

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MONAT GLOBAL CORP,)	
)	
Plaintiff,)	Case No.
)	
v.)	Hon.
)	
KAYLA BAKER,)	
)	
Defendant.)	

ABBOTT NICHOLSON, P.C.
 By: William D. Gilbride, Jr. (P36830)
 And: Christopher R. Gura (P58437)
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COMPLAINT

NOW COMES Plaintiff, Monat Global Corp, by its undersigned counsel, and for its complaint against Defendant Kayla Baker, states as follows:

Parties to this Action

1. Monat Global Corp ("Monat") is a Florida corporation, with its principal place of business in Doral, Florida.

2. Kayla Baker ("Baker") is, upon information and belief, a citizen of the state of Michigan, and is domiciled in Highland Township, Oakland County, Michigan.

Jurisdiction and Venue

3. This Court has subject matter jurisdiction over Monat's claims under 28 U.S.C. § 1332 because Monat and Baker are citizens of different states, and the amount in controversy exceeds \$75,000.

4. Venue is proper in the Eastern District of Michigan because Baker resides here, and on information and belief, made the disparaging and defamatory statements, and carried out the unfair and deceptive acts at issue, in this district.

Background

5. Monat is a world-class designer, manufacturer, and distributor of hair care and personal products throughout the United States and Canada.

6. Monat sells its products using a direct sales model, under which it engages a number of independent sales representatives, referred to as "Market Partners," to market and distribute its products.

7. Monat provides commissions and other financial incentives to its Market Partners for sales they make, and for purchases and sales made by new and additional Market Partners that they recruit.

8. Monat's Market Partners utilize Facebook and other social media as the primary avenue of marketing Monat's products.

9. Baker is a hair stylist who, on information and belief, works at a salon.

10. On information and belief, the salon at which Baker works sells salon-brand hair care products in competition with Monat, including Paul Mitchell, Redken, OPI, Matrix, and others.

11. On information and belief, Baker receives a commission, or other job related incentives, to sell the salon-brand hair care products offered by the salon at which she works.

12. Baker's own Facebook posts demonstrate that the sale of Monat's products are cutting into her own sales, and that Baker is struggling to compete with Monat's Market Partners.

13. For instance, Baker has vehemently criticized Monat Market Partners for giving advice regarding the selection of hair care products.

14. Baker has stated that only stylists, like herself, should be permitted to advise consumers regarding the selection of haircare products.

15. Sometime in mid-January, Baker joined an online Facebook hate group called "Monat – My Modern Nightmare" (the "Group"), where Baker

learned that other stylists were frustrated from competition from Monat Market Partners, and that their clients were switching to Monat as well.

16. The Group was largely administered by other financially-driven hair stylists.

17. The Group provided a forum for individuals to attack and spread falsehoods about Monat's products, employees, and Market Partners.

18. As a member of that Group, and on her individual Facebook page, Baker began a smear campaign to relentlessly and falsely disparage Monat and its products.

19. On January 31, 2018 at 9:48 a.m., Baker posted the following message on Facebook:

I'm no longer against [Monat] just because they are non-professional. Women have become infertile, lost babies, started menopause early and at the least destructive-had their cycles changed and increased. Hair falling out in handfuls, bad medical problems and what is monat doing? Why, buying people cruises and Porsches of course! So share this. Us stylists have them scared cause we know their dirty secret now.

See Baker Facebook Post, dated January 31, 2018, 9:48 a.m., attached as **Exhibit A**.

20. Later that day, Baker continued spreading falsehoods about Monat, its products, and its executives:

I am making alllll of my Monat posts public #comegetme they lied about supposedly winning a court case against a stylist.

They are harassing stylists and defaming their names, businesses, insulting their spouses and family members. A few stylists in Michigan have already sworn off this crap. You think I was posting about you before MONAT Hair Care? Lol let's go. #monatisalie #professionalsagainstmonat Admins of Monat-My Modern Nightmare are dropping like flies because reps are harassing and threatening with lawsuits. So TRY ME. 1. Red clover is damaging to skin, and can cause hormonal imbalance. 2. You literally have relaxer ingredients in SHAMPOO. 3. Your CEO was part of a huge Ponzi scheme. 4. If somebody is paying me to bash you they owe me a lottttttt of money. MONAT where you at?!

See Baker Facebook Post, dated January 31, 2018, 4:07 p.m., attached as

Exhibit B.

21. On January 31, 2018, at approximately 6:29 p.m., Baker made the following Facebook comment about Monat and its products:

I'm a hairstylist. I am a licensed cosmetologist and I will stand against this product line with everything I have because I gave an oath to be of good moral character and protect the integrity of people's hair. I have held sobbing clients in my arms who's self esteem was crushed when their hair fell out. I have seen/heard and read this company VICTIM BLAME consumers. My friend miscarried her baby and they blamed her even though she had open scalp sores and direct exposure to red clover..I had a sample and gave it to something deserving, my toilet.

