of this Court.

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1 8. Defendant objects to the Instructions to the extent they impose any obligation  
2 beyond that required by the Federal Rules of Civil Procedure or the Local Rules of this Court.

3 9. Defendant incorporates these General Objections into each and every specific  
4 response as if fully set forth therein.

5 Subject to and without waiving the foregoing General Objections, Defendant specifically  
6 responds to each numbered Interrogatory as follows:

7 **RESPONSES TO INTERROGATORIES**

8 **INTERROGATORY NO. 1:**

9 Identify the entity in the name of which the Spencer Cornelia YouTube channel is  
10 registered, including all contact information for such entity provided to or held by Google LLC,  
11 regarding the Spencer Cornelia YouTube channel.

12 **RESPONSE TO INTERROGATORY NO. 1:**

13 The channel is in the name of Spencer Cornelia. The email address associated with the  
14 channel is <spencer0cornelia@gmail.com>.

15 **INTERROGATORY NO. 2:**

16 Identify all financial accounts (including but not limited to any and all bank accounts,  
17 money market accounts, and brokerage accounts) now or previously receiving income from the  
18 Spencer Cornelia YouTube channel.

19 **RESPONSE TO INTERROGATORY NO. 2:**

20 Objection: This request is overbroad and is not proportional to the needs of the case. This  
21 request seeks all financial accounts that have received money from the Spencer Cornelia YouTube  
22 channel, not just financial accounts which Defendant owns or of which he is a beneficiary. To the  
23 extent this Interrogatory is limited to financial accounts evidencing income Defendant has received  
24 from the Spencer Cornelia YouTube channel, it does not seek information relevant to any party's  
25 claims or defenses.

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1 Notwithstanding the foregoing objections, Defendant responds as follows: Defendant owns  
2 a Wells Fargo account that receives funds from the Spencer Cornelia YouTube Channel. {{I  
3 recommend we not answer, and rest on objections }}

4 **INTERROGATORY NO. 3:**

5 Identify all financial accounts (including but not limited to any and all bank accounts,  
6 money market accounts, and brokerage accounts) now or previously owned by CORNELIA  
7 MEDIA LLC, and CORNELIA EDUCATION LLC that have received income from the Spencer  
8 Cornelia YouTube channel.

9 **RESPONSE TO INTERROGATORY NO. 3:**

10 Objection: This Interrogatory is overbroad and is not proportional to the needs of the case.  
11 This Interrogatory does not seek relevant information, as the subject financial accounts have no  
12 bearing on Plaintiffs' claims.

13 Notwithstanding the foregoing objections, Defendant responds as follows: There are no  
14 such accounts.

15 **INTERROGATORY NO. 4:**

16 Identify all social media and email accounts (including but not limited to Facebook,  
17 YouTube, Twitter, Instagram, Reddit) you own (or owned) or control (or controlled) through  
18 which you ever have communicated on the topic of any of the Plaintiffs or Derek Moneyberg.

19 **RESPONSE TO INTERROGATORY NO. 4:**

20 Objection: This Interrogatory is overbroad and unduly burdensome and is not proportional  
21 to the needs of the case. It is not limited in scope to any of the statements at issue or any other  
22 issue relevant to the parties' claims or defenses. It is also not limited to any relevant time period.

23 Notwithstanding the foregoing objections, Defendant responds as follows: Defendant has  
24 spoken about Plaintiffs on his YouTube account and has communicated on the topics of Plaintiffs  
25 or Derek Moneyberg using the email accounts <spencer0cornelia@gmail.com> and  
26 <spencercornelialawsuit@gmail.com>.

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1 **INTERROGATORY NO. 5:**

2 Identify all persons or entities to whom or to which you ever have communicated on the  
3 topic of any of the Plaintiffs or Derek Moneyberg.

4 **RESPONSE TO INTERROGATORY NO. 5:**

5 Objection: This Interrogatory is overbroad, unduly burdensome, and is not proportional to  
6 the needs of the case. It is not limited in scope to any of the statements at issue or any other issue  
7 relevant to the parties’ claims or defenses. It is also not limited to any relevant time period.

8 Notwithstanding the foregoing objections, Defendant responds as follows: John Anthony  
9 Lifestyle, The Drip podcast, The Iced Coffee Hour Podcast, John Mulvehill, Graham Stephan, Jack  
10 Selby, Stephen Findeisen, and Amish Patel.

11 **INTERROGATORY NO. 6:**

12 Identify and describe all facts that support Your contention that the statements complained  
13 of in the Complaint are true or substantially true.

14 **RESPONSE TO INTERROGATORY NO. 6:**

15 As to all statements at issue, the representations of Mr. Mulvehill in the First and Second  
16 Videos, produced as Bates Nos. COR000001 and COR000002. Responsive information is also  
17 contained within documents previously produced as Bates Nos. COR000078-COR000084.

18 As to the statements regarding Larson Consulting, this entity only has one officer, Dale  
19 Buczkowski. It has 1 share and a total authorized capital of \$100. There is no signage outside the  
20 address listed on the Nevada Secretary of State’s website for the company, and there is only a “no  
21 soliciting” sign on its door. The company has a Facebook page, but it does not appear to have  
22 posted any content since November 15, 2013. It has 36 followers. It lists a website,  
23 <laronconsultinginc.com>, but the site is under construction and does not display any content.  
24 The current registrant did not acquire the domain until June 22, 2020. However, <archive.org>’s  
25 Wayback Machine shows that it was displaying content for Plaintiffs’ Larson Consulting business  
26 from April 2013 to January 2019. During this time, the site prominently displayed the name “Dale  
27

1 Buczkowski.” There was very little content on the site at this time, as it merely displayed some  
2 mundane paragraphs about desirable characteristics such as “integrity” and “optimism,” and  
3 contact information for the company. Based on these facts it appears that, at least as of the time  
4 the videos at issue were published, Larson Consulting does not provide any legitimate goods or  
5 services.

6 As for the statements regarding Buczkowski’s involvement in a drug operation,  
7 Buczkowski made claims for property that was subject to civil asset forfeiture claims in *United*  
8 *States v. 7212 Longboat Drive*, Case No. 4:12-cv-00484 (S.D. Iowa) and *United States v. 7215*  
9 *Longboat Drive*, Case No. 4:12-cv-00487 (S.D. Iowa) (later consolidated). These documents have  
10 previously been produced as Bates Nos. COR000087-COR000115. In these cases, The U.S. filed  
11 civil forfeiture actions against 5 Iowa properties based on allegation they were purchased with, or  
12 used to facilitate, drug crimes. The civil asset forfeiture complaint asserted that Daryl Buczkowski,  
13 Buczkowski’s father and son-in-law of Mariani, “has a criminal history that includes a conviction  
14 . . . for manufacturing and delivery of cocaine for which he was sentenced to a term of  
15 imprisonment for 15 years.” (Complaint at ¶ 11.) It alleged that Daryl was the registered agent of  
16 a company whose white vehicle was used to attempt to retrieve equipment from a storage unit that  
17 was later searched and found to contain equipment for an indoor marijuana grow operation. (*Id.* at  
18 ¶¶ 12-14.) It further alleged that a neighboring property, owned by a friend of Buczkowski,  
19 Timothy Lantz, contained mail addressed to Buczkowski, credit cards in Plaintiff’s name,  
20 Buczkowski’s tax returns, and that the neighboring property was being used to operate a marijuana  
21 grow operation. (*Id.* at ¶¶ 15-20.) Lantz was also indicted for his involvement in this scheme.  
22 Considering these facts, Defendant thinks it highly likely that Buczkowski was involved in a  
23 marijuana grow operation. The fact that these civil asset forfeiture claims were later settled without  
24 any finding of criminal wrongdoing does not constitute a finding that Buczkowski was uninvolved  
25 in this activity.



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1 Regarding Buczkowski engaging in illegal activity in helping his clients obtain credit, not  
2 authoring his own content, and coercing his clients to provide testimonials, documents with  
3 information regarding the truth of such statements can be found at documents previously produced  
4 as Bates Nos. COR000011-COR000084, as well as COR000151.

