

Assigned for all purposes to: Stanley Mosk Courthouse, Judicial Officer: Gregory Keosian

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11 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**

12 **COUNTY OF LOS ANGELES**

13 YASHAR ALI, an individual,

14 Plaintiff,

15 v.

16 LOS ANGELES MAGAZINE, LLC, a
17 California limited liability company; and
18 DOES 1-20, inclusive,

19 Defendants.

CASE NO. **22STCV18984**

COMPLAINT FOR:
(1) DEFAMATION; AND
(2) PROMISSORY FRAUD

1 Plaintiff Yashar Ali (“Ali” or “Plaintiff”) complains against Defendant Los Angeles
2 Magazine, LLC (collectively with its publication of the same name “LA Magazine”), as follows:

3 **SUMMARY OF ACTION**

4 1. Plaintiff Yashar Ali is a renowned journalist whom Time Magazine identified as
5 one of the twenty-five most influential people on the internet in 2019. This action arises from
6 the defamatory LA Magazine piece about Ali, which falsely accused Ali of various sloppy
7 practices and illegal and unethical acts, to support the damaging and false narrative that Ali
8 supposedly was a shoot-from-the-hip journalist who backstabbed his friends to get ahead.
9 Ironically, in targeting Ali with these accusations, LA Magazine, its Editor-in-Chief – Maer
10 Roshan – and the author of the piece – Peter Kiefer – were the ones who engaged in journalistic
11 malpractice. LA Magazine failed to assign a dedicated fact-checker to the article as is standard
12 journalistic practice for a print article of that length, failed to verify Kiefer’s allegations,
13 mischaracterized Kiefer and Roshan’s interactions with Ali, and failed to give Ali an opportunity
14 to provide the extensive evidence in his possession that disproved the allegations against him.
15 Ali’s counsel demanded that LA Magazine retract the story, but LA Magazine refused. As a
16 result, Ali’s ongoing clinical depression continued to deepen, and Ali suffered severe emotional
17 distress and anguish.

18 2. All of the conduct that LA Magazine’s representatives committed in violation of
19 Ali’s rights is sadly typical of LA Magazine and the other publications controlled by its parent
20 entity, Hour Media Group, LLC. The repeated sloppiness of Hour Media Group, LLC’s
21 publications gives rise to reasonable suspicions that Stefan Wanczyk – who is the manager
22 and/or owner of both Hour Glass Media Group, LLC and LA Magazine – and/or other high-level
23 executives of Hour Glass Media Group, LLC and/or LA Magazine have made the decision to
24 maximize the profits of the publications they distribute without regard to journalistic ethics and
25 without regard to the harm that the publications’ sloppy and even malicious conduct causes to
26 the people those publications profile. Ali intends to engage in discovery regarding the particular
27 parties responsible for the unlawful conduct that LA Magazine committed against him, and is
28 including DOE defendants in the allegations below so that he can amend this complaint to name

1 any additional bad actors once he has evidence to clearly identify them.

2 3. Ultimately, Parker Molloy of readthepresentage.com published a feature article
3 showing that the LA Magazine profile of Ali was littered with false allegations, but not before
4 the damage was done. Worse yet, when Molloy gave Roshan an opportunity to comment,
5 Roshan doubled down on their false accusations in the LA Magazine piece and added new false
6 accusations about Ali. In light of Roshan's new false allegations, Ali is providing LA Magazine
7 an opportunity to retract the new allegations, and if it does not, then Ali intends to amend this
8 action to add the new false statements about him as an additional predicate for his defamation
9 cause of action.

10 **PRELIMINARY ALLEGATIONS**

11 4. Ali is, and at all times herein mentioned was, a resident of Los Angeles County,
12 California.

13 5. Plaintiff alleges on information and belief that LA Magazine is, and at all times
14 mentioned herein was, a California limited liability company with its principal place of business
15 in Los Angeles, California.

16 6. The true names and capacities, whether individual, corporate, associate or
17 otherwise of the defendants named herein as Does 1 through 20, inclusive, are unknown to
18 Plaintiff who therefore sues said defendants by such fictitious names. Plaintiff alleges on
19 information and belief that each of the defendants, including those designated as a Doe, are
20 responsible for the events alleged herein and the damages caused thereby as a principal, agent,
21 co-conspirator, aider and abettor, or alter ego. Does 1 through 5 are supervisors, officers,
22 owners, members, or managers of LA Magazine or its affiliates who approved of the acts alleged
23 herein, authorized the publication of the offending statements, and/or authorized the
24 representations and promises set forth below. Plaintiffs will seek leave of this Court to amend
25 this Complaint to allege the true names and capacities of such defendants when the same have
26 been ascertained.

