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8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

10 A. R. an individual,  
11  
12 Plaintiff,  
13 vs.  
14 NICKOLAS CARTER, an individual,  
15 Defendants.

Case No.: A-23-876749-C  
Dept. No.: 29

**NICKOLAS CARTER'S**  
**COUNTERCLAIM**

15 NICKOLAS CARTER, an individual,  
16  
17 Counterclaimant,  
18 vs.  
19 SHANNON RUTH, an individual; MELISSA  
20 SCHUMAN HENSCHEL, an individual;  
21 JEROME SCHUMAN, an individual; A.R., an  
22 individual; DOE @ELAINEMOO TWITTER  
23 ACCOUNT HOLDER, an unknown individual;  
24 DOES 1 through 10, inclusive; and ROE  
25 CORPORATIONS 11-20, inclusive,  
26  
27 Counter-Defendants.

**REQUEST FOR TRANSFER TO**  
**BUSINESS COURT – EDCR 1.61(a)(2)(ii)**  
**(Matter Involving Business Torts)**

**ARBITRATION EXEMPTION**  
**CLAIMED**  
**(Value in Excess of \$50,000 and Business**  
**Court Matter)**

23 Defendant/Counterclaimant Nickolas Carter, by and through the law firm of Hayes  
24 Wakayama Juan, hereby asserts the following Counterclaim against Counter-Defendant A.R. and,  
25 pursuant to Rules 13(h) and 20(a)(2), the following Counterclaim against Counter-Defendants  
26 Shannon Ruth, Melissa Schuman Henschel, Doe @ElaineMoo Twitter Account Holder and  
27 Jerome Schuman as follows.  
28

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NATURE OF THE ACTION

1  
2 1. In an important development in recent American history, the #MeToo movement  
3 was born and rightfully created a platform for victims of abuse. Unfortunately, some people chose  
4 to take advantage of that platform. Those individuals felt that *any* voice and *any* accusation, right  
5 or wrong, would carry the day because the world was finally listening to accusers. So, in  
6 furtherance of their own agenda, these opportunists set out to thrust themselves into the spotlight  
7 and destroy innocent lives. A.R. and her co-conspirators are such opportunists and Nickolas Carter  
8 (“Carter”) is one of those innocent lives. But Carter will not allow himself to be smeared in this  
9 way. **Protecting one’s reputation and name by calling a liar a liar is *not* victim blaming or**  
10 **bullying. It is simply telling the truth.**

11 2. On December 8, 2022, A.R.’s co-conspirator, Shannon Ruth (“Ruth”), filed suit  
12 against Carter for an alleged 20-year-old sexual assault under the same statute that A.R.’s instant  
13 lawsuit is brought.<sup>1</sup> On February 2, 2023, Carter counterclaimed against Ruth and her co-  
14 conspirators Melissa Schuman Henschel (“Schuman”), Jerome Schuman (“Jerome”) and Doe  
15 @ElaineMoo Twitter Account Holder asserting a long-standing defamatory campaign to falsely  
16 smear Carter as a sexual predator for extortive purposes (the “Main Lawsuit”).<sup>2</sup> A.R., Ruth,  
17 Schuman, Jerome and Doe @ElaineMoo Twitter Account Holder are referred to herein  
18 individually as “Co-Conspirator” or “Counter-Defendant” and, collectively, as “Co-Conspirators”  
19 or “Counter-Defendants.”

20 3. Ruth and A.R.s’ lawsuits are the culmination of an approximate five-year  
21 conspiracy orchestrated by Co-Conspirators to harass, defame and extort Carter. The campaign  
22 was launched and bolstered by the #MeToo movement, beginning at its dawn, when Schuman  
23 posted a salacious blog entry in November 2017, falsely asserting that she had been sexually

24  
25 <sup>1</sup> On December 9, 2022, the very next day, A.R. posted a tweet expressing support for Ruth’s extortive  
lawsuit: “Proud of you Shay!!! Happy to stand next to you. #justice #nickcarter #rapist”

26 <sup>2</sup> In connection with filing his responsive pleading to A.R.’s instant lawsuit, Carter will be filing a motion  
27 in the Main Lawsuit to consolidate the instant lawsuit with the Main Lawsuit. The Main Lawsuit has been  
28 designated a business court matter and is currently pending in Department 27 of the Eighth Judicial District  
Court, Case No. A-22-862259-B.

1 assaulted by Carter in 2003. After attacking Carter, Schuman and her father, Co-Conspirator  
2 Jerome, were all too eager to welcome a groveling Ruth and opportunistic A.R. into their scheme.  
3 Ruth was a vulnerable and highly impressionable individual, craving attention and desperate to fit  
4 in. Schuman and Jerome groomed and coached Ruth, *coaxing her to inflate her initial claim of*  
5 *being abused at the hands of a third-party, to being bullied and physically harmed at the specific*  
6 *hands of Carter, and, finally, to being sexually assaulted by Carter.*<sup>3</sup>

7 4. Although both Schuman and Ruth waited decades to report their claims of assault,  
8 when they finally reported their claims, thorough and independent investigations were conducted  
9 into both cases – and both resulted in no charges being filed against Carter.<sup>4</sup>

10 5. In jealous retaliation against Carter, A.R. reported that Carter assaulted her  
11 approximately three months after her interactions with Carter. Nonetheless, after law enforcement  
12 performed a thorough investigation into A.R.’s accusations against Carter, based upon A.R.’s  
13 deception and admissions, the prosecution refused to charge or prosecute Carter:

14 ASA McCullah explained that his office was not going to prosecute this case. He  
15 explained that due to the delay in the victim reporting the incident, the victim  
16 portraying that she was eighteen and the members of the Carter Family believing  
17 that she was eighteen years of age. Also, that A.J. was able to travel far from home  
18 with no supervision, with her own money and stay for weeks at a time. ASA  
19 McCullah stated that for those reasons alone, including the fact that A.J. looks  
18 eighteen years of age, any reasonable person would believe that she were at least  
19 that age. ASA McCullah also pointed out that the victim herself stated that the sex  
20 was consensual with all persons involved in this case. ASA McCullah also stated  
21 that there were complications with the statute and how in fact according to the

20 <sup>3</sup> Prior to being coached and manipulated by the Schumans, Ruth admitted in writing, multiple times, that  
21 Carter never sexually assaulted her. Similarly, prior to the Schumans’ getting their claws into A.R., A.R.  
22 admitted, in sworn statements to law enforcement, that she lied to Carter about her age, that her sexual  
23 encounters with him were consensual and that she was only reporting him to the police in jealous retaliation.

23 <sup>4</sup> Schuman and her father disingenuously informed the public that Carter would have faced charges but for  
24 the statute of limitations. Whether the applicable limitation period was ultimately considered or not,  
25 Schuman and Jerome are acutely aware that a criminal investigation into the *merits* of Schuman’s claims  
26 was performed by law enforcement and resulted in significant doubts about her credibility. Schuman and  
27 Jerome conveniently leave this out of their narrative. Similarly, Ruth omitted that an investigation was  
28 performed in connection with her false claims, that law enforcement expressly advised her of the problems  
her many inconsistencies created for her case, and that her claims were referred to the prosecutor’s office  
who declined to file charges against Carter. Finally, A.R.’s allegations also conveniently omit the  
underlying investigation along with the prosecutor’s decision not to file charges against Carter based upon  
A.R.’s deception and her undermining admissions.