5 **INTERROGATORY NO. 7:**

6 Identify and describe all facts that support Your contention that Defendants knew or had a  
7 significant subjective belief that the statements claimed to be actionable in the complaint were true  
8 or substantially true at the time they were made.

9 **RESPONSE TO INTERROGATORY NO. 7:**

10 As to all statements at issue, the representations of Mr. Mulvehill in the First and Second  
11 Videos, produced as Bates Nos. COR000001 and COR000002. Defendant found Mr. Mulvehill to  
12 be a credible source of information regarding Plaintiffs.

13 As to the statements regarding Larson Consulting, this entity only has one officer, Dale  
14 Buczkowski. It has 1 share and a total authorized capital of \$100. There is no signage outside the  
15 address listed on the Nevada Secretary of State’s website for the company, and there is only a “no  
16 soliciting” sign on its door. The company has a Facebook page, but it does not appear to have  
17 posted any content since November 15, 2013. It has 36 followers. It lists a website,  
18 <laronconsultinginc.com>, but the site is under construction and does not display any content.  
19 The current registrant did not acquire the domain until June 22, 2020. However, <archive.org>’s  
20 Wayback Machine shows that it was displaying content for Plaintiffs’ Larson Consulting business  
21 from April 2013 to January 2019. During this time, the site prominently displayed the name “Dale  
22 Buczkowski.” There was very little content on the site at this time, as it merely displayed some  
23 mundane paragraphs about desirable characteristics such as “integrity” and “optimism,” and  
24 contact information for the company. Based on these facts it appears that, at least as of the time  
25 the videos at issue were published, Larson Consulting did not provide any legitimate goods or  
26 services. A company that did not appear to do anything legitimate being owned and operated  
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1 apparently only by Buczkowski was a strong indicator that Larson Consulting was not a legitimate  
2 business and could have existed for the purpose of laundering money.

3 As for the statements regarding Buczkowski’s involvement in a drug operation,  
4 Buczkowski made claims for property that was subject to civil asset forfeiture claims in *United*  
5 *States v. 7212 Longboat Drive*, Case No. 4:12-cv-00484 (S.D. Iowa) and *United States v. 7215*  
6 *Longboat Drive*, Case No. 4:12-cv-00487 (S.D. Iowa) (later consolidated). These documents have  
7 previously been produced as Bates Nos. COR000087-COR000115. In these cases, The U.S. filed  
8 civil forfeiture actions against 5 Iowa properties based on allegation they were purchased with, or  
9 used to facilitate, drug crimes. The civil asset forfeiture complaint asserted that Daryl Buczkowski,  
10 Buczkowski’s father and son-in-law of Mariani, “has a criminal history that includes a conviction  
11 . . . for manufacturing and delivery of cocaine for which he was sentenced to a term of  
12 imprisonment for 15 years.” (Complaint at ¶ 11.) It alleged that Daryl was the registered agent of  
13 a company whose white vehicle was used to attempt to retrieve equipment from a storage unit that  
14 was later searched and found to contain equipment for an indoor marijuana grow operation. (*Id.* at  
15 ¶¶ 12-14.) It further alleged that a neighboring property, owned by a friend of Buczkowski,  
16 Timothy Lantz, contained mail addressed to Buczkowski, credit cards in Plaintiff’s name,  
17 Buczkowski’s tax returns, and that the neighboring property was being used to operate a marijuana  
18 grow operation. (*Id.* at ¶¶ 15-20.) Lantz was also indicted for his involvement in this scheme.  
19 Defendant found nothing implausible or not credible about the facts alleged in these documents.  
20 Considering these facts, Defendant thinks it highly likely that Buczkowski was involved in a  
21 marijuana grow operation. The fact that these civil asset forfeiture claims were later settled without  
22 any finding of criminal wrongdoing does not constitute a finding that Buczkowski was uninvolved  
23 in this activity.

24 Regarding Buczkowski engaging in illegal activity in helping his clients obtain credit, not  
25 authoring his own content, and coercing his clients to provide testimonials, documents with  
26 information regarding the truth of such statements can be found at documents previously produced  
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1 as Bates Nos. COR000011-COR000043. Defendant found that Mr. Mulvehill was a credible  
2 source of information regarding Plaintiffs, as he credibly claimed to be personally familiar with  
3 Buczkowski and he showed Defendant correspondence with individuals who appeared to be  
4 former clients or employees of Plaintiffs. Defendant had no reason to doubt the authenticity of this  
5 correspondence or the claims made in them. Furthermore, Defendant viewed a video interview  
6 with Mr. Mulvehill and a man named Rohit (produced as Bates Nos. COR000151), who claimed  
7 to be a former contractor for Plaintiffs, where Rohit made several claims about how deceptive and  
8 fraudulent Plaintiffs' business practices are. Defendant found Rohit to be highly credible and had  
9 no reason to doubt his claims regarding Plaintiffs.

10 **INTERROGATORY NO. 8:**

11 Identify all efforts made to investigate whether the statements claimed to be actionable in  
12 the complaint are true or substantially.

13 **RESPONSE TO INTERROGATORY NO. 8:**

14 Defendant, through his own investigation or by being provided this information from third  
15 parties including Mr. Mulvehill, possessed all the information referred to in his response to  
16 Interrogatory No. 7 prior to publishing the videos at issue. Additionally, prior to publication,  
17 Defendant reviewed a video Mr. Mulvehill published on his YouTube channel, John Anthony  
18 Lifestyle, on May 10, 2020, which repeats many of the claims made in the First and Second  
19 Videos regarding Plaintiffs. This May 10, 2020 video, however, has since been removed.

20 **INTERROGATORY NO. 9:**

21 Identify all statements claimed to be actionable in the complaint that you now believe are  
22 false.

23 **RESPONSE TO INTERROGATORY NO. 9:**

24 The only statements alleged in the Complaint Defendant now believes to be false are those  
25 concerning the legitimacy of Buczkowski's education credentials. Defendant did not believe such  
26 statements to be false at the time the videos at issue were published.

1 **INTERROGATORY NO. 10:**

2 Identify and describe the substance of all discussions you have had with Mr. Mulvehill  
3 about this lawsuit, including but not limited to any efforts to raise money or find evidence  
4 supporting your defenses in this lawsuit.

5 **RESPONSE TO INTERROGATORY NO. 10:**

6 Objection: This Interrogatory is overbroad, unduly burdensome, and is not proportional  
7 to the needs of the case, as discussions regarding fundraising efforts have no bearing on any  
8 party's claims or defenses.

9 Notwithstanding the foregoing objections, Defendant responds as follows: Defendant has  
10 not had any discussions with Mr. Mulvehill regarding fundraising efforts. Discussions regarding  
11 finding evidence supporting Defendant's defenses in this lawsuit are found in documents with  
12 Bates Nos. COR000007-COR000043 and COR000078-COR000084.

13 **INTERROGATORY NO. 11:**

14 Identify and describe the substance of all discussions you have had about any of the  
15 plaintiffs, Derek Moneyberg, or this lawsuit, including but not limited to any efforts to raise  
16 money for the defense of or to find evidence supporting your defenses in this lawsuit, with the  
17 following individuals: (1) Graham Stephan; (2) Jack Selby; (3) Stephen Findeisen (aka.,  
18 Coffeezilla); and (4) Amish Patel.

19 **RESPONSE TO INTERROGATORY NO. 11:**

20 Objection: This Interrogatory is overbroad, unduly burdensome, and is not proportional  
21 to the needs of the case. Discussions regarding fundraising efforts have no bearing on any party's  
22 claims or defenses. This Interrogatory is not limited in scope to the statements at issue in this case  
23 or any other issue relevant to the parties' claims or defenses. This Interrogatory is also not limited  
24 to any relevant time period.

25 Notwithstanding the foregoing objections, Defendant responds as follows: The requested  
26 information can be found by reviewing documents produced as Bates Nos. COR000004-

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1 COR000006, WEALTHY000184-WEALTHY000332, and WEALTHY000388-  
2 WEALTHY000393.

