

SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY

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GEORGE OUZOUNIAN, P/K/A MADDOX, and  
JANE DOE,

Index No. 656779/2017

Plaintiffs’,

- against -

DAX HERRERA P/K/A DICK MASTERSON,  
FOUNDATION DIGITAL, LLC,  
GREG BOSER, LOREN BAKER,  
CMGRP, INC., D/B/A WEBER SHANDWICK,  
JOSHUA KAUFMAN, ASTERIOS KOKKINOS,  
TREVOR BIRT, PATREON, INC., and  
JORDAN COPE,

Defendants.

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**AFFIRMATION OF KEVIN LANDAU, ESQ.,**

KEVIN A. LANDAU, affirms the following, subject to the penalties for perjury:

1. I am an attorney admitted to practice law in the State of New York and counsel to Plaintiff herein.
2. I have personal knowledge of the matters set forth below, and the exhibits annexed hereto are true copies of the original documents.
3. I submit this Affirmation in support of Plaintiff’s response in opposition of Defendant Asterios Kokkinos (“Defendant” or “Kokkinos”), Motion to Dismiss pursuant to CPLR 3211(a)(7).
4. This action was commenced on November 6, 2017. A true copy of the Summons and Complaint is annexed hereto as **Exhibit One**.

5. Jurisdiction of the subject matter of this action is based on personal jurisdiction, as Defendant Kokkinos resides in New York, New York and is employed as a Senior Copywriter by Weber Shandwick, at its office located in New York, New York.

6. Annexed hereto as **Exhibit Two, and Three, respectively**, are true copies of social media posts, and messages, received by Plaintiff Blum, and referenced in the complaint, at ¶¶ 30-31, 33.

7. Annexed hereto as **Exhibit Four** is a true copy of social media posts from advertising campaigns referenced in the complaint at ¶39.

8. Annexed hereto as **Exhibit Five** is a true copy of a social media post referenced in the complaint at ¶¶ 40- 41.

9. Annexed hereto as **Exhibit Six** is a true copy of a social media post referenced in the complaint at ¶ 72

10. Annexed hereto as **Exhibit Seven** is a true copy of a social media post referenced in the complaint at ¶ 78.

11. Annexed hereto as **Exhibit Eight** is a true copy of a social media post related to the “Cuckmas Carols by Santa Cuck” album, as referenced in the complaint, and memorandum hereto.

12. Annexed hereto as **Exhibit Nine** is a true copy of a lyrics related to the “Cuckmas Carols” album, as referenced in the complaint, and memorandum hereto, taken from <https://cyberdemon.bandcamp.com/track/little-cuckold-boy>.

13. Annexed hereto as **Exhibit Ten** is a true copy of transcripts from You Tube related to a video from the Dick Show podcast related to the “Cuckmas Carols” album, as referenced in the complaint, and memorandum hereto.

14. Annexed hereto as **Exhibit Eleven** is a true copy of a webpage from the Billboard magazine website related to the “Cuckmas Carols” album, as referenced in the complaint, and memorandum hereto.

15. Annexed hereto as **Exhibit Twelve** is a true copy of social media posts as referenced in the complaint at ¶ 91, and the memorandum hereto.

16. Annexed hereto as **Exhibit Thirteen** is a true copy of the “Birt Statement” as referenced in the memorandum hereto.

17. Annexed hereto as **Exhibit Fourteen** is a true copy of social media posts as referenced in the complaint at ¶ 96, and the memorandum hereto.

18. Annexed hereto as **Exhibit Fifteen** is a true copy of a social media post and false advertisement of Plaintiff Jessica Blum as referenced in the complaint, and the memorandum hereto.

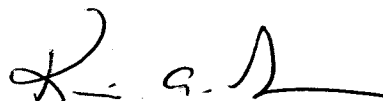
19. Annexed hereto as **Exhibit Sixteen** is a true copy of social media posts/false advertisement as referenced in the complaint at ¶ 40, and the memorandum hereto.

20. Annexed hereto as **Exhibit Seventeen** is a true copy of a Youtube video from a performance that Defendant Kokkinos gave, as referenced in the memorandum hereto, which will be provided in full to the Court on the return date of this motion. Screen shots of the video, with transcripts from YouTube, have been provided with this filing.

Dated: New York, New York  
February 5, 2019

Respectfully submitted,

**THE LANDAU GROUP, PC**



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*Attorneys for Plaintiffs' Ouzounian and Doe*