1 statute A.J. could herself be charged with a crime. A.J.'s attorney spoke with ASA  
2 McCullah and asked some questions, the phone call was concluded with the  
understanding that the State Attorney's Office would not be prosecuting this case.

3 6. Schuman, Ruth and A.R. previously attempted to extort money from Carter through  
4 civil attorneys, who, upon being presented with the evidence, reexamined their clients' allegations  
5 and promptly abandoned their pursuit of a financial windfall.

6 7. Carter made no offers to settle and refused to negotiate anything with Schuman,  
7 A.R. or Ruth, not even when they specifically solicited a "low-ball offer." Thereafter, Schuman,  
8 Ruth, A.R. and Jerome snowballed their defamatory campaign into accusing Carter and others of  
9 participating in "cover ups" and "victim bullying."

10 8. While pursuing an ill-gotten windfall, Schuman and Jerome didn't just prey on Ruth  
11 and A.R.. With Ruth and A.R. under their fold, the Schumans turned their sights to another  
12 vulnerable individual: Carter's unstable and volatile younger brother, Aaron Carter ("Aaron").  
13 The Schumans' timing couldn't have been better since, at the time, Aaron was addicted to drugs,  
14 battling serious mental health issues, and engaged in a misguided campaign of retaliation against  
15 Carter and other members of his family who were worried about Aaron and pushing him to seek  
16 professional help. Schuman, Jerome, A.R. and Ruth exploited Aaron's fragile condition and  
17 family stresses to cloak their defamatory campaign with credibility, relentlessly and repeatedly  
18 using Aaron to try to legitimize their frivolous tales. Eventually Aaron realized he was being used  
19 and manipulated by Counter-Defendants, and, in the months leading up to his recent death, Aaron  
20 not only apologized to Carter for his involvement in the Counter-Defendants' smear campaign,  
21 but publicly stated that Counter-Defendants were liars. After reviewing the facts, Aaron was clear  
22 that he believed that Schuman, A.R. and Ruths' claims of being sexually assaulted by Carter were  
23 false.<sup>5</sup> Aaron also confirmed and exposed Counter-Defendants' underlying conspiracy to defame  
24

25 <sup>5</sup> In an October 26, 2022 Instagram Live video, Aaron stated, "I made a big apology to Nick by the way on  
26 *No Jumper* for y'all to see. ***I do not believe at all any of these allegations about him being um, a rapist.***  
27 I've done my research um, everybody involved, all the people I'm not even gonna say their names it not  
28 even worth it but I've done my research." Moreover, during a November 2, 2022 interview on the *No  
Jumper* podcast, Aaron stated, "It's all fake. But it's all fake because unfortunately I tried to play God and  
stand up for alleged rape victims of Nick. Okay? And to my brother, I would like to apologize and say, 'I  
love you and I'm sorry. Um, you know, I shouldn't have done that . . .'" When the interviewer asked, "Do

1 and extort Carter, stating “*Melissa Schuman . . . incited a plan with her father to use me and my*  
2 *platform.*”

3 9. Notwithstanding Aaron’s unambiguous *mea culpa*, Co-Conspirators  
4 disingenuously continue to feign “love” for Aaron and continue to use his *recanted* comments as  
5 a tool to garner attention and credibility for their ongoing farce. As long as it suited their agenda,  
6 Co-Conspirators were content to prey on Aaron’s sickness without regard for the consequences.  
7 Indeed, the same day Aaron passed away, rather than expressing sympathy, remorse, or sadness  
8 for Aaron’s untimely death, Jerome callously – and tellingly – tweeted, “*I am sad that the chess*  
9 *game we started together was never finished.*”

10 10. For years, Carter has been faced with the untenable options of either challenging  
11 the false accusations against him in the public forum and being labeled a victim shamer, or ignoring  
12 the false accusations and facing the stigmatizing backlash of remaining silent and allowing the  
13 rumors to fester. Thus, although Ruth and A.R.s’ lawsuits are appallingly false and deeply  
14 damaging, Carter is relieved to finally be able to defend himself and expose the truth behind  
15 Counter-Defendants’ despicable lies. Carter looks forward to vindicating himself and putting an  
16 end to Counter-Defendants’ malicious smear campaign and attempted shakedowns once and for  
17 all.

18 **I. THE PARTIES**

19 11. Carter is and was at all times relevant herein, a resident of Clark County, Nevada.

20 12. Upon information and belief, A.R. is and was at all times relevant herein, a resident  
21 of York County, Pennsylvania.

22 13. Ruth is and was at all times relevant herein, a resident of Clark County, Nevada.

23 14. Schuman is and was at all times relevant herein, a resident of Clark County,  
24 Nevada.

25 15. Upon information and belief, Jerome is and was at all times relevant herein, a  
26

27 \_\_\_\_\_  
28 you now think that those stories were not true by them?”, Aaron responded, “*I do not think they were true*  
*at all. I completely dismiss them completely.*”

1 resident of Lee County, North Carolina. Jerome has been intricately involved in orchestrating,  
2 executing, and perpetuating Schuman’s campaign to defame, disparage, and extort Carter.

3 16. Co-Conspirators’ various social media accounts, under their control and a fringe  
4 group of duped followers, have ensured that Co-Conspirators’ fabricated and defamatory  
5 accusations about Carter have remained a constant *and echoed* narrative in mainstream social  
6 media. Co-Conspirators conspired to defame and harass Carter and to interfere with Carter’s  
7 personal and professional relationships and career in an effort to secure fame and, above all, extort  
8 money from Carter. After the campaign and conspiracy was initiated by Schuman and Jerome,  
9 they groomed and coached Ruth and A.R. to further their objectives and, ultimately, to fabricate  
10 the tale outlined in Ruth and A.R.s’ lawsuits.

11 17. Counter-Defendant DOE @ELAINEMOO ACCOUNT HOLDER (“Olay”) is an  
12 unknown individual who owns and controls a Twitter account that is used by Schuman, Jerome,  
13 *and thereafter Ruth and/or A.R.* as a “media dump” to disseminate their false, fabricated,  
14 defamatory and menacing statements about Carter. Upon information and belief, Schuman,  
15 Jerome, A.R. and/or Ruth own and control the account.

16 18. The true names and capacities, whether individual, corporate, associate or  
17 otherwise of Counter-Defendants named herein as DOE @ELAINEMOO ACCOUNT HOLDER,  
18 DOES 1 through 10 and ROE CORPORATIONS 1 through 10 are unknown or not yet confirmed.  
19 Said DOE and ROE CORPORATION Counter-Defendants, including DOE @ELAINEMOO  
20 ACCOUNT HOLDER, are responsible for damages suffered by Carter and, therefore, Carter sues  
21 said Counter-Defendants by such fictitious names. Carter will ask leave to amend this  
22 Counterclaim to show the true names and capacities of each DOE and ROE CORPORATION  
23 Counter-Defendant, including DOE @ELAINEMOO ACCOUNT HOLDER, at such time as the  
24 same has been ascertained.