3 **INTERROGATORY NO. 12:**

4 Identify any information you have about the current location of or ways to communicate  
5 with, Mr. Mulvehill a/k/a John Anthony.

6 **RESPONSE TO INTERROGATORY NO. 12:**

7 Objection: This request seeks the address and contact information of a third-party witness  
8 who has filed a motion to quash a subpoena seeking similar information. Mr. Mulvehill’s contact  
9 information is not relevant to any party’s claims or defenses and the deadline to amend the  
10 pleadings and add parties has passed, meaning this Interrogatory is not proportional to the needs  
11 of the case.

12 Notwithstanding the foregoing objections, Defendant responds as follows: Defendant has  
13 been informed that Mr. Mulvehill lives in Brazil, but has no further information regarding his  
14 whereabouts.

15 Dated: March 21, 2022.

16 As to Objections,

17 /s/ Alex J. Shepard  
18 Marc J. Randazza, NV Bar No. 12265  
19 Alex J. Shepard, NV Bar No. 13582  
20 RANDAZZA LEGAL GROUP, PLLC  
21 2764 Lake Sahara Drive, Suite 109  
22 Las Vegas, NV 89117

23 Attorneys for Defendants  
24 Spencer Cornelia, Cornelia Media LLC,  
25 and Cornelia Education LLC  
26  
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Case No. 2:21-cv-01173-JCM-EJY

**VERIFICATION OF RESPONSES TO INTERROGATORIES**

I, Spencer Cornelia, have reviewed the foregoing responses to Plaintiffs Wealthy Inc. and Dale Buczkowski’s First Set of Interrogatories Pursuant to FRCP 33, and I hereby declare under penalty of perjury that the foregoing responses are true and correct to the best of my knowledge and understanding.

Executed on: 3/21/2022 (date).

DocuSigned by:  
*Spencer Cornelia*  
78E06A92D2P94EC  
Spencer Cornelia

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Case No. 2:21-cv-01173-JCM-EJY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 21, 2022, I served the foregoing document upon counsel for Plaintiffs Wealthy Inc. and Dale Buczkowski, listed below, via electronic mail:

**PETERSON BAKER, PLLC**  
Tamara Beatty Peterson, Esq.  
<tpeterson@petersonbaker.com>  
Nikki L. Baker, Esq.  
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**Culhane Meadows PLLC**  
Jeffrey Vockrodt, Esq.  
<jvockrodt@cm.law>  
David Jacoby, Esq.  
<djacoby@cm.law>  
888 Main Street, #543  
New York, NY 10044

Respectfully submitted,

/s/ Suzanne Levenson  
Employee,  
Randazza Legal Group, PLLC

## **EXHIBIT 10**

**First Amended Expert Witness  
Designation containing the expert  
report, Professor McDonough's  
Estimation of Economic Damages  
on Behalf of the Plaintiffs in  
*Wealthy Inc. et al v. Cornelia et. al.*,  
2:21-cv-01173-JCM-EJY (D. Nev.)**

**[FILED UNDER SEAL]**

**EXHIBIT 10**



# **EXHIBIT 11**

## **Spencer Cornelia's Response to Plaintiffs' First Set of Requests for Admission**

**EXHIBIT 11**

RANDAZZA | LEGAL GROUP

Marc J. Randazza, NV Bar No. 12265  
Alex J. Shepard, NV Bar No. 13582  
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ecf@randazza.com  
Attorneys for Defendants  
Spencer Cornelia, Cornelia Media LLC,  
and Cornelia Education LLC

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WEALTHY INC. and DALE  
BUCZKOWSKI,  
Plaintiff,  
v.  
SPENCER CORNELIA, CORNELIA  
MEDIA LLC, and CORNELIA  
EDUCATION LLC,  
Defendants.

Case No. 2:21-cv-01173-JCM-EJY

**DEFENDANT SPENCER CORNELIA'S  
RESPONSES TO PLAINTIFFS' FIRST  
SET OF REQUESTS FOR ADMISSION  
PURSUANT TO FRCP 36**

Pursuant to Fed. R. Civ. P. 26 and 36, Defendant Spencer Cornelia hereby respond to Plaintiffs Wealthy Inc. and Dale Buczkowski's (collectively, "Plaintiffs") First Set of Requests for Admission Pursuant to FRCP 36.

These responses are made solely for the purpose of, and in relation to, this action. Each response is given subject to all appropriate objections (including but not limited to objections concerning competency, relevancy, materiality, propriety, and admissibility), which would require the exclusion of any statement contained herein if the request were asked of, or any statement contained herein was made by, a witness present and testifying in court. All such objections and grounds therefore are reserved and may be interposed at the time of trial.

1 Except for facts explicitly admitted herein, no admission of any nature whatsoever is to be  
2 implied or inferred. The fact that any request herein has been responded upon should not be taken  
3 as an admission, or a concession, of the existence of any facts set forth or assumed by such request,  
4 or that such response constitutes evidence of any fact thus set forth or assumed. All responses  
5 must be construed as given on the basis of present recollection.

6 **GENERAL OBJECTIONS**

7 1. Defendant objects to the subject interrogatories to the extent that they request the  
8 disclosure of information protected by the attorney-client privilege, the work-product doctrine, or  
9 any other recognized privilege or immunity.

10 2. Defendant objects to the subject requests to the extent that they do not seek relevant  
11 information or are not proportional to the needs of the case. The providing of answers in response  
12 to any request is not to be deemed or construed as an admission by Defendant that the information  
13 is in fact relevant to this action.

14 3. Defendant objects to the subject requests to the extent that they call for information  
15 not in the possession, custody, or control of Defendant.

16 4. To the extent words or phrases used in the requests are vague, ambiguous, or  
17 otherwise overbroad, Defendant shall respond in a manner in which he believes, in good faith, to  
18 be requested thereby.

19 5. Defendant states that discovery in this matter is continuing and ongoing and that it  
20 is possible that additional information responsive to the requests will be identified subsequent to  
21 the date of this response.

22 6. All responses made herein are based upon the best knowledge, information, and  
23 belief held by Defendant at the time of the response.

24 7. Defendant objects to the Definitions to the extent they conflict with the definitions  
25 applicable in the Federal Rules of Civil Procedure and/or the Local Rules of this Court.

1 8. Defendant objects to the Instructions to the extent they impose any obligation  
2 beyond that required by the Federal Rules of Civil Procedure or the Local Rules of this Court.

3 9. Defendant incorporates these General Objections into each and every specific  
4 response as if fully set forth therein.

5 Subject to and without waiving the foregoing General Objections, Defendant specifically  
6 responds to each numbered Request for Admission as follows:

7 **RESPONSES TO REQUESTS FOR ADMISSION**

8 **REQUEST FOR ADMISSION NO. 1:**

9 Admit that document WEALTHY000058-WEALTHY000089 is a true and authentic  
10 transcript of the First Video.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 1:**

12 Admitted.

13 **REQUEST FOR ADMISSION NO. 2:**

14 Admit that document WEALTHY000116-000172 is a true and authentic transcript of the  
15 First video.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 2:**

17 Denied.

18 **REQUEST FOR ADMISSION NO. 3:**

19 Admit that document WEALTHY000448-WEALTHY000461 is a true and authentic  
20 transcript of the First Video.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

22 Denied.

23 **REQUEST FOR ADMISSION NO. 4:**

24 Admit that document WEALTHY000184-WEALTHY000201 is a true and authentic  
25 transcript of the Video entitled “Spencer Cornelia SUED by a Pick Up Artist?” appearing on the  
26 YouTube channel “The Drip” and produced by Plaintiffs as document WEALTHY000202.

RANAZZA | LEGAL GROUP

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

2 Admitted.

3 **REQUEST FOR ADMISSION NO. 5:**

4 Admit that document WEALTHY000212-WEALTHY000255 is a true and authentic  
5 transcript of the Video entitled “Getting Sued By a Fake Guru | Spencer Cornelia” and produced  
6 by Plaintiffs as document WEALTHY000256.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 5:**

8 Admitted.

9 **REQUEST FOR ADMISSION NO. 6:**

10 Admit that You posted the following comment in the comment section of the YouTube  
11 video entitled “Derek Moneyberg Instagram REMOVED!! Fake Followers PUNISHED  
12 LMAOOO | RSD Derek” shown in document WEALTHY000389:

13 “Derek’s man boobs were against Instagram’s Terms of Service leading to an  
14 immediate termination. In the email, Instagram made it clear that Derek is at least  
15 50 pounds away from appeal court.”