See Baker Facebook post, dated January 31, 2018, 6:29 p.m., attached as **Exhibit C.**

22. Based on her false, malicious, and outrageous Facebook posts, Baker quickly gained notoriety and popularity within the Group and on Facebook generally.

23. In fact, on February 2, 2018, Baker noted her self-described "newfound fame," and stated that she "went from having 1-3 friend requests a month to 30+ A DAY."

24. Baker's false statements and malicious lies caused damage to Monat's business and reputation.

25. On February 6, 2018, Monat sent Baker a demand letter, informing her that her posts were scientifically and factually false, and therefore defamatory ("Demand Letter"). See Monat Demand Letter, dated February 6, 2018, attached as **Exhibit D**, at 1–2.

26. Monat demanded that Baker remove all defamatory posts about Monat from her personal Facebook page and the Group, and that Baker immediately stop making defamatory posts about Monat and its products. *Id.*

27. Monat additionally demanded that Baker respond in writing to Monat's Demand Letter by 5:00 p.m. (Eastern Time) on Thursday, February 8, 2018, stating that she would comply with Monat's demands. *Id.* at 2.

28. Monat warned Baker that if she failed to comply, Monat would take necessary legal action to protect its business and good name. *Id.* at 2.

29. Monat's Demand Letter was delivered to Baker on February 7, 2018 at approximately 4:11 p.m. *Id.* at 4.

30. That same day, at approximately 5:51 p.m., Baker called Monat's legal counsel, and left a voicemail stating that she received Monat's Demand Letter.

31. In her voicemail, Baker told Monat's legal counsel, among other things, "last time I checked it is not against the law to give a review on a product. It is also freedom of speech for me to say whatever I want on my personal Facebook page, but if you would like to pursue this as a lawsuit I'm going to go ahead and give your letter to a lawyer. . . ."

32. Baker has not responded in writing as requested by Monat in its Demand Letter.

33. Baker did not remove her defamatory posts, and instead, continued to make additional false and defamatory posts about Monat.

34. On Monday February 12, 2018, shortly after midnight, Baker created a Facebook post titled "Why I hate Monat Products: An essay by Kayla Baker" ("February 12 Post"). See Baker Facebook Post, dated February 12, 2018, attached as **Exhibit E**.

35. In her February 12 Post, Baker disparaged Monat, stating, "it is a product corporation ran by non-professionals, that are not educated on how to keep the integrity of the hair, how to truly understand uses of products and benefits of products, or apparently even what breakage is." *Id.*

36. Ms. Baker continued, "Monat has been receiving complaints and concerns since 2014 but has trained and brainwashed MP's [(i.e., Market Partners)] to alleviate the concerns or lie directly to avoid cancellations." *Id.*

37. Baker represented that Monat products contain red clover, which "is being absorbed through open sores on people's scalps," that "[r]ed clover is in the hairspray so people are ingesting it," and that "[h]ormonal issues, pregnancy problems and miscarriage have been linked to red clover."

38. On February 16, 2018, at 10:53 a.m., Baker created a Facebook post displaying supposed "before and after" pictures of a young child under the age of 5. Regarding the picture, Baker makes the following representation:

This poor babies hair loss is PERMANENT! [crying emoji].
The damage to the scalp and hair follicles is too extensive to support new growth! The mother IS suing Monat.. She has proof from the Dr. that Monat caused it.

See Baker Facebook Post, Dated February 16, 2018, attached as **Exhibit F**.

39. Individually and collectively, Baker's Facebook posts explicitly or impliedly misrepresent that Monat's products cause miscarriages, infertility, hormonal imbalance, scalp sores, hair loss, and balding.

40. The comments on Baker's Facebook posts indicate that people actually believe Baker's false statements about Monat. For instance, one individual commented, "[t]he more I read about the Monat product the more I believe it's just a large scale sad attempt at sterilizing the human race by the wealthy. Just my

humble opinion on the information presented by multiple sources. Go Kayla, F--k 'em up." *Id.* (expletive edited). Baker responded, "[t]he rabbithole [sic] that is this company goes deeper and deeper lol. Thanks hun." *Id.*

41. Baker's Facebook posts and comments have been adopted and republished by a number of individuals, many of whom, on information and belief, have a financial interest in disparaging Monat's products.

42. On information and belief, Baker has made other defamatory statements, and her actions indicate she is likely to continue to make additional statements of a similar nature in the future.

43. There is no scientific or factual basis for Baker's claims.

44. Monat's products have passed all clinical safety tests to which they have been subjected.

45. The ingredients in all of Monat's products have been verified as safe for consumer use by the United States Food and Drug Administration and the European Commission in the European Union, in the quantities that Monat uses them.

46. Monat takes seriously the consumer complaints it receives, and investigates each complaint to the fullest extent permitted by the consumer.

47. Despite selling hundreds of millions of dollars in hair care and personal products, to hundreds of thousands of customers, Monat has seen no bona

fide evidence that Monat's products cause hormonal imbalance, scalp sores, hair loss, and balding.