25 **II. JURISDICTION AND VENUE**

26 19. The Eighth Judicial District Court, Clark County, Nevada, has original jurisdiction  
27 over this matter pursuant to Nev. Const. art. VI, § 6(1) as “[t]he District Courts . . . of this State  
28 have original jurisdiction in all cases excluded by law from the original jurisdiction of justices’

1 courts.” This case is excluded by law from the original jurisdiction of the justices’ courts pursuant  
2 to NRS 4.370 as the action is for damages for injury to the person for an amount in excess of  
3 \$15,000.00.

4 20. Venue is proper in the Eighth Judicial District Court, Clark County, Nevada,  
5 pursuant to NRS 13.040 because Counter-Defendants Ruth and Schuman resided in Clark County  
6 at the time of the commencement of the action, Counter-Defendants A.R. and Jerome directed  
7 their conduct at Carter knowing that Carter is and was a resident of Clark County and because  
8 Counter-Defendant A.R. waived any objection to venue by bringing the instant action in the Eighth  
9 Judicial District Court, Clark County, Nevada.

10 **III. GENERAL ALLEGATIONS**

11 21. Carter is a singer, musician and member of the world-renowned music group  
12 Backstreet Boys. The Backstreet Boys have a star on the Hollywood Walk of Fame, have sold  
13 more than 100 million albums, and are the most popular/successful “boy band” in history. Carter  
14 was and is an integral part of the band – and has become an American icon.

15 22. In addition to his music career, since 1998, Carter has maintained an ongoing acting  
16 career in both television and movies. Carter has also starred in his own reality television series, *I*  
17 *Heart Nick Carter*, was a judge on *Boy Band*, and was a contestant on both *Dancing with the Stars*  
18 (2015 & 2016) and *The Masked Singer* (2020).

19 23. Carter’s reputation and image are crucial to his ability to market himself, sustain  
20 his career, and earn a living for his family.

21 24. Since November 2017, Carter has become the target of a small opportunistic group  
22 of conspirators engaged in a harassing, defamatory and otherwise tortious campaign to ruin his  
23 reputation for the purpose of advancing their own agendas. The effect of this group’s unlawful  
24 conduct and continued harassment has taken an immense toll on Carter, his family, and his band,  
25 both emotionally and financially. Carter and his family have received death threats, physical  
26 threats, and have had to hire private security. From an economic standpoint, in the weeks  
27 following a defamatory news conference held by Co-Conspirator Ruth and her attorneys *and*  
28 *quickly spread by A.R.* on December 8, 2022, Carter and the Backstreet Boys lost at least

1 \$2,350,000 due to the cancellation of five promotional events, contracts and/or endorsement deals  
2 with entities including ABC, “Good Morning America,” MeUndies, VRBO and Roblox. Carter  
3 has sustained similar damages over the past several years due to Co-Conspirators’ ongoing  
4 harassment and defamation.

5 25. Co-Conspirators and their cohorts have disgracefully attempted to exploit the  
6 #MeToo movement in hopes of garnering credibility and momentum to advance their respective  
7 agendas.

8 26. Although the “Me Too” phrase and movement were coined and founded in 2006,  
9 the movement did not gain widespread attention until the #MeToo hashtag went viral in 2017.<sup>6</sup>

10 In early October 2017 #MeToo became an internet phenomenon, a ‘viral awareness  
11 campaign that inspired millions of posts on Facebook and Twitter’ after dozens of  
12 women spoke out against the sexual misconduct of Harvey Weinstein. *Hardwick*  
*v. Indiana Bell Tel. Co., Inc.*, 2018 WL 4620252, at \*15 (S.D. Ind. Sept. 26, 2018).

13 27. “[T]he #MeToo movement became a chorus bolstering the credibility of victims of  
14 sexual assault and harassment.” *Elliott v. Donegan*, 469 F. Supp. 3d 40, 52 (E.D.N.Y. 2020).

15 28. Just as true victims of sexual assault have the right to seek justice and be heard, so  
16 too do persons falsely accused of sexual assault have the right to due process of law and to defend  
17 themselves by speaking the truth.

18 **IV. CO-CONSPIRATORS’ UNDERLYING CONSPIRACY**

19 **A. NATURE OF THE CONSPIRACY<sup>7</sup>**

20 29. The exploitive group referenced above is comprised of Ruth, A.R., Schuman, and  
21 Jerome. While it is believed that Schuman, Jerome and/or A.R. created a phony Twitter account

22 <sup>6</sup> Anna Brown, *More Than Twice as Many Americans Support Than Oppose the #MeToo Movement*, Pew  
23 Research Center (September 29, 2022), <https://www.pewresearch.org/social-trends/2022/09/29/more-than-twice-as-many-americans-support-than-oppose-the-metoo-movement/>.

24 <sup>7</sup> Whenever it is alleged throughout this Counterclaim that a particular Co-Conspirator published a  
25 defamatory statement, picture or video, or published any combination of the same in conveying a  
26 defamatory message, or did any act or thing intended to interfere with Carter’s economic opportunities,  
27 advantages and/or contracts, it is meant that such Co-Conspirator made such statement or performed such  
28 act with full authorization and ratification of all Co-Conspirators and that such statement was made or such  
act performed on behalf of and/or in concert with the other Co-Conspirators and in furtherance of their  
conspiracy.



1 under the name of “Olay Elaine Mcintosh”<sup>8</sup> for the purpose of laundering their defamatory  
2 narratives from an anonymous and purportedly independent source, Carter will be amending his  
3 Counterclaim to add the owner of this account, should the owner prove not to be Schuman, Jerome,  
4 A.R., and/or Ruth.<sup>9</sup>

5 30. As outlined in greater detail below, Ruth, A.R., Schuman and Jerome engaged and  
6 continue to engage in a conspiracy to defame and vilify Carter and otherwise ruin Carter’s  
7 reputation for the purposes of garnering attention and fame and/or extorting money from Carter.  
8 This conspiracy even led to Schuman and Ruth relocating cities to Las Vegas, Nevada for the  
9 purpose of forum-shopping for this lawsuit.<sup>10</sup> Public records reveal that Ruth moved to Las Vegas  
10 on May 30, 2020 – the exact same day Schuman made a Facebook post that her family had also  
11 relocated to Las Vegas.

12 31. To achieve their respective goals, Schuman and Jerome recruited Ruth and A.R.,  
13 and the four Co-Conspirators, in turn, used and exploited Aaron, a celebrity and sibling of Carter,  
14 to attract attention and to attach unwarranted credibility to their claims.

15 32. The conspiracy was simple. Co-Conspirators agreed, both implicitly and explicitly,  
16 to join efforts in harassing, publicly defaming and otherwise interfering with Carter’s business  
17 opportunities and dealings for the purpose of extorting money from Carter, garnering attention and  
18 fame, and/or keeping their names in the limelight. Even the most cursory review of the group’s  
19 social media posts reveals their constant and concerted facilitation of a defamatory campaign  
20 against Carter. Indeed, Co-Conspirators strategically used the @ElaineMOO Twitter account to  
21 further disseminate their false narratives *from a source designed to appear independent*. Through  
22 their posts, re-posts, tweets, retweets, likes, shares, phony social media accounts, duped followers  
23  
24

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25 <sup>8</sup> The Twitter handle for this account is “@ElaineMOO.”

26 <sup>9</sup> Carter has pled DOE and ROE additional potential co-conspirators and will seek leave from the Court to  
27 amend this pleading to add such co-conspirators as the same are revealed in discovery.