27 7. Plaintiff alleges on information and belief that LA Magazine the Doe defendants
28 at all times relative to this action, were the agents, servants, partners, joint venturers and

1 employees of each other. LA Magazine and the Doe defendants, in doing the acts alleged herein,
2 were acting with the knowledge and consent of each of the other defendants in this action.

3 8. Pursuant to California Code of Civil Procedure section 395, this Court is the
4 proper court for trial of this matter because, among other things, the events underlying this
5 Complaint, and the damages caused thereby occurred in the County of Los Angeles, California.

6 **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

7 9. Ali is a renowned journalist who practices his profession with care and integrity.

8 10. On or about June 9, 2021, LA Magazine published an article, written by Peter
9 Kiefer, that contained false statements about Ali, including various statements to support the
10 narrative that Ali supposedly is a sloppy journalist who eschews fact-checking and that Ali back
11 stabs his friends to get ahead in his profession.

12 11. The false and misleading statements in the LA Magazine article include the
13 following:

14 a. “[H]e breaks his biggest stories on Twitter and in his Substack newsletter,
15 unencumbered by the fact-checking and legal vetting required by many news
16 organizations.” In support of the allegation and/or implication that Ali does
17 not fact-check or legally vet his articles, LA Magazine provided supposed
18 examples that again falsely characterize Ali as careless.

19 i. First, the article states, “[H]is more barbed tweets have also made
20 serious headlines, helping to topple not one but two Fox News
21 anchors—Kimberly Guilfoyle and Eric Bolling.” The allegations are
22 demonstrably false in that Ali did fact-check the information he
23 published about Guilfoyle and Bolling and in that others later reached
24 the same conclusions about Guilfoyle and Bolling that Ali has
25 published. It is incontrovertible, for example, that Bolling sent “dick
26 pics” to one or more of his colleagues.

27 ii. Second, the article alleges “Five days after Ali’s post [about ABC
28 executive Barbara Fedida] appeared, ABC fired Fedida, after an

1 internal investigation confirmed that she'd made 'racially insensitive
2 comments.' But the network knocked down most of Ali's other
3 assertions, denying that she had provoked any legal actions or HR
4 complaints." Kiefer's statement that the network supposedly
5 debunked that Fedida had provoked legal actions or HR complaints is
6 demonstrably untrue. Fedida's conduct did lead both to legal actions
7 and HR complaints. ABC's only finding contrary to Ali's original
8 publication related to the number of HR complaints tied to Fedida.

9 b. The article alleges that Ali engages in illegal and/or unethical practices, such
10 as recording people without their consent. In particular, in recounting an in-
11 person interview at the Four Seasons, the article states, "(I later discovered
12 [Ali] had been secretly recording me, as well.)" This is false for two reasons.
13 First, the statement implies that Kiefer did not know Ali was recording the
14 conversation that Kiefer and Ali were having over their meal. That
15 implication is absurd because both parties had their telephones on the table for
16 the purpose of recording the conversation. Second, more broadly, Kiefer had
17 given Ali permission to record all their conversations at the outset of the series
18 of interviews. (Kiefer had no basis to refuse that demand from Ali because
19 Kiefer told Ali he also was recording all the conversations.)

20 c. The article repeatedly characterizes Ali of making unreasonable demands and
21 imposing on others.

22 i. First, the article states, in connection with Ali's interviews with Kiefer,
23 "He required that all of his on-the-record quotes be pre-approved."

24 That statement is false in that Kiefer gratuitously offered to give Ali
25 the opportunity to pre-approve all his quotes in the article, which Ali
26 accepted before Kiefer later reneged.

27 ii. Second, the article alleges that "[Ali] seems to have no fixed address,
28 preferring to live in the homes of generous friends. (He's currently

1 installed in the West Hollywood house of an entertainment-industry
2 power broker.)” This allegation is demonstrably false. At the time the
3 article was written (and throughout the interviews between Kiefer and
4 Ali that led to the publication), Ali lived at a house he personally
5 rented. More broadly speaking, Ali lived in his own residences, where
6 he paid rent, approximately 95% of the total time since he moved out
7 of his parent’s home as a young adult.