48. In particular, Baker's comments that Monat products cause miscarriages, infertility, and other reproductive issues are egregiously false. Moreover, Baker's assertion that red clover is the source of these problems is also false.

49. Red clover is a plant, and an ingredient that is commonly used in medicines, topical lotions, foods, and beverages, and is widely deemed safe for human ingestion. Such information is publicly available.

50. Although Baker is one individual, she has used her social media account as a platform to falsely and maliciously disparage Monat, its executives, and its products, and to attempt to gravely injure the business.

51. Baker has published her posts, comments, and statements directly to, on information and belief, hundreds of people.

52. Thousands more have likely viewed Baker's posts by virtue of Facebook's "share" feature, which allows any user to publish to their entire Facebook network another user's post.

53. Baker's posts have been "shared" on numerous occasions.

54. In addition, Baker's Facebook page is publicly accessible, so her posts can be accessed by individuals who are merely surfing Facebook or Google.

55. Baker's Facebook posts are particularly damaging to Monat because Facebook is the primary avenue through which Monat Market Partners promote Monat's products.

56. Through the efforts of its Market Partners, Monat generated over \$200 million in sales in 2017.

57. Baker's false and malicious statements have caused, and continue to cause, Monat to lose product sales. Her statements have improperly, and without justification, dissuaded potential customers from using Monat's products, and have caused existing customers to stop using Monat's products.

58. For example, at least one pregnant woman has told a Market Partner that although she believes the statements regarding miscarriages, infertility, and hormonal imbalances are false, she will not continue to use or purchase Monat products because it is not worth taking the risk that the statements are true.

59. Baker's false and malicious statements have damaged, and continue to damage, Monat's ability to attract new Market Partners.

60. Baker's false and malicious statements have damaged, and continue to damage, Monat's relationships with its current Market Partners and their ability to market and sell Monat's products.

61. Baker's statements have also damaged Monat because they have prevented consumers from purchasing Monat's products, and have deterred Market Partners from working, or continuing to work, with Monat.

**COUNT I:
INJURIOUS FALSEHOOD/COMMERCIAL DISPARAGEMENT**

62. Monat incorporates paragraphs 1 through 61 as this paragraph 62.

63. On her public Facebook page, Baker published falsehoods about the quality, condition, and value of Monat's products.

64. Baker's Facebook Posts were published to hundreds or, on information and belief, even thousands of individuals.

65. Baker made her statements with knowledge of their falsity, or while being reckless with regard to their falsity, and without any privilege to do so.

66. Baker intentionally made false statements to cause damage to Monat's business and product sales.

67. Baker's statements damaged Monat's sales, the value of its products, and Monat's relationships with its Market Partners, in excess of \$75,000.

68. Baker made her statements with willful and malicious intent, as demonstrated by the content of her posts, and the fact that she refused to remove them, and she continued to make additional false statements, even after being presented with Monat's Demand Letter.

WHEREFORE, Monat Global Corp requests the following relief against Defendant Kayla Baker:

- a) permanent injunctive relief requiring Baker to remove from her Facebook and the Internet all of her false statements concerning Monat's products;
- b) permanent injunctive relief preventing Baker from publishing further false statements concerning Monat's products;
- c) an order requiring Baker to release public statements to ameliorate the negative effect of her false statements;
- d) compensatory damages based on injury Baker caused to Monat's sales, the value of its products, and business interests;
- e) exemplary damages in excess of \$225,000 for Baker's maliciously false statements; and
- f) any other just relief.

**COUNT II:
VIOLATION OF THE MICHIGAN CONSUMER PROTECTION ACT
M.C.L. 445.903**

69. Monat incorporates paragraphs 1 through 61 as this paragraph 69.

70. Baker has publicly and falsely represented that Monat's products are of an inferior standard, quality, and grade, in violation of M.C.L. 445.903(1)(e).

71. Baker has disparaged Monat's goods, services, business, and reputation by false and misleading misrepresentations of fact, in violation of M.C.L. 445.903(1)(f).

72. Baker promotes the sale of salon-brand products in commercial competition with Monat.

73. On information and belief, Baker receives commissions or other job incentives for selling such products.

74. Both Baker and Monat are engaged in the conduct of trade or commerce.

75. The products offered by Baker and Monat are primarily for personal, household, and family use.

76. Baker's Facebook posts have the tendency to deceive or mislead consumers, and have in fact deceived and misled consumers by telling them that Monat's products are detrimental to their health and well-being, when no such danger exists.

77. Baker's statements have caused injury to Monat, as they have prevented consumers from purchasing Monat's products, and have deterred Market Partners from working with Monat.

78. Baker's deceptive and unfair business practices have damaged Monat's sales, its business relationships with Market Partners, and its ability to recruit prospective Market Partners, in excess of \$75,000.

79. Baker's statements and conduct demonstrate a clear intent to deceive consumers and gravely injure Monat's business and reputation, as demonstrated by her willingness to fabricate claims and allegations to advance her aims.