28 <sup>10</sup> Carter moved to Las Vegas in 2017 in connection with the Backstreet Boys residency at Caesars Palace.

1 and other concerted acts, they have internationally spread and perpetuated a series of malicious  
2 lies designed to harm Carter’s reputation and ability to earn a living.

3 33. It was well known that in 2019 Carter was estranged from his troubled younger  
4 brother Aaron. The conflict in Carter and Aarons’ relationship provided Counter-Defendants with  
5 an angle to prey on Aaron. The group exploited Aaron as Aaron sought vengeance and deflection;  
6 vengeance against Carter for what he perceived to be public slights while simultaneously  
7 deflecting attention from his spiraling erratic behavior, drug addiction, and mental health issues.  
8 Ruth sought attention, a sense of belonging, and anything else Schuman or her father Jerome could  
9 groom her to seek. A.R. similarly sought attention, fame and any money she could extort in the  
10 process. On the heels of a dormant music and acting career, Schuman sought recognition, renewed  
11 attention/fame and, in her own words, to be “trending . . . and influential . . . in order to get [her]  
12 career . . . back on track.” Finally, Jerome sought to support his daughter’s campaign for  
13 recognition, fame for himself and, as a recidivist deadbeat, Carter’s money.<sup>11</sup>

14 34. Upon information and belief, Schuman, A.R. and Ruth agreed to assist and  
15 contribute to the campaign to defame and harass Carter in an effort to achieve those aims while  
16 extorting whatever funds they could from Carter. Upon information and belief, the group agreed  
17 and continues to agree to share in any settlement funds realized from their extortionate campaign.

18 35. At the heart and foundation of the conspiracy is the entirely false story that  
19 Schuman was sexually assaulted by Carter. After Ruth reached out to “join” Schuman and  
20 Jerome’s campaign, Ruth was welcomed into the Schumans’ nefarious fold and quickly persuaded  
21 and coached into fabricating similar claims of sexual assault against Carter. Next, the Schumans  
22 quickly coached A.R., *an individual that had been friendly and supportive of Carter for over 15*  
23 *years, to join their extortive scheme. These false allegations, blindly adopted by a group of*  
24 *followers, shielded from scrutiny by false protestations of “victim bullying” and cloaked with the*  
25 *credibility of the #MeToo movement, have been and continue to be echoed and spread as the Co-*  
26 *Conspirators’ pursue their unlawful goals.*

27 \_\_\_\_\_  
28 <sup>11</sup> Jerome has had numerous State and Federal tax liens recorded against his name.

**B. RUTH, A.R., SCHUMAN AND JEROME**

**1. Shannon Ruth**

36. As Ruth’s many social media posts make clear, she was and is an impressionable person in desperate need of attention and acceptance. Ruth’s habit of injecting herself into third-party conversations, totally unsolicited, seeking permission to join in the discourse and connection, highlights the ease with which Schuman and Jerome were able to groom her.

37. Indeed, Ruth’s own social media posts and numerous factual reports and amendments to her various police reports demonstrate that her position has evolved from not being abused by Carter at all, to being verbally “bullied” by him, to being verbally bullied and physically harmed by him (bruise on arm), to being bullied (for being mentally challenged) and physically harmed by him (bruise on wrist), to being *vaginally* sexually assaulted by him, to being *vaginally* and *orally* sexually assaulted by him, and then back to only being bullied by him.

38. Ruth’s ever-changing story is the product of her being groomed and coached by Schuman and Jerome.

**2. A.R.**

39. A.R. has been described as both fame and money hungry. She deceptively interjected herself into Carter’s family under false pretenses for the purposes of gaining attention, fame and money. Even before her strategic maneuvering to access the Carter family, A.R. would catfish others online pretending to be a member of the Carter family and/or persons close to them. Indeed, A.R. introduced herself to Ashley Ponczkowski<sup>12</sup> (“Ponczkowski”) in an AOL chat room as Carter. A.R. “catfished” (deceived and exploited) Ponczkowski online and over the telephone for approximately 1½ years pretending to be Carter, Carter’s ex-girlfriend and other members of Carters’ family. A.R.’s calculated stalking and injection of herself into the Carter family demonstrates her obsessive and criminal behavior.

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<sup>12</sup> In addition to being “catfished” by A.R., A.R. also confided in Ponczkowski that she lied to Carter and his family about her age while in Marathon and that she willingly had sex with Carter.

1           40. After she connected with Carter and his family, she used the interactions as a  
2 mechanism to elevate herself and fabricate grounds to extort Carter. Indeed, during her stay at the  
3 Marathon Property, A.R. attempted to have a website launched for the specific purpose of  
4 publicizing and following her alleged relationship with Aaron.

5           41. A.R.'s entire complaint emanates from alleged sexual experiences that A.R.  
6 admitted to law enforcement were "consensual." A.R. further admitted that she was only reporting  
7 the events out of jealousy because Carter allegedly chose another woman over her. It wasn't until  
8 the end of 2019, when the Schumans got hold of A.R., that A.R. began recanting her near-16-year-  
9 old sworn statements to law enforcement about her deception and consensual acts and replaced the  
10 same with accusations of sexual assault.

11           42. A.R. has a substantial history of engaging in crimes involving dishonesty. Indeed,  
12 since January 2022, A.R. has been charged with theft on four different occasions, as well as one  
13 charge of possessing a controlled substance.

14           43. A.R. was also convicted of filing a false police report in July of 2012.

15           44. More recently, on January 26, 2022, A.R. was arrested and charged for theft and  
16 possession of a controlled substance. On October 28, 2022, A.R. was again arrested and charged  
17 with theft. On February 9, 2023, A.R. was again charged with theft.

18           45. Lastly, shortly after filing her Complaint in this matter, on September 25, 2023,  
19 A.R. was arrested and charged with six counts of theft that took place on September 6, 2023. Of  
20 these four arrests, A.R. has been convicted of theft in each case except for her most recent arrest,  
21 which is still pending. In addition to these cases and convictions, A.R. currently has two additional  
22 active cases in York for violating the terms of her probation.

23           **3. Melissa Schuman**

24           46. Schuman was a member of the pop girl group, Dream. Dream was active from  
25 approximately 1998 to 2003 and briefly reunited again in 2015.

26           47. In April 2002, Schuman announced she was leaving Dream to focus on an acting  
27 career and a solo album. Schuman's solo musical career lasted from approximately 2002 to  
28 approximately 2010.

1           48.     On January 28, 2008, Schuman revealed that she would be forming a new music  
2 group and starring in a reality show to detail the new group's formation. In 2012, Schuman  
3 confirmed that the new music group had disbanded and that the reality show had not been picked  
4 up by any networks.

5           49.     In May of 2015, the original members of Dream announced they were making a  
6 comeback on social media. After briefly reuniting, on October 5, 2016, the group again split up  
7 and announced that a new album would not be released.