8 iii. Third, the article alleges that Ali “persuaded” and “urged” his friend
9 Susie Thompkins Buell to sell various collectables, implying that he
10 did so in order to earn a commission on the sales. In reality, text
11 messages between Ali and Buell show the opposite, which is that Buell
12 wanted to sell, Ali cautioned Buell and urged Buell to make sure she
13 felt comfortable before selling, and then Buell told Ali that she was
14 happy with the deal she got and happy to be moving forward with the
15 sale.

16 iv. Fourth, the article alleges that Ali imposed on Kathy Griffin to stay in
17 her house long after he was unwelcome. For example, the article
18 states, “It would take several more months, but Griffin finally asked
19 Ali to leave in early 2019, enlisting two part-time male assistants to
20 help oversee the packing of his belongings. Then they ordered him an
21 Uber and sent him on his way.” Kiefer was alleging that Griffin
22 supposedly wanted to kick Ali out of her house for months before she
23 finally was able to, or had the fortitude to force his departure, but that
24 is the opposite of what happened. Text messages show that Griffin
25 told her staff days before Ali left that she hoped he would continue to
26 stay. The article also states that, “[A]s the months wore on, Ali
27 became increasingly reclusive, holing up in his bedroom and rarely
28 leaving the house. Staff members assumed he was busy writing, but

1 people around Griffin grew concerned when he started receiving
2 official government mail at her home address.” That is false. Among
3 other things, while Ali was staying with Griffin, Ali’s mail went to his
4 business manager at NKSBF. Ali requested that Blue Shield send a
5 replacement insurance card to Griffin’s residence because of the
6 urgency of that delivery (a one-time request, and when he later learned
7 that Blue Shield had sent other mail to the house he contacted the
8 company to make sure they would no longer send mail there), but he
9 never received official government mail at Griffin’s house.

10 d. The article also repeatedly and falsely characterizes Ali as being careless with,
11 or even purposefully disclosing, sensitive personal information of his friends
12 and/or sources. The following are examples of that narrative that are false.

13 i. First, the article accuses Ali of “leaving behind a large cache of
14 Buell’s sensitive financial documents” when he vacated his office
15 where he worked as a campaign aide to Gavin Newsom. In fact, Buell
16 never gave Ali access to her sensitive financial documents. Ali had no
17 need for such documents and Buell was prudent to tightly control
18 access to such information. The only information that Ali had relating
19 to Buell was a catalogue of the collectables she auctioned – which is a
20 far cry from the statement and/or implication that Ali had left
21 unguarded a large cache of sensitive financial information.

22 ii. Second, the article states, “I asked him to suggest a few acquaintances
23 who might comment about him, and he replied by sending a
24 spreadsheet listing the *personal emails and cellphone numbers* of
25 more than 40 bold-face names, including actresses Busy Philipps,
26 Mandy Moore, and Kristin Davis, along with Piers Morgan, Axios’s
27 Mike Allen, Politico’s Sam Stein, talk show hosts Meghan McCain
28 and Abby Huntsman, and Irena Briganti, the much-feared head of

1 communications at Fox News.” (Emphasis added.) In fact, Ali sent
2 the contact information for publicists or other representatives of some
3 of those contacts, including the ones specifically named. Ali’s policy
4 was to send personal contact information only for those contacts who
5 did not object to that.

6 e. The article also repeatedly and falsely accuses Ali of backstabbing his friends.

7 The following are examples of that narrative that are false.

8 i. First, the article egregiously quotes Ali in a misleading context to
9 suggest he admits to backstabbing his friends and is remorseless. The
10 article states, “Once, when he was talking about the impact of his
11 stories, I asked him if he ever felt any remorse about attacking people
12 who once considered him a friend. ‘Never,’ he said. ‘It doesn’t bring
13 me down because I’ve been getting results. If I wasn’t getting results,
14 it might. There’s no story I’ve ever done where it was a one-time
15 mistake.’” Contrary to Kiefer’s characterization in the LA Magazine
16 article, Ali was not responding to a question about “attacking people
17 who once considered him a friend.” Instead, Ali was responding to a
18 question generally about whether he regretted publishing negative
19 information about people, without any suggestion in the question that
20 Kiefer was seeking an acknowledgment that Ali’s publications
21 attacked Ali’s own friends.