WHEREFORE, Monat Global Corp requests the following relief against Defendant Kayla Baker:

- a) permanent injunctive relief requiring Baker to remove from her Facebook and the internet all false statements concerning Monat and its products;
- b) permanent injunctive relief preventing Baker from publishing further unfair and deceptive statements concerning Monat and its products (M.C.L. 445.911(1)(b));
- c) an order requiring Baker to release public statements to ameliorate the consumer confusion resulting from Baker's false statements;
- d) actual damages resulting from Baker's unfair and deceptive practices;
- e) reasonable attorneys' fees incurred to bring and prosecute this action, pursuant to statute (M.C.L. 445.911(1)(2)); and
- f) any other just relief.

**COUNT III:
DEFAMATION/LIBEL**

80. Monat incorporates paragraphs 1 through 61 as this paragraph 80.

81. On her public Facebook page, Baker published falsehoods about Monat, its products, and its executives, on information and belief, to hundreds or even thousands of individuals.

82. Baker's statements were intended to, and did, impugn Monat's reputation, its good name, and its ability to conduct its business.

83. Baker's statements are not capable of multiple interpretations. Each was directed at Monat, its products, and its executives, and were intended to cause damage to each.

84. There is no applicable privilege covering Baker's statements.

85. Baker knew her statements were false, or she was reckless with regard to the truth or falsity of her statements.

86. In context, a reasonable person viewing Baker's statements as a whole, or individually, would understand that she represented that Monat's products cause miscarriages, infertility, hormonal imbalance, scalp sores, hair loss, and balding.

87. Baker's statements have caused mental anguish and unnecessary stress for Monat employees who have had to deal with the business repercussions of Baker's false statements.

88. As a result of Baker's statements, Monat has suffered damage to its sales, its corporate reputation, and its relationships with its current and prospective customers and Market Partners, in excess of \$75,000.

89. Despite receiving Monat's written Demand Letter, and being given a reasonable time to retract her statements, Baker refused, and instead, continued to make additional defamatory posts.

90. Baker made her statements with willful and malicious intent, as demonstrated by the content of her posts, and her actions after receiving Monat's Demand Letter.

WHEREFORE, Monat Global Corp requests the following relief against Defendant Kayla Baker:

- a) permanent injunctive relief requiring Baker to remove from her Facebook and the Internet all her false statements concerning Monat and its products;
- b) permanent injunctive relief preventing Baker from publishing further false statements concerning Monat and its products;
- c) an order requiring Baker to release public statements to ameliorate the negative effects of her false statements;
- d) compensatory damages based on Monat's mental anguish and injury caused to Monat's sales, reputation, and business interests;

e) exemplary damages in excess of \$225,000 for Baker's maliciously false statements, and for her failure to make retractions after being given notice and a reasonable time to comply (M.C.L. § 600.2911(2)(b)); and

f) any other just relief.

**COUNT IV:
TORTIOUS INTERFERENCE WITH BUSINESS RELATIONSHIP OR
EXPECTANCY**

91. Monat incorporates paragraphs 1 through 61 as this paragraph 91.

92. Monat has had a network of Market Partners since October 2014.

93. Monat's existing Market Partners are continually attempting to recruit new Market Partners to sell Monat's products.

94. Baker is aware of Monat's current and prospective relationships with existing and potential Market Partners because, on multiple occasions, she referenced Monat Market Partners in her Facebook posts.

95. Baker actively spreads falsehoods about Monat and its products to directly impugn existing Market Partners, and to discourage prospective Market Partners, and customers, from associating with Monat and purchasing its products.

96. Baker took these actions without any justification, and did so based on a profit motive, and to fuel her anger and resentment towards Monat.

97. Baker intentionally made false statements about Monat and its products to unjustifiably interfere with Monat's existing and prospective

relationships with its Market Partners and customers, and to induce those persons to not do business with Monat.

98. Baker's intentional and unjustified interference and false statements have caused existing and prospective Market Partners to choose to not do business with Monat.

99. Baker's intentional and unjustified interference has caused customers to decide to forego purchasing products from Monat. Such economic transactions would have occurred but for Baker's interference.

100. Baker made her statements with willful and malicious intent, as demonstrated by the content of her posts, and the fact that she refused to remove them, and she continued to make additional false statements even after being presented with Monat's Demand Letter.

WHEREFORE, Monat Global Corp requests the following relief against Defendant Kayla Baker:

- a) permanent injunctive relief against Baker preventing her from unjustifiably interfering with Monat's prospective business relationships;
- b) an order requiring Baker to release public statements to ameliorate the negative effect of her unjustified interference;
- c) compensatory damages based on injury to Monat's foregone opportunities with current and prospective Market Partners and customers;

- d) exemplary damages in excess of \$225,000 for Baker's intentional and malicious interference; and
- e) any other just relief.

Dated: February 19, 2018

ABBOTT NICHOLSON, P.C.