8           50.     With her career declining, in 2014, Schuman posted a video on YouTube entitled  
9 **“I need to Become Important On the Internet.”** In the video, Schuman described her objective  
10 as follows:

11                   *I'm Melissa . . . I used to be in a girl group called Dream . . .*

12                   *I need to become more socially like present . . . like you know . . . trending . . .*  
13                   *and influential . . . like on social media . . . Instagram . . . like I really need to get*  
14                   *. . . that's one of the things I need to do in order to get my career like back on*  
15                   *track . . . is I need to like become . . . important on the internet . . . one of the*  
16                   *things that I have not been doing that I need to do . . . is I need to start taking more*  
17                   *selfies . . . I'm going to be like a trend setter like Justin Bieber . . . like Kim*  
18                   *Kardashian right now right? . . . Miley Cyrus . . . huh . . . yes . . . is it relevant . . .*  
19                   *I'm socially relevant . . .*

20           51.     Schuman's dwindling acting career came to an end in 2015 after her performance  
21 in a movie entitled *Actress(es): A Web Series*. Prior to the foregoing film, she had not appeared in  
22 any movie or television show since 2005; nor has she appeared in any since.

23                   **4.     Jerome Schuman**

24           52.     Jerome has vigorously supported his daughter, Ruth and A.R.s' false accusations  
25 about Carter in an effort to bolster Co-Conspirators' campaign and achieve their malicious goals.

26           53.     In addition to spreading Schuman, A.R. and Ruths' false stories, Jerome has also  
27 taken on somewhat of a bodyguard and enforcer role for the conspiracy. Jerome's messages, both  
28 through his own accounts and phony social media aggregation accounts (such as @ElaineMOO),  
have been aggressive, nasty, and, often, threatening.

1           54. Jerome has attacked Carter supporters and even individuals who have reserved  
2 opinion in the absence of actual evidence as “sacks of shit,” “imbeciles” and “pitiful.” In a 2019  
3 response to a tweet posted by a Carter supporter that called Jerome “old,” Jerome resorted to  
4 threats, stating:

5           The fact NONE of you know who or what I am is a joke. Tragedy of Twitter, you  
6 all think you’re safe behind the monitor and keyboard. NEWS ALERT: You’re  
7 NOT.

8           55. Jerome’s willingness to take on this role has enabled Schuman, A.R. and Ruth to  
9 spread their false narratives while simultaneously portraying themselves as bullied victims, a  
10 portrayal Co-Conspirators have also used to attract support for their campaign.

11           **C. AARON CARTER**

12           56. Aaron was Carter’s younger brother. Like many brothers, Aaron and Carter had a  
13 complicated relationship that unfolded in the public forum as covered by the media.

14           57. Aaron admired his older brother and followed in his footsteps by embarking on a  
15 musical career at a young age, and although at times Aaron was competitive with or resentful of  
16 Carter, their relationship was grounded in love and their bond as brothers unbreakable.

17           58. Aaron tragically died on November 5, 2022, at the age of 34. Prior to his untimely  
18 death, Aaron had been diagnosed with multiple personality disorder, schizophrenia, acute anxiety  
19 disorder and manic depression. To treat his conditions, Aaron had been prescribed and used  
20 Xanax, Seroquel, Gapapentin, Hydroxyzine, Trazodone and Omazeprazole.

21           59. In the years leading up to his tragic death, Aaron was at times manic, at times  
22 depressed, and at times suicidal.

23           60. His erratic behavior resulted in the authorities being summoned to his residences  
24 on multiple occasions to perform “wellness checks.”

25           61. To compound the problems caused by his mental health struggles, Aaron was an  
26 admitted drug addict and was often under the influence of multiple drugs at the same time, both  
27 prescription and recreational. Aaron’s mental health issues and drug abuse often created conflict  
28 and caused him to lash out against those closest to him who desperately wanted him to get help,

1 particularly Carter and Aaron’s twin sister Angel Carter (“Angel”). Co-Conspirators  
2 manipulatively exploited this conflict to pit Aaron against Carter in an attempt to further their  
3 agenda.

4 **1. The California Restraining Order Proceedings and Co-Conspirators’**  
5 **Deceptive Exploitation of the Same.**

6 62. In 2019, Aaron began publicly threatening to harm his family members and  
7 confessed to Angel that he “*had thoughts of Killing Lauren* (Carter’s wife) *and babies.*”

8 63. This was alarming not only to Carter and his wife Lauren Carter (“Lauren”), but  
9 also to Angel and her husband, who had welcomed a baby girl into their family in January of 2019,  
10 and who had been allowing Aaron to stay at their house at times.

11 64. At the time Aaron acknowledged his violent thoughts to Angel, Aaron had started  
12 stockpiling various assault rifles. Aaron even posted pictures and videos of himself online  
13 brandishing these weapons.

14 65. Carter and Lauren, who was pregnant at the time, became very concerned about  
15 Aaron’s behavior and threats. Carter also learned that at one point Aaron, who lived in California  
16 at the time, had been sitting in a parked car just minutes from Carter’s Las Vegas home.

17 66. Carter and Angel attempted to intervene and pleaded with Aaron to seek treatment  
18 for his mental health issues and drug abuse, but Aaron refused, and instead became enraged. Carter  
19 and Angel were left with no choice but to seek restraining/protective orders in both Los Angeles  
20 (for Angel and her family) and Las Vegas (for Carter and his family).

21 67. The California and Nevada restraining/protection order applications, and evidence  
22 submitted in support thereof, had absolutely nothing to do with Ruth, A.R., Schuman, Jerome or  
23 “silencing” their false narrative. The applications pertained solely to Aaron’s bizarre behavior and  
24 alarming threats to his own family.

25 68. Notwithstanding the purpose of the applications, and despite it being a private  
26 family matter, both Schuman and Jerome personally attended the restraining order hearing in Los  
27 Angeles on November 19, 2019.

28

1           69. Schuman and Jerome did not attend the hearing to support Aaron (an individual  
2 they purported to love and care about, despite having just met him), but, rather, to inject themselves  
3 into the proceeding in the hopes of garnering exposure for Co-Conspirators’ false claims and to  
4 advance their malicious and unlawful smear campaign against Carter.

5           70. At the California hearing, Aaron asserted multiple defenses, including that the  
6 purpose of both Angel’s and Carter’s restraining order applications was to “silence” his support of  
7 Schuman’s ongoing campaign. Aaron testified on behalf of himself and brought Schuman to the  
8 hearing to offer her as a witness as well. After a full day hearing which included testimony from  
9 Angel and Aaron and arguments by their attorneys, the Court found that it did not need to hear any  
10 testimony from Schuman, and issued the restraining order against Aaron to protect Angel and her  
11 family.<sup>13</sup>

12           71. Aaron complained that the restraining order sought to silence him on social media;  
13 however, the California court refuted Aaron’s posturing about being *silenced* in open court:

14           [AARON]: SILENCE ME. KEEP SILENCING ME.

15           THE COURT: **NO, IT DOESN’T SILENCE YOU.**

16           72. Immediately after the hearing and just outside the courthouse, Aaron and Schuman  
17 posed for a picture together pretending to celebrate a ruling Aaron had just spent an entire day  
18 seeking to prevent. Aaron had lost and a restraining order had been entered against him, yet he  
19 and Schuman were laughing and high-fiving each other outside the courthouse. Schuman,  
20 immediately posted the picture online to conceal the true purpose and grounds for the restraining  
21 order – all aimed to advance her agenda and publicize her false narrative.