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 6:**

17 Admitted.

18 **REQUEST FOR ADMISSION NO. 7:**

19 Admit that You deleted the following comment from the comment section of the YouTube  
20 video entitled “Derek Moneyberg Instagram REMOVED!! Fake Followers PUNISHED  
21 LMAOOO | RSD Derek” shown in document WEALTHY000389:

22 “Derek’s man boobs were against Instagram’s Terms of Service leading to an  
23 immediate termination. In the email, Instagram made it clear that Derek is at least  
24 50 pounds away from appeal court.”

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

26 Admitted.

27 **REQUEST FOR ADMISSION NO. 8:**

1 Admit that You posted the following comment in the comment section of a YouTube  
2 video after the present lawsuit was filed:

3 “filed in Vegas, lawyer said it might be tricky as something about the judge isn’t  
4 favorable to anti-slapp. i’m hoping for quick dismissal for sure since this is certainly  
5 a bullying case. I didn’t even make the claims, my guest did (in the videos related  
6 to the case).”

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

8 Admitted.

9 **REQUEST FOR ADMISSION NO. 9:**

10 Admit that You made the following statement on YouTube video after the present lawsuit  
11 was filed:

12 “While on the phone with my lawyer, we were discussing my case and the strategy  
13 will use to prove I’m not guilty of all the claims. I’m obviously going to keep this  
14 very brief and summarize the call, but I essentially asked him when he’s like to hear  
15 the mountains of proof I accumulated over the last two weeks, proving that the  
16 lawsuit has as many flaws as the client of a super greedy plastic surgeon, Hey,  
17 lawyer, I have screenshots, emails, documents, You tell me what you need. Then I  
18 learned that lawsuits are more of a cat and mouse game, as opposed to- “Here’s the  
19 evidence, I’m not guilty, can you leave me along now, Plaintiff?” Now that I  
20 understand law 100 times better than I did previously, I’m going to share with you  
21 why fake gurus on social media are able to basically get away with whatever they  
22 want right now.”

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

24 Admitted.

25 **REQUEST FOR ADMISSION NO. 10:**

26 Admit that John Mulvehill (a.k.a. John Anthony) currently resides outside the United  
27 States.

**RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

Admitted that Mr. Mulvehill has represented to Defendant that he lives outside the United  
States.

1 **REQUEST FOR ADMISSION NO. 11:**

2 Admit that you have collaborated with John Mulvehill (a.k.a. John Anthony) since this  
3 lawsuit began.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

5 Objection: The term “collaborated with” is vague and ambiguous such that it is impossible  
6 to respond to this request. This request is overbroad, unduly burdensome, and is not proportional  
7 to the needs of the case. It is not limited in scope to any of the statements at issue or any other  
8 issues relevant to the parties’ claims or defenses. Post-suit conduct does not have any relevance  
9 to the parties’ claims or defenses, the Complaint contains no reference to such conduct, and the  
10 deadline to amend the pleadings has passed.

11 Notwithstanding the foregoing objections, Defendant responds as follows: Admitted that  
12 Defendant and Mr. Mulvehill have appeared in videos together since this lawsuit began.

13  
14 Dated: March 21, 2022.

Respectfully Submitted,

/s/ Alex J. Shepard

Marc J. Randazza, NV Bar No. 12265

[Alex J. Shepard, NV Bar No. 13582](#)

RANDAZZA LEGAL GROUP, PLLC

2764 Lake Sahara Drive, Suite 109

Las Vegas, NV 89117

Attorneys for Defendants

Spencer Cornelia, Cornelia Media LLC,

and Cornelia Education LLC

Case No. 2:21-cv-01173-JCM-EJY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 21, 2022, I served the foregoing document upon counsel for Plaintiffs Wealthy Inc. and Dale Buczkowski, listed below, via electronic mail:

**PETERSON BAKER, PLLC**  
Tamara Beatty Peterson, Esq.  
<tpeterson@petersonbaker.com>  
Nikki L. Baker, Esq.  
<nbaker@petersonbaker.com>  
701 S. 7<sup>th</sup> Street  
Las Vegas, NV 89101

**Culhane Meadows PLLC**  
Jeffrey Vockrodt, Esq.  
<jvockrodt@cm.law>  
David Jacoby, Esq.  
<djacoby@cm.law>  
888 Main Street, #543  
New York, NY 10044

Respectfully submitted,

/s/ Suzanne Levenson

Employee,  
Randazza Legal Group, PLLC



# **EXHIBIT 12**

## **Cornelia Media LLC's Response to Plaintiffs' First Set of Requests for Admission**

# **EXHIBIT 12**

RANDAZZA | LEGAL GROUP

Marc J. Randazza, NV Bar No. 12265  
Alex J. Shepard, NV Bar No. 13582  
RANDAZZA LEGAL GROUP, PLLC  
2764 Lake Sahara Drive, Suite 109  
Las Vegas, NV 89117  
Telephone: 702-420-2001  
Facsimile: 305-437-7662  
ecf@randazza.com  
Attorneys for Defendants  
Spencer Cornelia, Cornelia Media LLC,  
and Cornelia Education LLC

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WEALTHY INC. and DALE  
BUCZKOWSKI,  
Plaintiff,  
v.  
SPENCER CORNELIA, CORNELIA  
MEDIA LLC, and CORNELIA  
EDUCATION LLC,  
Defendants.

Case No. 2:21-cv-01173-JCM-EJY

**DEFENDANT CORNELIA MEDIA  
LLC’S RESPONSES TO PLAINTIFFS’  
FIRST SET OF REQUESTS FOR  
ADMISSION PURSUANT TO FRCP 36**

Pursuant to Fed. R. Civ. P. 26 and 36, Defendant Cornelia Media LLC hereby responds to Plaintiffs Wealthy Inc. and Dale Buczkowski’s (collectively, “Plaintiffs”) First Set of Requests for Admission Pursuant to FRCP 36.

These responses are made solely for the purpose of, and in relation to, this action. Each response is given subject to all appropriate objections (including but not limited to objections concerning competency, relevancy, materiality, propriety, and admissibility), which would require the exclusion of any statement contained herein if the request were asked of, or any statement contained herein was made by, a witness present and testifying in court. All such objections and grounds therefore are reserved and may be interposed at the time of trial.

1 Except for facts explicitly admitted herein, no admission of any nature whatsoever is to be  
2 implied or inferred. The fact that any request herein has been responded upon should not be taken  
3 as an admission, or a concession, of the existence of any facts set forth or assumed by such request,  
4 or that such response constitutes evidence of any fact thus set forth or assumed. All responses  
5 must be construed as given on the basis of present recollection.

6 **GENERAL OBJECTIONS**

7 1. Defendant objects to the subject interrogatories to the extent that they request the  
8 disclosure of information protected by the attorney-client privilege, the work-product doctrine, or  
9 any other recognized privilege or immunity.

10 2. Defendant objects to the subject requests to the extent that they do not seek relevant  
11 information or are not proportional to the needs of the case. The providing of answers in response  
12 to any request is not to be deemed or construed as an admission by Defendant that the information  
13 is in fact relevant to this action.

14 3. Defendant objects to the subject requests to the extent that they call for information  
15 not in the possession, custody, or control of Defendant.

16 4. To the extent words or phrases used in the requests are vague, ambiguous, or  
17 otherwise overbroad, Defendant shall respond in a manner in which it believes, in good faith, to  
18 be requested thereby.

19 5. Defendant states that discovery in this matter is continuing and ongoing and that it  
20 is possible that additional information responsive to the requests will be identified subsequent to  
21 the date of this response.

22 6. All responses made herein are based upon the best knowledge, information, and  
23 belief held by Defendant at the time of the response.