By: /s/Christopher R. Gura
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EXHIBIT B	Baker Facebook Post, dated January 31, 2018, 4:07 p.m.
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EXHIBIT F	Baker Facebook Post, dated February 14, 2018

Exhibit A

Navigation menu for Kayla Baker's profile, including 'Timeline' and 'Recent' dropdowns, and a section for an 'Untitled Album' set to 'Public'.

Kayla Baker added 9 new photos
January 31 at 9:48am
Okay so. A lot of y'all have asked me what I think about Monat. But guys I'm no longer against them just because they are non-professional. Women have become infertile, lost babies, started menopause early and at the least destructive-had their cycles changed and increased. Hair falling out in handfuls, bad medical problems and what is monat doing? Why, buying people cruises and Porsches of course! So share this. Us stylists have them scared cause we know their dirty secret now.

'Did You Know' section featuring a grid of images and text: 'my favorite still life... meet any figure from the past, present or future, I would...', 'I know how to choose to control fire or water', and language options: English (US), Español, Português (Brasil), Français (France), Deutsch.

Link to 'readlabelsforyou.com/monat-revive-shampoo-review/' with a 'Like' button and a reply: 'However, when used in products, it is synthesized in labs by reacting benzyl chloride with sodium hydroxide. Sodium hydroxide is a relaxer. No wonder people are having issues with losing there curl.'

Facebook post snippet from 'Modern Highmire' with a '+5' reaction indicator and a photo of a woman.

Vertical sidebar on the right side of the page containing 'MORE CONTACTS (25)', a search bar, and a list of contact names with time indicators (3m, 4h, 34m, 18h).

Exhibit B

Kayla Baker

Home

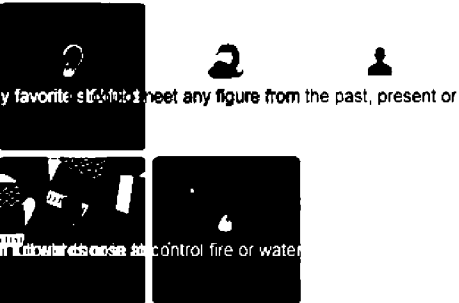
Kayla Baker Timeline Recent

See what you have in common with Kayla's friends

Featured Albums



Did You Know



Language options: Español, Português (Brasil), Français (France), Deutsch

Comment on this post

Kayla Baker added 6 new photos

I am making allllll of my Monat posts public #comegetme they lied about supposedly winning a court case against a stylist. They are harassing stylists and defaming their names, businesses, insulting their spouses and family members. A few stylists in Michigan have already sworn off this crap. You think I was posting about you before MONAT Hair Care? Lol let's go. #monatisalie #professionalsagainstmonat Admins of Monat - My Modern Nightmare are dropping like flies because reps are harassing and threatening with lawsuits. So TRY ME. 1. Red clover is damaging to skin, and can cause hormonal imbalance 2. You literally have relaxer ingredients in SHAMPOO. 3. Your CEO was part of a huge ponzi scheme. 4. If somebody is paying me to bash you they owe me a lottttttt of money. MONAT where you at?!

Marked out the names and faces because I don't want to get sued lol, but these are the 2 top income earners in Monat. Is it a coincidence that their hair is so short or did Monat products break all of their hair off too? Maybe they don't see the problem because this 'problem' is making them 100k+ a month in income...

Telex FREE

As the new Telex Free owner \$5 billion in Ponzi Riches... (text continues with details of the scheme)

Before the bankruptcy a suit... (text continues with details of the lawsuit)

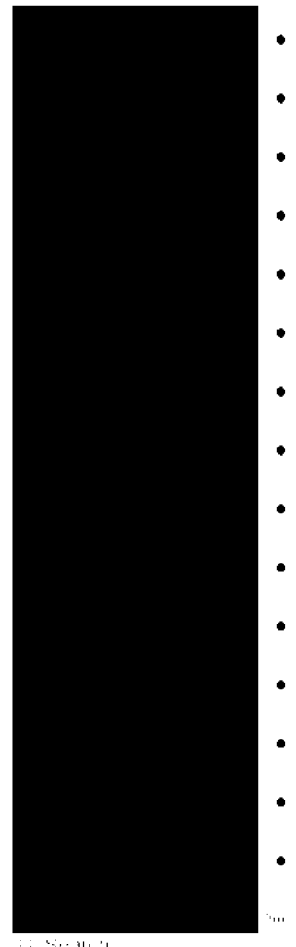


Exhibit C

← Comments 🔍

shots that could or could not be legit. State your purpose instead of throwing screen shots everywhere.

Like

Kayla Baker
 I'm a hairstylist. I am a licensed cosmetologist and I will stand against this product line with everything I have because I gave an oath to be of good moral character and protect the integrity of people's hair. I have held sobbing clients in my arms who's self esteem was crushed when their hair fell out. I have seen/heard and read this company VICTIM BLAME consumers. My friend miscarried her baby and they blamed her even though she had open scalp sores and direct exposure to red clover..I had a sample and gave it to something deserving, my toilet.