22           73. The day after the California restraining order hearing, a hearing having zero to do  
23 with Schuman or her false accusations about Carter, Schuman deceptively made the following  
24 false post on Twitter:

25  
26  
27 <sup>13</sup> On November 20, 2019, the very next day, a Las Vegas judge extended a protection order against Aaron  
28 to protect Carter and his family from Aaron. Neither Aaron nor his attorney attended the hearing in Las  
Vegas.



1 Witnesses weren't questioned at the hearing yesterday. I wish we had because  
2 **Nick's RO was requested the day after Aaron and I went live talking about my**  
3 **sexual assault.**

4 74. Co-Conspirators, in turn, did whatever they could to spread the deceptive narrative  
5 on social media. Ruth sent Jerome and Schuman the following deceptive and publicized message:  
6 "[s]o proud of you all for telling your truth and standing your ground at court!"<sup>14</sup>

7 75. Co-Conspirators thus preyed on Aaron, who was clearly struggling with mental  
8 health issues and drug addiction, and exploited his troubling behavior (a private Carter family  
9 matter) to advance their defamatory campaign against Carter.

10 **D. BACKGROUND OF THE CONSPIRACY**

11 76. In 2017, nearly 15 years after the alleged event, Schuman accused Carter of  
12 sexually assaulting her in 2003.

13 77. In 2019, nearly 15 years after being informed that Carter would not be prosecuted  
14 for any crimes due to A.R.s' deception and admissions, A.R. accused Carter of sexually assaulting  
15 her in 2003.

16 78. In 2020, nearly 20 years after the alleged event, Ruth accused Carter of sexually  
17 assaulting her in early 2001.

18 79. Schuman did not report or otherwise accuse Carter of sexual assault until the end  
19 of 2017, while Ruth did not report or otherwise accuse Carter until 2020, just months after  
20 Schuman and Jerome got hold of her.

21 80. The #MeToo movement exploded at the beginning of October 2017. It is not a  
22 coincidence that Schuman chose to exploit that moment and first publicly accused Carter of  
23 sexually assaulting her shortly thereafter.

24 81. Upon information and belief, Schuman, A.R. and Ruth deliberately waited for the  
25 applicable limitation periods to run so as to allow evidence to spoil, witnesses to die or disappear,  
26

27 \_\_\_\_\_  
28 <sup>14</sup> Shannon Ruth (@Musicienssunshine), Twitter (Nov. 19, 2019, 4:44 PM).

1 and memories to fade in an effort to evade any thorough investigation into their false claims.<sup>15</sup>

2 82. As the years progressed, Schuman’s career as a musician and actress faded, leaving  
3 Schuman desperate for a lifeline to resurrect her career.

4 83. Ruth was never a famous musician, actress or influential internet persona. But she  
5 was a highly impressionable individual, desperate for attention and validation.

6 84. Despite her efforts at becoming famous arising from her interactions with the Carter  
7 family,<sup>16</sup> A.R. was similarly never a famous musician, actress or influential internet persona. Like  
8 Ruth, A.R. was also an impressionable individual. In the approximate 20 years since meeting the  
9 Carter family, A.R. has amassed a criminal record comprised mostly of crimes bearing on her  
10 honesty and integrity, including lying to the police and being charged with filing a false police  
11 report.

12 85. Prior to Schuman and Jerome taking Ruth and A.R. under their wing and grooming  
13 them, Ruth and A.R. would inject themselves into social media discourse, blindly pledge loyalty  
14 to a cause and thereafter seek to connect directly with the person involved. Indeed, this is exactly  
15 how Ruth met Schuman and, ultimately, Jerome and Aaron.

16 86. On September 21, 2019, Ruth sent the following tweet seeking to “join” Schuman’s  
17 campaign against Carter:

18 @MelissaSchuman @aaroncarter Are you wanting all abuse victims<sup>17</sup> to come  
19 forward & join you? Or just Voldemorts [sic]<sup>18</sup> victims? Either way, I support you.  
20 Now that we are finally talking about it, it might encourage others to find their  
21 voice! #MeToo

22 <sup>15</sup> Indeed, multiple *would-be* key witnesses that were present on the night that Ruth claims she was assaulted  
23 have since passed away.

24 <sup>16</sup> A friend of A.R.’s that was communicating with A.R. throughout A.R.’s stay at the Marathon Property,  
25 Ashley Regan, stated that A.R. asked her to create a website dedicated to publicly disseminating and  
26 following A.R.’s “relationship” with Aaron. Ashley indicated that A.R. acted as if her sexual relationship  
27 with Aaron made her a celebrity and that she deserved a website to tell her tale to the world.

28 <sup>17</sup> Upon information and belief, the perpetrator of the “abuse” Ruth referenced in her September 21, 2019  
tweet was a different celebrity.

<sup>18</sup> “Voldemort,” the antagonist from the Harry Potter franchise, was a moniker that Aaron used to vilify  
Carter in his social media posts. Aaron’s cohorts, such as Schuman *and thereafter Ruth*, adopted its use.

1           87. Ruth’s tweet on September 21, 2019, reveals that at the time of her first contact  
2 with Schuman and Aaron, she was not claiming that Carter abused her, sexually or otherwise: “Are  
3 you wanting *all abuse victims to come forward & join you? Or just [Carter’s] victims?*”

4           88. Her tweet also demonstrates her blind “support” of Schuman’s campaign, despite  
5 the fact that she had no basis or grounds to believe a word Schuman said.

6           89. Three days later, on September 24, 2019, in an attempt at connecting with another  
7 co-conspirator in the campaign against Carter, Ruth directly reached out to Jerome.

8           90. Ruth’s foregoing message was totally unsolicited. In fact, Jerome immediately  
9 responded as follows:

10           What are you talking about? Who do you think I'm defending? I am Melissa's  
11 father. What did I tweet out that you interpret otherwise? I am super curious.

12           91. Ruth maintained her adulating approach:

13           No, I [sic] saying the people defending Voldemort are defending the wrong person.  
14 **I stand with you, @MelissaSchuman and @aaroncarter.**

15           92. After her groveling explanation, Jerome changed his tone and rapidly attempted to  
16 recruit her:

17           And we thank you for that support with all our hearts. Sorry for misunderstanding  
18 your tweet We continue to hold @aaroncarter up in our prayers as a family.

19           93. Ruth quickly responded to Jerome’s message asking if she could send Jerome a  
20 direct message: “*It's OK. What I wrote was confusing. Can I send you a DM sometime?*”

21           94. Copying Schuman and Aaron, Jerome responded to Ruth as follows: “*You may .. I  
22 just followed[.]*”

23           95. Upon information and belief, Schuman and Jerome then influenced, pressured, and  
24 coached Ruth into claiming that she was a victim of Carter’s alleged abuse.

25           96. Shortly after her request to “join” Schuman and Aaron, *with Aaron on the phone*  
26 *coaching her*, Ruth called the Tacoma Police Department in November of 2019 to falsely report  
27 that Carter “bullied” her. Upon information and belief, *just like her second call to the Tacoma*  
28 *police*, when Ruth *first* spoke to the Tacoma police she did not claim that Carter sexually assaulted

1 her; that claim took approximately ten more months of Schuman’s and Jerome’s grooming and  
2 persuasion to manifest.