24 7. Defendant objects to the Definitions to the extent they conflict with the definitions  
25 applicable in the Federal Rules of Civil Procedure and/or the Local Rules of this Court.

1 8. Defendant objects to the Instructions to the extent they impose any obligation  
2 beyond that required by the Federal Rules of Civil Procedure or the Local Rules of this Court.

3 9. Defendant incorporates these General Objections into each and every specific  
4 response as if fully set forth therein.

5 Subject to and without waiving the foregoing General Objections, Defendant specifically  
6 responds to each numbered Request for Admission as follows:

7 **RESPONSES TO REQUESTS FOR ADMISSION**

8 **REQUEST FOR ADMISSION NO. 1:**

9 Admit that document WEALTHY000058-WEALTHY000089 is a true and authentic  
10 transcript of the First Video.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 1:**

12 Admitted.

13 **REQUEST FOR ADMISSION NO. 2:**

14 Admit that document WEALTHY000116-000172 is a true and authentic transcript of the  
15 First video.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 2:**

17 Denied.

18 **REQUEST FOR ADMISSION NO. 3:**

19 Admit that document WEALTHY000448-WEALTHY000461 is a true and authentic  
20 transcript of the First Video.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

22 Denied.

23 **REQUEST FOR ADMISSION NO. 4:**

24 Admit that document WEALTHY000184-WEALTHY000201 is a true and authentic  
25 transcript of the Video entitled “Spencer Cornelia SUED by a Pick Up Artist?” appearing on the  
26 YouTube channel “The Drip” and produced by Plaintiffs as document WEALTHY000202.

RANAZZA | LEGAL GROUP

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

2 Admitted.

3 **REQUEST FOR ADMISSION NO. 5:**

4 Admit that document WEALTHY000212-WEALTHY000255 is a true and authentic  
5 transcript of the Video entitled “Getting Sued By a Fake Guru | Spencer Cornelia” and produced  
6 by Plaintiffs as document WEALTHY000256.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 5:**

8 Admitted.

9 **REQUEST FOR ADMISSION NO. 6:**

10 Admit that You posted the following comment in the comment section of the YouTube  
11 video entitled “Derek Moneyberg Instagram REMOVED!! Fake Followers PUNISHED  
12 LMAOOO | RSD Derek” shown in document WEALTHY000389:

13 “Derek’s man boobs were against Instagram’s Terms of Service leading to an  
14 immediate termination. In the email, Instagram made it clear that Derek is at least  
15 50 pounds away from appeal court.”

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 6:**

17 Admitted.

18 **REQUEST FOR ADMISSION NO. 7:**

19 Admit that You deleted the following comment from the comment section of the YouTube  
20 video entitled “Derek Moneyberg Instagram REMOVED!! Fake Followers PUNISHED  
21 LMAOOO | RSD Derek” shown in document WEALTHY000389:

22 “Derek’s man boobs were against Instagram’s Terms of Service leading to an  
23 immediate termination. In the email, Instagram made it clear that Derek is at least  
24 50 pounds away from appeal court.”

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

26 Admitted.

**REQUEST FOR ADMISSION NO. 8:**

Admit that You posted the following comment in the comment section of a YouTube video after the present lawsuit was filed:

“filed in Vegas, lawyer said it might be tricky as something about the judge isn’t favorable to anti-slapp. i’m hoping for quick dismissal for sure since this is certainly a bullying case. I didn’t even make the claims, my guest did (in the videos related to the case).”

**RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

Admitted.

**REQUEST FOR ADMISSION NO. 9:**

Admit that You made the following statement on YouTube video after the present lawsuit was filed:

“While on the phone with my lawyer, we were discussing my case and the strategy will use to prove I’m not guilty of all the claims. I’m obviously going to keep this very brief and summarize the call, but I essentially asked him when he’s like to hear the mountains of proof I accumulated over the last two weeks, proving that the lawsuit has as many flaws as the client of a super greedy plastic surgeon, Hey, lawyer, I have screenshots, emails, documents, You tell me what you need. Then I learned that lawsuits are more of a cat and mouse game, as opposed to- “Here’s the evidence, I’m not guilty, can you leave me along now, Plaintiff?” Now that I understand law 100 times better than I did previously, I’m going to share with you why fake gurus on social media are able to basically get away with whatever they want right now.”

**RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

Admitted.

**REQUEST FOR ADMISSION NO. 10:**

Admit that John Mulvehill (a.k.a. John Anthony) currently resides outside the United States.

///

///

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

2 Admitted that Mr. Mulvehill has represented to Defendant that he lives outside the United  
3 States.

4 **REQUEST FOR ADMISSION NO. 11:**

5 Admit that you have collaborated with John Mulvehill (a.k.a. John Anthony) since this  
6 lawsuit began.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

8 Objection: The term “collaborated with” is vague and ambiguous such that it is impossible  
9 to respond to this request. This request is overbroad, unduly burdensome, and is not proportional  
10 to the needs of the case. It is not limited in scope to any of the statements at issue or any other  
11 issues relevant to the parties’ claims or defenses. Post-suit conduct does not have any relevance  
12 to the parties’ claims or defenses, the Complaint contains no reference to such conduct, and the  
13 deadline to amend the pleadings has passed.

14 Notwithstanding the foregoing objections, Defendant responds as follows: Admitted that  
15 Defendant and Mr. Mulvehill have appeared in a video together since this lawsuit began.

16 Dated: March 21, 2022.

17 Respectfully Submitted,

18 /s/ Alex J. Shepard

19 Marc J. Randazza, NV Bar No. 12265

20 Alex J. Shepard, NV Bar No. 13582

21 RANDAZZA LEGAL GROUP, PLLC

22 2764 Lake Sahara Drive, Suite 109

23 Las Vegas, NV 89117

24 Attorneys for Defendants

25 Spencer Cornelia, Cornelia Media LLC,

26 and Cornelia Education LLC

Case No. 2:21-cv-01173-JCM-EJY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 21, 2022, I served the foregoing document upon counsel for Plaintiffs Wealthy Inc. and Dale Buczkowski, listed below, via electronic mail:

**PETERSON BAKER, PLLC**  
Tamara Beatty Peterson, Esq.  
<tpeterson@petersonbaker.com>  
Nikki L. Baker, Esq.  
<nbaker@petersonbaker.com>  
701 S. 7<sup>th</sup> Street  
Las Vegas, NV 89101

**Culhane Meadows PLLC**  
Jeffrey Vockrodt, Esq.  
<jvockrodt@cm.law>  
David Jacoby, Esq.  
<djacoby@cm.law>  
888 Main Street, #543  
New York, NY 10044

Respectfully submitted,

/s/ Suzanne Levenson  
\_\_\_\_\_  
Employee,  
Randazza Legal Group, PLLC



# **EXHIBIT 13**

## **Cornelia Education LLC's Response to Plaintiffs' First Set of Requests for Admission**

**EXHIBIT 13**

RANDAZZA | LEGAL GROUP

Marc J. Randazza, NV Bar No. 12265  
Alex J. Shepard, NV Bar No. 13582  
RANDAZZA LEGAL GROUP, PLLC  
2764 Lake Sahara Drive, Suite 109  
Las Vegas, NV 89117  
Telephone: 702-420-2001  
Facsimile: 305-437-7662  
ecf@randazza.com

Attorneys for Defendants  
Spencer Cornelia, Cornelia Media LLC,  
and Cornelia Education LLC

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WEALTHY INC. and DALE  
BUCZKOWSKI,  
  
Plaintiff,  
  
v.  
  
SPENCER CORNELIA, CORNELIA  
MEDIA LLC, and CORNELIA  
EDUCATION LLC,  
  
Defendants.

Case No. 2:21-cv-01173-JCM-EJY

**DEFENDANT CORNELIA EDUCATION  
LLC’S RESPONSES TO PLAINTIFFS’  
FIRST SET OF REQUESTS FOR  
ADMISSION PURSUANT TO FRCP 36**

Pursuant to Fed. R. Civ. P. 26 and 36, Defendant Cornelia Education LLC hereby responds to Plaintiffs Wealthy Inc. and Dale Buczkowski’s (collectively, “Plaintiffs”) First Set of Requests for Admission Pursuant to FRCP 36.