Like

Write a reply...

Kayla Baker
 Follow

Like Comment Share

2

Like Comment Share

Exhibit D

GOLDBERG KOHN LTD.

February 6, 2018

william.meyers@goldbergkohn.com
direct phone: 312.201.3919
direct fax: 312.863.7419

VIA OVERNIGHT DELIVERY

Kayla Baker
283 W. Mactavish Ct.
Highland, MI 48357

Re: Defamation of Monat

Dear Ms. Baker:

We represent MONAT Global Corp ("MONAT"). MONAT is a world class designer, manufacturer and distributor of hair care and personal products throughout the United States and Canada.

The MONAT branded products are each packaged and advertised using a variety of distinctive trademarks (collectively, the "MONAT Trademarks") that are registered or otherwise legally protected in the United States and Canada. Such trademarks, including the MONAT® trademark, have been registered or applied for in the United States Patent and Trademark office and the Canadian Intellectual Property Office for use in connection with various hair care and personal care products. Moreover, MONAT has spent uncounted hours, and millions of dollars establishing the MONAT Trademarks, the MONAT brands and products, and the goodwill associated with the MONAT Trademarks, brands and hair care products that carry the MONAT Trademarks (collectively, the "MONAT Products").

As a direct result of the time and money spent on creating innovative, quality products that directly address the customer's needs, MONAT is now the fastest growing direct seller of hair care and personal care products in the United States and Canada. MONAT is proud of the MONAT Products and the many women and men who dedicate their time, effort, and energy to promoting the revolutionary MONAT Products.

MONAT takes very seriously any defamation or slander of its good name and the reputation of the MONAT Products. The repeated defamatory statements, false posts and misinformation regarding MONAT that you have posted on your Facebook group entitled "MONAT – My Modern Nightmare" (your "Group"), and that you have allowed others to post on such site, demonstrate a blatant disregard for the truth (the "Defamatory Posts"). Indeed, the Defamatory Posts are factually wrong, scientifically incorrect and consequently, they damage the reputation and goodwill of the MONAT Trademark and the MONAT Products. As such, the Defamatory Posts constitute defamation under the law.

9390688v1 2/6/2018 11:22 AM

7745.002

TEL 312.201.4000 FAX 312.332.2196 WEB WWW.GOLDBERGMCOHN.COM
55 EAST MONROE STREET SUITE 3300 CHICAGO ILLINOIS 60603-5792

Kayla Baker
February 6, 2018
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There is no scientific or factual basis for the content of the Defamatory Posts. The MONAT Products have passed all clinical safety tests to which they have been subjected. The ingredients in all of the MONAT Products have been verified as safe for consumer use by the United States Food and Drug Administration, and the European Commission in the European Union, in the concentrations that MONAT uses them. MONAT takes seriously the consumer complaints it receives, and investigates each complaint to the fullest extent permitted by the consumer. Despite selling hundreds of millions of dollars in hair care and personal products, to hundreds of thousands of customers, MONAT has seen no bona fide evidence that the MONAT Products cause scalp burns, sores, irritation, hair loss, or balding, as claimed repeatedly in the Defamatory Posts.

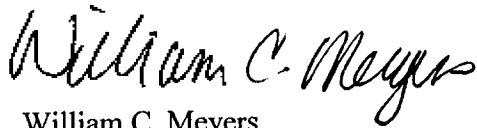
For every day that you allow the Defamatory Posts to remain on your social media, and continue to allow such false and derogatory statements to continue, the damages to MONAT's good name and goodwill increase. Your statements in the Defamatory Posts have harmed, and continue to harm the good name and goodwill of MONAT and the MONAT Products. Be advised that MONAT considers your actions in connection with the Defamatory Posts to constitute unlawful activity, entitling MONAT to sue you for damages or seek injunctive relief under the law. Therefore, unless you wish to face legal action, including an action for injunctive relief and/or a law suit for damages, costs and expenses MONAT hereby demands that you respond in writing, at or before 5:00 p.m. (Eastern Time) on Thursday, February 8, 2018, confirming that you will do the following:

1. Immediately cease and desist from making any defamatory statements about MONAT or its products.
2. Immediately delete all Defamatory Posts from the Group and your social media that you have posted, including those on your Facebook page.
3. Create a new post on your Facebook page that reads as follows, and only as follows:
"I've recently removed one or more posts about Monat because they contained false statements about Monat and its products."

If you fail to take the actions demanded above, MONAT will take all necessary steps to protect the MONAT Trademarks and Products, up to and including filing suit against you and other members of your Group. By way of example, on January 29, 2018, MONAT filed a lawsuit against a member of your Group in the United States District Court for the Eastern District of North Carolina, seeking in excess of \$225,000 dollars for compensatory and punitive damages.