3 97. In September of 2019, Ruth similarly injected herself into A.R.’s life, sending her  
4 numerous tweets asking permission to *direct message* her:

5 I know it’s a lot to ask, and I am sorry to bother you, but could I send any of you a  
6 DM? I have been wanting to talk about something and feel like I am finally brave  
enough . . .

7 . . . is it OK if I send you a DM sometime?

8 98. Also in September of 2019, both Schuman and Jerome began liking, tagging,  
9 promoting, retweeting and otherwise disseminating A.R.’s false posts about Carter. The  
10 immediate blind support and collusion that the Co-Conspirators provided to one another illustrates  
11 the superficial nature of their connection. Indeed, despite admitting that she first spoke with Aaron  
12 over a text message on September 12, 2019, on September 14, 2019 (just two days later) Schuman  
13 was texting Aaron attempting to connect him with A.R.: “[A.R.] would like to reach out to you if  
14 you’re okay with it[.]”

15 99. A cursory review of their social media posts around this time and thereafter makes  
16 it clear that they were communicating with one another privately/offline.

17 **V. CARTER’S TRUE INTERACTIONS WITH SCHUMAN AND A.R. AND LACK OF**  
18 **INTERACTION WITH RUTH**

19 **A. CARTER BELIEVES HE HAS NEVER EVEN MET RUTH**

20 100. Having met and encountered millions of fans over the course of his 34-year career,  
21 it would be impossible for Carter to definitively know if he ever actually crossed paths with Ruth.  
22 However, Carter is certain that he was never alone on his tour bus with Ruth, did not have sex with  
23 Ruth, did not grab her arm, and did not sexually assault or bully her.

24 **1. The February 2001 Tacoma Dome Concerts**

25 101. As part of their Black & Blue World Tour, on February 25 and February 26, 2001,  
26 the Backstreet Boys performed two concerts at the Tacoma Dome in Tacoma, Washington.

1           102. Management for the Backstreet Boys planned a meet and greet autograph event that  
2 was scheduled to occur, and did occur, *before* the concert on February 25, 2001. Invitations to the  
3 *meet and greet* were awarded to local radio-contest winners. Fans could *only* attend the pre-  
4 concert *meet and greet* if they received an invitation.

5           103. No autograph signing events were planned or scheduled to occur, and none did  
6 occur, *after* either concert at the Tacoma Dome. No autograph lines were formed outside of the  
7 tour buses, including Carter’s tour bus.

8           104. After the February 25, 2001 concert, the Backstreet Boys, including Carter, quickly  
9 exited the Tacoma Dome to board their tour buses and beat the crowd out of the venue and parking  
10 lot. The tour buses then immediately left the Tacoma Dome and went to the Four Seasons Olympic  
11 Hotel (now The Fairmont Olympic Hotel) in Seattle, Washington. After arriving at the hotel,  
12 Carter and a small group socialized on a tour bus for a while and then left the bus for their  
13 respective hotel rooms to go to sleep at approximately 3:30 a.m.

14           105. The same procedure was followed the next night. After the February 26, 2001  
15 concert, the Backstreet Boys, including Carter, did not hold an autograph signing event. No  
16 autograph lines were formed outside of the tour buses, including Carter’s tour bus. Just like the  
17 previous night, Carter exited the Tacoma Dome and immediately boarded his tour bus, which  
18 immediately left the venue to avoid the crowds and traffic. The band members’ buses exited the  
19 venue bound for Portland, Oregon, the next stop on the tour.

20           106. Carter did not sexually assault Ruth or anybody else on February 25, 2001,  
21 February 26, 2001, or ever.

22           107. Ruth did not report a sexual assault to the Tacoma Police Department, or any other  
23 police department, on February 25, 2001, on February 26, 2001, or anytime shortly thereafter.

24           108. Upon information and belief, Ruth did not report that Carter sexually assaulted her  
25 until August 25, 2020, nearly 20 years after the alleged incident.

26           109. The inconsistencies and contradictions in Ruth’s numerous reports to the Tacoma  
27 Police Department *spread out over nearly 12 months* are impossible to overlook.

28

1                                   **2.     Ruth’s Conflicting and False Police Reports**

2                                   **a.     Ruth’s Report to the Hurricane City Police Department**

3                                   110.    On November 26, 2019, while she was living in Hurricane, Utah, Ruth contacted  
4 the Hurricane City Police Department (“HCPD”) to file a complaint against Carter.

5                                   111.    Ruth informed HCPD that Carter physically assaulted her in Washington in 2001  
6 and that he was also *then* presently “cyber-bullying” her.

7                                   112.    Ruth specifically informed HCPD that she was submitting the report because  
8 “all of the victims are coming out and that Nick has bec[o]me upset about it.” Indeed, Ruth  
9 revealed to HCPD that she was “friends with Melissa Schuman” and even telephoned Schuman  
10 during her interview with HCPD.

11                                  113.    The officer reported that Schuman advised him that she had just met Ruth “about  
12 three months ago on Twitter” and that she “knows what [had] happened” to Ruth *nearly 20 years*  
13 *before*.

14                                  114.    On December 3, 2019, HCPD followed up with Ruth. During this second meeting,  
15 Ruth again involved Schuman, informing HCPD that she had again spoke with Schuman and  
16 wanted the officer to Facetime call her during their interview. The HCPD officer, again, Facetime  
17 called Schuman at Ruth’s request. Schuman then reported to HCPD that “several people have  
18 been trying to hack her and [Ruth’s] social media accounts.”

19                                  115.    The HCPD report makes it clear that Schuman was intricately involved in both  
20 Ruth’s decision to contact the police as well as her underlying story/reports to police.

21                                  116.    Significantly, Ruth reported to HCPD that she was not raped by Carter.  
22 Shannon advised me that she was not raped and was assaulted as Nick attempted to  
23 rape her.

24                                   **b.     Ruth’s Conflicting and False Reports to the Tacoma Police**  
25                                   **Department**

26                                   **(1)    Ruth’s First Call to the Tacoma Police Department**  
27                                   **(November 2019)**

28                                  117.    Sometime in approximately November 2019, just two months after asking to “join”  
Schuman and Aaron’s campaign, Ruth called the Tacoma Police Department to report that Carter

1 had injured her arm on February 25, 2001.

2 118. Upon information and belief, *Aaron was on the phone with Ruth to coach her*  
3 *statements to the police.*

4 119. Upon information and belief, as recorded in the initial Tacoma Police Department  
5 report, Ruth reported that Carter bullied her and hurt her arm.

6 120. Upon information and belief, during the call, Aaron coached Ruth what to say and  
7 instructed her to increase the severity of her accusations against Carter.

8 121. Upon information and belief, the police officer who was on the call was disturbed  
9 by Aaron's involvement and terminated the call.

10 122. Aaron was later publicly accused of "coercing" Ruth into making "false statements"  
11 concerning the report.

12 123. On November 29, 2019, Alex Taylor aka "Lupine" (hereinafter "Taylor") tweeted  
13 that a "US police officer" informed her that an alleged victim of Carter's went to Aaron for  
14 assistance in submitting a complaint to the police about Carter.