These responses are made solely for the purpose of, and in relation to, this action. Each response is given subject to all appropriate objections (including but not limited to objections concerning competency, relevancy, materiality, propriety, and admissibility), which would require the exclusion of any statement contained herein if the request were asked of, or any statement contained herein was made by, a witness present and testifying in court. All such objections and grounds therefore are reserved and may be interposed at the time of trial.

1 Except for facts explicitly admitted herein, no admission of any nature whatsoever is to be  
2 implied or inferred. The fact that any request herein has been responded upon should not be taken  
3 as an admission, or a concession, of the existence of any facts set forth or assumed by such request,  
4 or that such response constitutes evidence of any fact thus set forth or assumed. All responses  
5 must be construed as given on the basis of present recollection.

6 **GENERAL OBJECTIONS**

7 1. Defendant objects to the subject interrogatories to the extent that they request the  
8 disclosure of information protected by the attorney-client privilege, the work-product doctrine, or  
9 any other recognized privilege or immunity.

10 2. Defendant objects to the subject requests to the extent that they do not seek relevant  
11 information or are not proportional to the needs of the case. The providing of answers in response  
12 to any request is not to be deemed or construed as an admission by Defendant that the information  
13 is in fact relevant to this action.

14 3. Defendant objects to the subject requests to the extent that they call for information  
15 not in the possession, custody, or control of Defendant.

16 4. To the extent words or phrases used in the requests are vague, ambiguous, or  
17 otherwise overbroad, Defendant shall respond in a manner in which it believes, in good faith, to  
18 be requested thereby.

19 5. Defendant states that discovery in this matter is continuing and ongoing and that it  
20 is possible that additional information responsive to the requests will be identified subsequent to  
21 the date of this response.

22 6. All responses made herein are based upon the best knowledge, information, and  
23 belief held by Defendant at the time of the response.

24 7. Defendant objects to the Definitions to the extent they conflict with the definitions  
25 applicable in the Federal Rules of Civil Procedure and/or the Local Rules of this Court.

1 8. Defendant objects to the Instructions to the extent they impose any obligation  
2 beyond that required by the Federal Rules of Civil Procedure or the Local Rules of this Court.

3 9. Defendant incorporates these General Objections into each and every specific  
4 response as if fully set forth therein.

5 Subject to and without waiving the foregoing General Objections, Defendant specifically  
6 responds to each numbered Request for Admission as follows:

7 **RESPONSES TO REQUESTS FOR ADMISSION**

8 **REQUEST FOR ADMISSION NO. 1:**

9 Admit that document WEALTHY000058-WEALTHY000089 is a true and authentic  
10 transcript of the First Video.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 1:**

12 Admitted.

13 **REQUEST FOR ADMISSION NO. 2:**

14 Admit that document WEALTHY000116-000172 is a true and authentic transcript of the  
15 First video.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 2:**

17 Denied.

18 **REQUEST FOR ADMISSION NO. 3:**

19 Admit that document WEALTHY000448-WEALTHY000461 is a true and authentic  
20 transcript of the First Video.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

22 Denied.

23 **REQUEST FOR ADMISSION NO. 4:**

24 Admit that document WEALTHY000184-WEALTHY000201 is a true and authentic  
25 transcript of the Video entitled “Spencer Cornelia SUED by a Pick Up Artist?” appearing on the  
26 YouTube channel “The Drip” and produced by Plaintiffs as document WEALTHY000202.

RAN  
DAZZA | LEGAL GROUP

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

2 Admitted.

3 **REQUEST FOR ADMISSION NO. 5:**

4 Admit that document WEALTHY000212-WEALTHY000255 is a true and authentic  
5 transcript of the Video entitled “Getting Sued By a Fake Guru | Spencer Cornelia” and produced  
6 by Plaintiffs as document WEALTHY000256.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 5:**

8 Admitted.

9 **REQUEST FOR ADMISSION NO. 6:**

10 Admit that You posted the following comment in the comment section of the YouTube  
11 video entitled “Derek Moneyberg Instagram REMOVED!! Fake Followers PUNISHED  
12 LMAOOO | RSD Derek” shown in document WEALTHY000389:

13 “Derek’s man boobs were against Instagram’s Terms of Service leading to an  
14 immediate termination. In the email, Instagram made it clear that Derek is at least  
15 50 pounds away from appeal court.”

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 6:**

17 Admitted.

18 **REQUEST FOR ADMISSION NO. 7:**

19 Admit that You deleted the following comment from the comment section of the YouTube  
20 video entitled “Derek Moneyberg Instagram REMOVED!! Fake Followers PUNISHED  
21 LMAOOO | RSD Derek” shown in document WEALTHY000389:

22 “Derek’s man boobs were against Instagram’s Terms of Service leading to an  
23 immediate termination. In the email, Instagram made it clear that Derek is at least  
24 50 pounds away from appeal court.”

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

26 Admitted.

1 **REQUEST FOR ADMISSION NO. 8:**

2 Admit that You posted the following comment in the comment section of a YouTube  
3 video after the present lawsuit was filed:

4 “filed in Vegas, lawyer said it might be tricky as something about the judge isn’t  
5 favorable to anti-slapp. i’m hoping for quick dismissal for sure since this is certainly  
6 a bullying case. I didn’t even make the claims, my guest did (in the videos related  
7 to the case).”

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

9 Admitted.

10 **REQUEST FOR ADMISSION NO. 9:**

11 Admit that You made the following statement on YouTube video after the present lawsuit  
12 was filed:

13 “While on the phone with my lawyer, we were discussing my case and the strategy  
14 will use to prove I’m not guilty of all the claims. I’m obviously going to keep this  
15 very brief and summarize the call, but I essentially asked him when he’s like to hear  
16 the mountains of proof I accumulated over the last two weeks, proving that the  
17 lawsuit has as many flaws as the client of a super greedy plastic surgeon, Hey,  
18 lawyer, I have screenshots, emails, documents, You tell me what you need. Then I  
19 learned that lawsuits are more of a cat and mouse game, as opposed to- “Here’s the  
20 evidence, I’m not guilty, can you leave me along now, Plaintiff?” Now that I  
21 understand law 100 times better than I did previously, I’m going to share with you  
22 why fake gurus on social media are able to basically get away with whatever they  
23 want right now.”

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

25 Admitted.

26 **REQUEST FOR ADMISSION NO. 10:**

27 Admit that John Mulvehill (a.k.a. John Anthony) currently resides outside the United  
States.

///

///

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

2 Admitted that Mr. Mulvehill has represented to Defendant that he lives outside the United  
3 States.

4 **REQUEST FOR ADMISSION NO. 11:**

5 Admit that you have collaborated with John Mulvehill (a.k.a. John Anthony) since this  
6 lawsuit began.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

8 Objection: The term “collaborated with” is vague and ambiguous such that it is impossible  
9 to respond to this request. This request is overbroad, unduly burdensome, and is not proportional  
10 to the needs of the case. It is not limited in scope to any of the statements at issue or any other  
11 issues relevant to the parties’ claims or defenses. Post-suit conduct does not have any relevance  
12 to the parties’ claims or defenses, the Complaint contains no reference to such conduct, and the  
13 deadline to amend the pleadings has passed.

14 Notwithstanding the foregoing objections, Defendant responds as follows: Admitted that  
15 Defendant and Mr. Mulvehill have appeared in a video together since this lawsuit began.