22 ii. Second, the article claims that Ali’s publications about Fedida
23 constituted backstabbing a friend, even though Ali’s interactions with
24 Fedida do not remotely suggest that the two were friends. The article
25 states, “What makes the fact that Ali did bite so curious is that Fedida
26 had been a friend of Ali’s—they texted frequently and dined
27 together—as well as a news source. But then that appears to be
28 something of an ongoing pattern with Ali.” Contrary to the allegations

1 and/or the implications in the article, Ali texted Fedida about stories he
2 was writing and Ali had only one meal ever with Fedida (a breakfast
3 that she proposed as a source and to develop a reporter relationship).

4 f. Last, and possibly most damaging, the article falsely states that Ali became
5 suicidal during the fact-checking process for the article. In making that
6 statement, the article falsely implies that Ali acknowledged the truth of the
7 supposed revelations in the article and was distraught that the public was
8 going to learn the supposed truth about him. The article described the timing
9 as follows: “A few weeks ago, Ali’s Twitter feed took a decidedly darker
10 turn. Just days before this story went to press, and in the midst of fact-
11 checking, he shared on Twitter that he was suffering from suicidal ideations.”
12 This is false and misleading because Kiefer knew of the following contrary
13 facts. First, Ali’s severe depression had been ongoing for months and was not
14 tied to the article. Second, Ali’s depression had grown more severe as a result
15 of exogenous events, most importantly the death of Ali’s uncle (who was like
16 a father to Ali and who died needlessly of COVID after vaccines were
17 available in many countries) and the fact that Ali was unable to see his uncle
18 for years due to safety issues with traveling to Iran. Third, Ali was unaware
19 of nearly all the negative allegations in the article when he disclosed that he
20 was having suicidal ideations. Worse yet, Kiefer was aware of this timing
21 because Kiefer purposefully and dishonestly told Ali that the article was 95%
22 positive and included only a few, minor statements that were negative.

23 12. In connection with the June 7, 2022 article that Parker Molloy wrote for
24 readthepresentage.com, Roshan, on behalf of LA Magazine, made several additional false
25 statements about Ali. As such, Ali is in the process of demanding a retraction and providing LA
26 Magazine with the statutorily required time to retract Roshan’s false statements. Ali intends to
27 amend this complaint to add those statements as an additional basis for the defamation cause of
28 action herein if and when LA Magazine fails to issue an appropriate retraction. Those

1 allegations include the following:

- 2 a. In the readthepresentage.com article, Roshan is quoted as stating: “And by
3 prior agreement with Yashar [Ali], every quote of his that appeared in the
4 story was approved by him.” This is false. LA Magazine failed to obtain
5 Ali’s approval for all of the quotes attributed to him in the June 9, 2021 story.
- 6 b. In the readthepresentage.com article, Roshan is quoted as stating: “And at
7 Yashar’s request we even postponed the publication date to give him time to
8 provide us with documents that he said would refute the on-the-record claims
9 made by his former friends and associates. Those documents never
10 materialized.” This also is false. Text messages between Ali and
11 representatives of LAMLLC, including Roshan and Kiefer, reveal that
12 LAMLLC delayed the publication for other reasons, did not notify Ali of the
13 negative allegations against him let alone request documentation to set the
14 record straight, and then refused to accept any corroborating documentation
15 when Ali finally received notice of certain allegations in the story on the eve
16 of publication.
- 17 c. In the readthepresentage.com article, Roshan is quoted as stating: “Since
18 Yashar is now selectively making off-the-record interviews available to a
19 reporter, we can only assume that the rest of Peter’s interviews with Yashar
20 are also fair game for future use.” That also is false. The
21 readthepresentage.com article does not include reference to any information
22 that Ali obtained from his sources off-the-record.

23 **FIRST CAUSE OF ACTION**

24 **(Defamation By Ali Against LAMLLC and Doe Defendants 1-20)**

25 13. Ali re-alleges herein by this reference each and every allegation contained in
26 paragraphs 1 through 12, inclusive, of this Complaint as if set forth fully herein.

27 14. LAMLLC made numerous false statements about Ali that has caused harm to Ali
28 in that they create a false impression that he is not competent in his profession, that he lacks

1 professional ethics, that he engaged in illegal acts, and that he acted in ways that were socially
2 inappropriate, such as backstabbing friends and excessively imposing on people.