Kayla Baker
February 6, 2018
Page 3

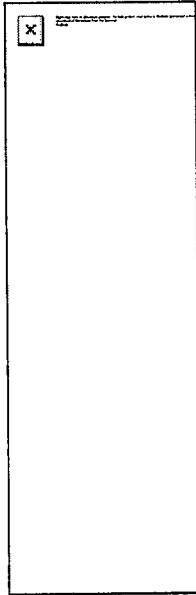
Sincerely,

A handwritten signature in black ink that reads "William C. Meyers". The signature is written in a cursive, flowing style.

William C. Meyers

Janowski, Amy R.

From: TrackingUpdates@fedex.com
Sent: Wednesday, February 07, 2018 3:14 PM
To: Janowski, Amy R.
Subject: FedEx Shipment 771415439246 Delivered



Your package has been delivered

Tracking # 771415439246

Ship date:
Tue, 2/6/2018

Delivery date:
Wed, 2/7/2018
4:11 pm

Amy Janowski
Goldberg Kohn et al
Chicago, IL 60603
US



Delivered

Kayla Baker
283 W Mactavish Ct.
HIGHLAND, MI 48357
US

Shipment Facts

Our records indicate that the following package has been delivered.

Tracking number:	<u>771415439246</u>
Status:	Delivered: 02/07/2018 4:11 PM Signed for By: Signature not required
Reference:	7745.002
Signed for by:	Signature not required
Delivery location:	HIGHLAND, MI
Delivered to:	Residence
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb.
Special handling/Services:	Deliver Weekday

ORIGIN:ID-CHIA (312) 863-7223
AMY JANOWSKI
GOLDBERG KOHN ET AL
59 EAST MONROE ST.
SUITE 3300
CHICAGO, IL 60603
UNITED STATES US

SHIP DATE: 06FEB18
ACTWGT: 1.00 LB
CAD: 1563434N1E13980
BILL SENDER

TO **KAYLA BAKER**

283 W MACTAVISH CT.

HIGHLAND MI 48357

REF: 7745 002

(312) 863-7223
INV
PO DEPT



J181110012601uv

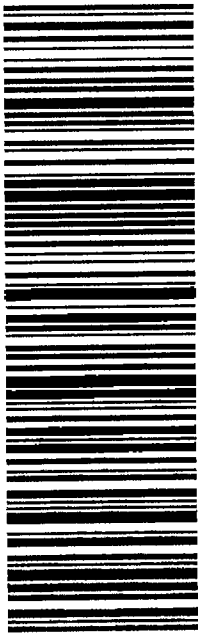
552J1/122D/DCA5

TRK#
0201 7714 1543 9246

WED - 07 FEB 3:00P
STANDARD OVERNIGHT

XH DEOA

MI-US
48357 DTW



After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Exhibit E



Kayla Baker

Yesterday at 12:17am · 🌐



"Why don't you like the products?"

Why I hate Monat Products:

An essay by Kayla Baker.

I. Monat is a product corporation ran by non-professionals, that are not educated on how to keep the integrity of hair, how to truly understand uses of products and benefits of products, or apparently even what breakage is.

A. Monat market partners will say that fried, damaged hair is actually "regrowth".

II. This corporation claims to never receive complaints though I have personally read well over 500 posts on various forms of social media that would prove that to be statistically impossible.

A. Anyone that tries to give an honest, negative review will have threats of a lawsuit.

B. Anyone that contacts compliance with concerns will either be ignored, be blamed, or asked to provide medical proof.

C. Monat has been receiving complaints and concerns since 2014 but has trained and brainwashed MP's to alleviate the concerns or lie directly to avoid cancellations.

III. Monat uses religion to rile up it's employees, multiple videos have been posted and sharing saying that anyone against Monat sellers are working for the devil and Monat also uses promises of wealth and cars to lure people into selling but if they truly cared for their employees the rules would not only protect higher-ups.

A. Monat market partners are expected to obtain liability insurance which implies lawsuits are expected.

IIII. This company is full of lies. They claim nothing in the products could cause

III. This company is full of lies. They claim nothing in the products could cause damage knowing full well they contain sodium hydroxide (which a Monat scientist did finally admit to for a City News video)

A. Sodium hydroxide is in relaxers, which is why it is harshly effecting colored hair.

B. Stylists that pointed the sodium hydroxide out were insulted, cyber stalked and harassed.

V. Monat also contains red clover in nearly every product. By this company's logic you would need to invest red clover for it to be harmful.

A. Red clover is being absorbed through open sores on people's scalps.

B. Red clover is in the hairspray so people are ingesting it.

C. Hormonal issues, pregnancy problems and miscarriage have been linked to red clover.

VI. Claims have been made that Monat cannot strip color.


A. Monat contains a large amount of citric acid which combined with sunlight can "lighten" hair just like Sun-in(tm).

Overall, I cannot tolerate a company that treats people poorly for the sake of wealth. My experiences though small are one of thousands. We are not lying, we are not crazy and we do know how to use products correctly.

Sincerely, Kayla Baker.