16 Dated: March 21, 2022.

17 Respectfully Submitted,

18 /s/ Alex J. Shepard

19 Marc J. Randazza, NV Bar No. 12265

20 Alex J. Shepard, NV Bar No. 13582

21 RANDAZZA LEGAL GROUP, PLLC

22 2764 Lake Sahara Drive, Suite 109

23 Las Vegas, NV 89117

24 Attorneys for Defendants

25 Spencer Cornelia, Cornelia Media LLC,

26 and Cornelia Education LLC

Case No. 2:21-cv-01173-JCM-EJY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 21, 2022, I served the foregoing document upon counsel for Plaintiffs Wealthy Inc. and Dale Buczkowski, listed below, via electronic mail:

**PETERSON BAKER, PLLC**  
Tamara Beatty Peterson, Esq.  
<tpeterson@petersonbaker.com>  
Nikki L. Baker, Esq.  
<nbaker@petersonbaker.com>  
701 S. 7<sup>th</sup> Street  
Las Vegas, NV 89101

**Culhane Meadows PLLC**  
Jeffrey Vockrodt, Esq.  
<jvockrodt@cm.law>  
David Jacoby, Esq.  
<djacoby@cm.law>  
888 Main Street, #543  
New York, NY 10044

Respectfully submitted,

/s/ Suzanne Levenson  
Employee,  
Randazza Legal Group, PLLC



# **EXHIBIT 14**

## **Spencer Cornelia's Response to Plaintiffs' Second Set of Requests for Admission**

**EXHIBIT 14**

RANAZZA | LEGAL GROUP

Marc J. Randazza, NV Bar No. 12265  
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Attorneys for Defendants  
Spencer Cornelia, Cornelia Media LLC,  
and Cornelia Education LLC

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WEALTHY INC. and DALE  
BUCZKOWSKI,  
  
Plaintiff,  
  
v.  
  
SPENCER CORNELIA, CORNELIA  
MEDIA LLC, and CORNELIA  
EDUCATION LLC,  
  
Defendants.

Case No. 2:21-cv-01173-JCM-EJY

**DEFENDANT SPENCER CORNELIA’S  
RESPONSES TO PLAINTIFFS’ SECOND  
SET OF REQUESTS FOR ADMISSION  
PURSUANT TO FRCP 36**

Pursuant to Fed. R. Civ. P. 26 and 36, Defendant Spencer Cornelia hereby respond to Plaintiffs Wealthy Inc. and Dale Buczkowski’s (collectively, “Plaintiffs”) Second Set of Requests for Admission Pursuant to FRCP 36.

These responses are made solely for the purpose of, and in relation to, this action. Each response is given subject to all appropriate objections (including but not limited to objections concerning competency, relevancy, materiality, propriety, and admissibility), which would require the exclusion of any statement contained herein if the request were asked of, or any statement contained herein was made by, a witness present and testifying in court. All such objections and grounds therefore are reserved and may be interposed at the time of trial.

1 Except for facts explicitly admitted herein, no admission of any nature whatsoever is to be  
2 implied or inferred. The fact that any request herein has been responded upon should not be taken  
3 as an admission, or a concession, of the existence of any facts set forth or assumed by such request,  
4 or that such response constitutes evidence of any fact thus set forth or assumed. All responses  
5 must be construed as given on the basis of present recollection.

6 **GENERAL OBJECTIONS**

7 1. Defendant objects to the subject requests to the extent that they request the  
8 disclosure of information protected by the attorney-client privilege, the work-product doctrine, or  
9 any other recognized privilege or immunity.

10 2. Defendant objects to the subject requests to the extent that they do not seek relevant  
11 information or are not proportional to the needs of the case. The providing of answers in response  
12 to any request is not to be deemed or construed as an admission by Defendant that the information  
13 is in fact relevant to this action.

14 3. Defendant objects to the subject requests to the extent that they call for information  
15 not in the possession, custody, or control of Defendant.

16 4. To the extent words or phrases used in the requests are vague, ambiguous, or  
17 otherwise overbroad, Defendant shall respond in a manner in which he believes, in good faith, to  
18 be requested thereby.

19 5. Defendant states that discovery in this matter is continuing and ongoing and that it  
20 is possible that additional information responsive to the requests will be identified subsequent to  
21 the date of this response.

22 6. All responses made herein are based upon the best knowledge, information, and  
23 belief held by Defendant at the time of the response.

24 7. Defendant objects to the Definitions to the extent they conflict with the definitions  
25 applicable in the Federal Rules of Civil Procedure and/or the Local Rules of this Court.

1 8. Defendant objects to the Instructions to the extent they impose any obligation  
2 beyond that required by the Federal Rules of Civil Procedure or the Local Rules of this Court.

3 9. Defendant incorporates these General Objections into each and every specific  
4 response as if fully set forth therein.

5 Subject to and without waiving the foregoing General Objections, Defendant specifically  
6 responds to each numbered Request for Admission as follows:

7 **RESPONSES TO REQUESTS FOR ADMISSION**

8 **REQUEST FOR ADMISSION NO. 12:**

9 Admit that document WEALTHY000116-000172 is a true and authentic transcript of the  
10 Second Video.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 12:**

12 Admitted.

13 **REQUEST FOR ADMISSION NO. 13:**

14 Admit that document WEALTHY000448-000461 is a true and authentic transcript of the  
15 Third video.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 13:**

17 Admitted.

18 Dated: June 10, 2022.

19 Respectfully Submitted,

20 /s/ Alex J. Shepard

21 Marc J. Randazza, NV Bar No. 12265

22 Alex J. Shepard, NV Bar No. 13582

23 RANDAZZA LEGAL GROUP, PLLC

24 2764 Lake Sahara Drive, Suite 109

25 Las Vegas, NV 89117

26 Attorneys for Defendants

27 Spencer Cornelia, Cornelia Media LLC,

and Cornelia Education LLC

Case No. 2:21-cv-01173-JCM-EJY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 10, 2022, I served the foregoing document upon counsel for Plaintiffs Wealthy Inc. and Dale Buczkowski, listed below, via electronic mail:

**PETERSON BAKER, PLLC**  
Tamara Beatty Peterson, Esq.  
<tpeterson@petersonbaker.com>  
Nikki L. Baker, Esq.  
<nbaker@petersonbaker.com>  
701 S. 7<sup>th</sup> Street  
Las Vegas, NV 89101

**Culhane Meadows PLLC**  
Jeffrey Vockrodt, Esq.  
<jvockrodt@cm.law>  
David Jacoby, Esq.  
<djacoby@cm.law>  
888 Main Street, #543  
New York, NY 10044

Respectfully submitted,

/s/ Brittani M. Holt  
Employee,  
Randazza Legal Group, PLLC

# **EXHIBIT 15**

## **Cornelia Media LLC's Response to Plaintiffs' Second Set of Requests for Admission**

**EXHIBIT 15**

RANDAZZA | LEGAL GROUP

Marc J. Randazza, NV Bar No. 12265  
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Attorneys for Defendants  
Spencer Cornelia, Cornelia Media LLC,  
and Cornelia Education LLC

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WEALTHY INC. and DALE  
BUCZKOWSKI,  
  
Plaintiff,  
  
v.  
  
SPENCER CORNELIA, CORNELIA  
MEDIA LLC, and CORNELIA  
EDUCATION LLC,  
  
Defendants.

Case No. 2:21-cv-01173-JCM-EJY

**DEFENDANT CORNELIA MEDIA  
LLC’S RESPONSES TO PLAINTIFFS’  
SECOND SET OF REQUESTS FOR  
ADMISSION PURSUANT TO FRCP 36**

Pursuant to Fed. R. Civ. P. 26 and 36, Defendant Cornelia Media LLC hereby responds to Plaintiffs Wealthy Inc. and Dale Buczkowski’s (collectively, “Plaintiffs”) Second Set of Requests for Admission Pursuant to FRCP 36.

These responses are made solely for the purpose of, and in relation to, this action. Each response is given subject to all appropriate objections (including but not limited to objections concerning competency, relevancy, materiality, propriety, and admissibility), which would require the exclusion of any statement contained herein if the request were asked of, or any statement contained herein was made by, a witness present and testifying in court. All such objections and grounds therefore are reserved and may be interposed at the time of trial.

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2 implied or inferred. The fact that any request herein has been responded upon should not be taken  
3 as an admission, or a concession, of the existence of any facts set forth or assumed by such request,  
4 or that such response constitutes evidence of any fact thus set forth or assumed. All responses  
5 must be construed as given on the basis of present recollection.