3 15. Each of the statements set forth above regarding those allegations is false.

4 16. Ali alleges on information and belief that, at the time LAMLLC made, and widely
5 disseminated, each of the statements above, LAMLLC either knew or consciously and recklessly
6 disregarded that each of the statements identified above was false.

7 17. None of the foregoing statements were privileged.

8 18. Most or all of the foregoing statements has a natural tendency to injure in that
9 they relate to Ali's trustworthiness and/or competence in his profession.

10 19. In the very short period before publication when Ali was given an opportunity to
11 comment, and within the 20 days after the publication, Ali's lawyer communicated with Roshan,
12 an authorized representative of LAMLLC. Ali's lawyer, on Ali's behalf, wrote that allegations
13 about Ali in the article were untrue, and he therefore demanded a retraction. Roshan stated that
14 LAMLLC stood by the article and would not issue a retraction.

15 20. As a proximate cause of the foregoing conduct, Ali has suffered general and
16 specific damages in excess of this Court's minimum jurisdiction, and in an amount to be proven
17 at trial. The specific damages include lost revenue and income in his career as a journalist and
18 out-of-pocket costs to attempt to rehabilitate his public image.

19 21. Ali is informed and believes and thereon alleges that, in doing the things herein
20 alleged, LAMLLC acted with malice and oppression. LAMLLC accomplished these acts with a
21 conscious disregard for the Ali's rights. Therefore, Ali is entitled to punitive damages in
22 accordance with proof at trial.

23 **SECOND CAUSE OF ACTION**

24 **(Promissory Fraud By Ali Against LAMLLC and Doe Defendants 1-20)**

25 22. Ali re-alleges herein by this reference each and every allegation contained in
26 paragraphs 1 through 21 inclusive, of this Complaint as if set forth fully herein.

27 23. In connection with Kiefer's interviews with Ali, Kiefer promised that he would
28 keep off-the-record Ali's responses to any questions about Griffin. Ali specifically told Roshan

1 and Kiefer he would never go on the record in any way against Griffin because he did not want
2 to get into a war of words with her, which would impact his mental health.

3 24. Plaintiff alleges on information and belief that Kiefer, on behalf of LAMLLC, and
4 with the authorization of one or more managers and/or officers of LAMLLC, including without
5 limitation, Roshan and Wanczyk, made the foregoing representation with the intent to induce Ali
6 to answer questions about his relationship with Griffin in reliance on Kiefer's assurances.

7 25. Ali reasonably relied on Kiefer's promise that he would keep Ali's responses to
8 questions about Griffin off-the-record. In reliance thereon, Ali answered questions about his
9 relationship with Griffin. Ali would not have answered such questions but for Kiefer's
10 fraudulent promise to that effect.

11 26. In fact, Kiefer, acting on behalf of LAMLLC, and, on information and belief with
12 authorization from LAMLLC's managers and/or officers, breached the promise to keep Ali's
13 responses to questions about Griffin off-the-record.

14 27. As a proximate cause of the foregoing conduct, including the statements in the LA
15 Magazine about Ali's supposed responses to questions about Griffin, which LA Magazine would
16 have been unable to include but for the fig leaf of having Ali's supposed responses to questions
17 about Griffin, has caused Ali to suffer general and specific damages in excess of this Court's
18 minimum jurisdiction, and in an amount to be proven at trial. The specific damages include lost
19 revenue and income in his career as a journalist and out-of-pocket costs to attempt to rehabilitate
20 his public image.

21 28. Ali is informed and believes and thereon alleges that, in doing the things herein
22 alleged, LAMLLC acted with malice and oppression. LAMLLC accomplished these acts with a
23 conscious disregard for the Ali's rights. Therefore, Ali is entitled to punitive damages in
24 accordance with proof at trial

25 **PRAYER FOR RELIEF**

26 WHEREFORE, Ali prays for judgment in his favor against LAMLLC as follows:

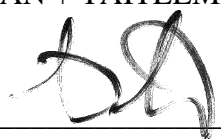
- 27 1. For general damages in an amount to be proven at trial;
28 2. For special damages in an amount to be proven at trial;

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- 3 For the costs of suit incurred herein;
- 4. For punitive damages; and
- 5. For such other and further relief as the Court may deem just and proper.

Dated: June 9, 2022

FREEDMAN + TAITELMAN, LLP



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