 Like

 Comment

 Share

 14

5 Shares

 The more I read about the Monat product the more I believe it's just a large scale sad attempt at sterilizing the human race by the wealthy. Just my humble opinion on the information presented by multiple sources. Go Kayla, fuck 'em up.

Like Comment Share

14

5 Shares

The more I read about the Monat product the more I believe it's just a large scale sad attempt at sterilizing the human race by the wealthy. Just my humble opinion on the information presented by multiple sources. Go Kayla, fuck 'em up.

Like · Reply · 23h 1

Kayla Baker The rabbithole that is this company goes deeper and deeper lol. Thanks hun

Like · Reply · 22h 1

Write a reply...

Aww, can't share this one!

Like · Reply · 23h 1

Kayla Baker Now you can

Like · Reply · 22h

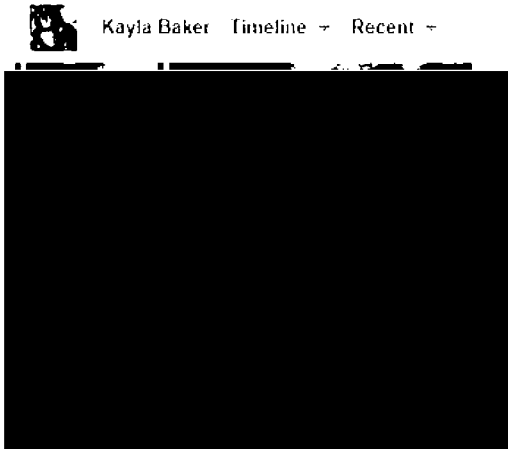
Yay! Lol.

Like · Reply · 22h

Exhibit F

Kayla Baker

Home



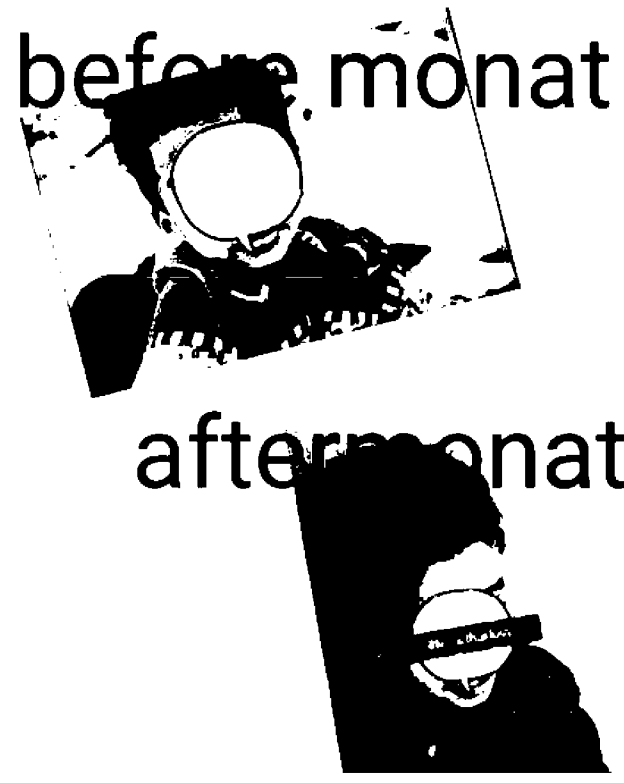
See what you have in common with Kayla's friends View

Featured Albums



Did You Know

Kayla Baker [redacted] post



Kayla Baker

Home

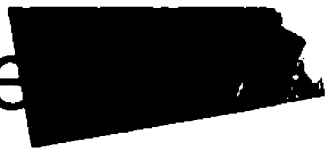
Kayla Baker Timeline Recent

Intro

Kayla, 25, a happy mom and wife I love my job I love my friends and family. I love my life

- Lives in Highland, Michigan
- Married to [REDACTED]
- From Lexington, Kentucky
- Followed by 174 people

kids line



This lady makes me mad that people are seeing this scam and if this is just about the scam and people that poor babies have used "DARBY" N... The scam is to the scalp and has to be as too extensive to support new drug if the mother is going to work. She has credit on the Dr. The doctor is a scam.

Please some that this needs to get out and warn the rest. This should be taken to be stopped. What if this happened to an elderly one?

Like Comment Share

1

1 Share

- Kayla Baker [REDACTED] like Reply
- Kayla Baker replied 1 Replies

Kayla Baker 2 new photos

Some facts, and a friendly reminder that for one easy payment you too can

Kayla Baker

Home

Untitled Album
Public

kids line

The reality makes me mad that people are seeing this scamper and think it's just great! The campaign people! The post called that was the #144K!

[See More](#)

Did You Know

My favorite: I could meet any figure from the past, present or future. I would want to meet

Like Comment Share

control fire or water

Spanish Portuguese (Brazil) +
Français (France) Deutsch

Kayla Baker

Like · Reply

absolutely terrible! Poor baby. My heart breaks for them.

Like · Reply

Mine too. I'm glad the mom is suing.

Like · Reply