6 **GENERAL OBJECTIONS**

7 1. Defendant objects to the subject requests to the extent that they request the  
8 disclosure of information protected by the attorney-client privilege, the work-product doctrine, or  
9 any other recognized privilege or immunity.

10 2. Defendant objects to the subject requests to the extent that they do not seek relevant  
11 information or are not proportional to the needs of the case. The providing of answers in response  
12 to any request is not to be deemed or construed as an admission by Defendant that the information  
13 is in fact relevant to this action.

14 3. Defendant objects to the subject requests to the extent that they call for information  
15 not in the possession, custody, or control of Defendant.

16 4. To the extent words or phrases used in the requests are vague, ambiguous, or  
17 otherwise overbroad, Defendant shall respond in a manner in which it believes, in good faith, to  
18 be requested thereby.

19 5. Defendant states that discovery in this matter is continuing and ongoing and that it  
20 is possible that additional information responsive to the requests will be identified subsequent to  
21 the date of this response.

22 6. All responses made herein are based upon the best knowledge, information, and  
23 belief held by Defendant at the time of the response.

24 7. Defendant objects to the Definitions to the extent they conflict with the definitions  
25 applicable in the Federal Rules of Civil Procedure and/or the Local Rules of this Court.



1 8. Defendant objects to the Instructions to the extent they impose any obligation  
2 beyond that required by the Federal Rules of Civil Procedure or the Local Rules of this Court.

3 9. Defendant incorporates these General Objections into each and every specific  
4 response as if fully set forth therein.

5 Subject to and without waiving the foregoing General Objections, Defendant specifically  
6 responds to each numbered Request for Admission as follows:

7 **RESPONSES TO REQUESTS FOR ADMISSION**

8 **REQUEST FOR ADMISSION NO. 12:**

9 Admit that document WEALTHY000116-000172 is a true and authentic transcript of the  
10 Second Video.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 12:**

12 Admitted.

13 **REQUEST FOR ADMISSION NO. 13:**

14 Admit that document WEALTHY000448-000461 is a true and authentic transcript of the  
15 Third video.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 13:**

17 Admitted.

18 Dated: June 10, 2022.

19 Respectfully Submitted,

20 /s/ Alex J. Shepard

21 Marc J. Randazza, NV Bar No. 12265

22 Alex J. Shepard, NV Bar No. 13582

23 RANDAZZA LEGAL GROUP, PLLC

24 2764 Lake Sahara Drive, Suite 109

25 Las Vegas, NV 89117

26 Attorneys for Defendants

27 Spencer Cornelia, Cornelia Media LLC,

and Cornelia Education LLC

Case No. 2:21-cv-01173-JCM-EJY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 10, 2022, I served the foregoing document upon counsel for Plaintiffs Wealthy Inc. and Dale Buczkowski, listed below, via electronic mail:

**PETERSON BAKER, PLLC**  
Tamara Beatty Peterson, Esq.  
<tpeterson@petersonbaker.com>  
Nikki L. Baker, Esq.  
<nbaker@petersonbaker.com>  
701 S. 7<sup>th</sup> Street  
Las Vegas, NV 89101

**Culhane Meadows PLLC**  
Jeffrey Vockrodt, Esq.  
<jvockrodt@cm.law>  
David Jacoby, Esq.  
<djacoby@cm.law>  
888 Main Street, #543  
New York, NY 10044

Respectfully submitted,

/s/ Brittani M. Holt  
Employee,  
Randazza Legal Group, PLLC

# **EXHIBIT 16**

## **Cornelia Education LLC's Response to Plaintiffs' Second Set of Requests for Admission**

**EXHIBIT 16**

RANAZZA | LEGAL GROUP

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ecf@randazza.com

Attorneys for Defendants  
Spencer Cornelia, Cornelia Media LLC,  
and Cornelia Education LLC

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WEALTHY INC. and DALE  
BUCZKOWSKI,  
  
Plaintiff,  
  
v.  
  
SPENCER CORNELIA, CORNELIA  
MEDIA LLC, and CORNELIA  
EDUCATION LLC,  
  
Defendants.

Case No. 2:21-cv-01173-JCM-EJY

**DEFENDANT CORNELIA EDUCATION  
LLC’S RESPONSES TO PLAINTIFFS’  
SECOND SET OF REQUESTS FOR  
ADMISSION PURSUANT TO FRCP 36**

Pursuant to Fed. R. Civ. P. 26 and 36, Defendant Cornelia Education LLC hereby responds to Plaintiffs Wealthy Inc. and Dale Buczkowski’s (collectively, “Plaintiffs”) Second Set of Requests for Admission Pursuant to FRCP 36.

These responses are made solely for the purpose of, and in relation to, this action. Each response is given subject to all appropriate objections (including but not limited to objections concerning competency, relevancy, materiality, propriety, and admissibility), which would require the exclusion of any statement contained herein if the request were asked of, or any statement contained herein was made by, a witness present and testifying in court. All such objections and grounds therefore are reserved and may be interposed at the time of trial.

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2 implied or inferred. The fact that any request herein has been responded upon should not be taken  
3 as an admission, or a concession, of the existence of any facts set forth or assumed by such request,  
4 or that such response constitutes evidence of any fact thus set forth or assumed. All responses  
5 must be construed as given on the basis of present recollection.

6 **GENERAL OBJECTIONS**

7 1. Defendant objects to the subject requests to the extent that they request the  
8 disclosure of information protected by the attorney-client privilege, the work-product doctrine, or  
9 any other recognized privilege or immunity.

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11 information or are not proportional to the needs of the case. The providing of answers in response  
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13 is in fact relevant to this action.

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15 not in the possession, custody, or control of Defendant.

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17 otherwise overbroad, Defendant shall respond in a manner in which it believes, in good faith, to  
18 be requested thereby.

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20 is possible that additional information responsive to the requests will be identified subsequent to  
21 the date of this response.

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23 belief held by Defendant at the time of the response.

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25 applicable in the Federal Rules of Civil Procedure and/or the Local Rules of this Court.

1 8. Defendant objects to the Instructions to the extent they impose any obligation  
2 beyond that required by the Federal Rules of Civil Procedure or the Local Rules of this Court.

3 9. Defendant incorporates these General Objections into each and every specific  
4 response as if fully set forth therein.

5 Subject to and without waiving the foregoing General Objections, Defendant specifically  
6 responds to each numbered Request for Admission as follows:

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8 **REQUEST FOR ADMISSION NO. 12:**

9 Admit that document WEALTHY000116-000172 is a true and authentic transcript of the  
10 Second Video.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 12:**

12 Admitted.

13 **REQUEST FOR ADMISSION NO. 13:**

14 Admit that document WEALTHY000448-000461 is a true and authentic transcript of the  
15 Third video.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 13:**

17 Admitted.

18 Dated: June 10, 2022.

19 Respectfully Submitted,

20 /s/ Alex J. Shepard

21 Marc J. Randazza, NV Bar No. 12265

22 Alex J. Shepard, NV Bar No. 13582

23 RANDAZZA LEGAL GROUP, PLLC

24 2764 Lake Sahara Drive, Suite 109

25 Las Vegas, NV 89117

26 Attorneys for Defendants

27 Spencer Cornelia, Cornelia Media LLC,

and Cornelia Education LLC

Case No. 2:21-cv-01173-JCM-EJY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 10, 2022, I served the foregoing document upon counsel for Plaintiffs Wealthy Inc. and Dale Buczkowski, listed below, via electronic mail:

**PETERSON BAKER, PLLC**  
Tamara Beatty Peterson, Esq.  
<tpeterson@petersonbaker.com>  
Nikki L. Baker, Esq.  
<nbaker@petersonbaker.com>  
701 S. 7<sup>th</sup> Street  
Las Vegas, NV 89101

**Culhane Meadows PLLC**  
Jeffrey Vockrodt, Esq.  
<jvockrodt@cm.law>  
David Jacoby, Esq.  
<djacoby@cm.law>  
888 Main Street, #543  
New York, NY 10044

Respectfully submitted,

/s/ Brittani M. Holt  
Employee,  
Randazza Legal Group, PLLC