15 124. After the Tacoma Officer instructed Ruth to hang up the phone, Ruth called Taylor  
16 in a "very distressed" state. During Ruth's call with Taylor, the Officer got on the phone and  
17 advised Taylor what had occurred:

18 125. Taylor tweeted the following:

19 [The Officer] told me exactly what happened. It is evident that Aaron Carter tried  
20 to coerce a victim who had contacted him for assistance into making a false  
21 statement against Nick Carter. It is true that this victim has a claim against Nick  
22 Carter but there was a clear attempt by Aaron Carter to get her to add to her claim  
23 details that are not supported by truth.

24 **The officer was extremely disturbed by Aaron's behavior. Witness tampering,  
25 false statements, statement coaching and perjury are clearly serious matters.  
26 (Emphasis added).**

27 126. On August 18, 2021, Taylor posted an entry entitled "*Allegations against Nick*  
28 *Carter accuser are put to the test*" on her blog, [cassandracomplex.org.nz](http://cassandracomplex.org.nz). In her post, Taylor  
reiterated:

1 I stand by my statement that Aaron Carter did in fact try to coerce a Carter accuser  
2 into making false statements against his brother Nick Carter and this was motivated  
3 by the fact Aaron Carter was in open conflict with Nick Carter and other family  
4 members.

5 127. Thus Taylor, who is a staunch #MeToo advocate,<sup>19</sup> has publicly posted about the  
6 false statements made against Carter by Ruth.

7 **(2) Ruth’s Second Call to the Tacoma Police Department**  
8 **(12/4/2019)**

9 128. After her first report, on December 4, 2019, Ruth again contacted the Tacoma  
10 Police Department. Upon information and belief, Aaron was not on the phone with her during her  
11 second call.

12 129. During her call, Ruth reported that Carter “grabbed her *arm*” (Incident No.  
13 1933801469.1). Significantly, Ruth did not report a rape or any other sexual misconduct during  
14 this call. In fact, the Officer expressly documented: “*[Ruth] told me [Carter] only grabbed her*  
15 *arm and no other physical activity occurred.*”

16 130. During this call, Ruth did not report that Carter gave her alcohol.

17 131. Also during this call, Ruth advised the police that when Carter grabbed her arm, he  
18 called Ruth a “stupid bitch.”

19 132. Ruth reported that she was at the concert with her friend “Joy,” who Ruth claimed  
20 used to manage a fan club for Carter.

21 133. The officer that took the report documented that he “mailed [Ruth] a handwritten  
22 statement form to fill out and return” along with the assigned case number.

23 **(3) Ruth’s Third Call to the Tacoma Police Department**  
24 **(8/25/2020).**

25 134. Approximately nine months after her first report and nearly 20 years after the  
26 Tacoma Dome concerts, on August 25, 2020, Ruth made her third call to the Tacoma Police

27 <sup>19</sup> Taylor is a staunch “me too” activist and blogger. Taylor’s blog page ([cassandracomplex.org.nz](http://cassandracomplex.org.nz))  
28 proclaims that she is “committed to the survivor code.” She advocates for victims of bullying, sexual abuse  
and other misconduct.



1 Department. In her third call (Incident No. 1933801469.2), Ruth claimed *for the first time* that  
2 she had been sexually assaulted by Carter on February 25, 2001.

3 135. During this third call, Ruth reported that Carter grabbed her *wrist*, versus her prior  
4 report of him grabbing her *arm*. The supplemental report provides: “[Ruth] said that when [Carter]  
5 grabbed her *wrist* it left a bruise.”

6 136. Also during her third call, Ruth contradicted her prior reports of attending the  
7 concert and alleged post-concert autograph signing with her friend and prior fan club manager  
8 “Joy,” and changed her story to claim that it was her friend “Eleanor” who was with her that night.  
9 Ruth reported that Eleanor had recently moved to western Washington and then provided the  
10 officer with Eleanor’s contact information.

11 137. Significantly, the report from August 25, 2020 reflects that *Ruth admitted she had*  
12 *spoken to Schuman who had helped her recall more detail about the alleged incident*. The report  
13 further reflects that Ruth acknowledged she had also spoken to Aaron “numerous times” before  
14 her report and that Aaron advised her that Carter was a “serial rapist.”

15 138. During this call, Ruth’s report of a sexual assault was limited to an accusation that  
16 Carter penetrated her vagina with his penis.

17 139. Ruth did not report that Carter committed an oral sexual assault against her.

18 140. For the first time, Ruth reported that she was a virgin at the time of the alleged  
19 assault (just as Schuman had previously claimed) and that she had allegedly contracted HPV as a  
20 result of the alleged assault (again, just as Schuman had claimed had happened to her).

21 141. During the call, Ruth reported that Schuman had also been assaulted by Carter, that  
22 Schuman had also contracted the same type of HPV-herpes as Ruth claimed to have contracted,  
23 and that Schuman had filed a police report in Santa Monica, California.

24 142. Next, and also for the first time, Ruth reported that Carter provided her with alcohol  
25 (which she claimed Carter referred to as “VIP Juice”).

26 143. Notably, at no point during this call did Ruth repeat her claims that Carter called  
27 her a “stupid bitch” *or a “bitch” at all*.

28

1 (4) **Ruth’s Fourth Call to the Tacoma Police Department**  
2 **(8/31/2020)**

3 144. On August 31, 2020, just six days after her third call and report to the Tacoma  
4 Police Department, Ruth again supplemented her prior reports (Incident No. 1933801469.3).

5 145. This time, Ruth expanded the sexual assault allegation she had reported six days  
6 before to include two acts of oral sexual assault (forced fellatio and forced cunnilingus).

7 146. This false supplemental report was *nearly identical* to the allegations Schuman had  
8 been disseminating on social media.

9 147. Just as Schuman accused Carter of beginning the assault with an oral sexual assault  
10 against her in a bathroom, now Ruth followed suit and claimed *her* alleged assault began with an  
11 oral sexual assault against her in the bathroom of the tour bus.

12 148. Ruth’s prior false reports were not supplemented beyond the two new acts of oral  
13 sexual assault Ruth apparently recalled in the six days since her last supplement.

14 (5) **Ruth’s Hand-Written “Addendum” & Supplement to**  
15 **the Tacoma Police Department (9/26/2020)**

16 149. On September 26, 2020, Ruth again supplemented her prior reports with a three-  
17 page hand-written statement (dated September 17, 2020) of the alleged incident she entitled:  
18 “*Police Report Addendum and Official Statement About Being Sexually Assaulted by Nick Carter*”  
(hereinafter “the Addendum”).

19 150. The Addendum is a summary of the alleged incident.

20 151. In addition to submitting an Addendum to the police, Ruth also submitted a two-  
21 page list of changes she was making to her prior reports and a three-page list of notes to her reports  
22 she entitled: “*Special Notes.*”

23 152. Although submitted to the Tacoma Police Department on September 26, 2020, all  
24 three documents were dated September 17, 2020.

25 153. Ruth’s hand-written supplements substantially conflicted with her prior reports.

26 154. In an effort at explaining the substantial inconsistencies between her prior reports  
27 and her hand-written supplements, Ruth accused the police of taking her reports down “wrong.”  
28

1 In fact, the title of her two-page list was: “*How, Where and What Parts of My Police Report Were*  
2 *Taken Down Wrong*” (hereinafter “the *Wrong Report Summary*”).

3 155. Most of Ruth’s changes to her prior reports were significant.

4 156. Although she initially reported that she attended the concert with her friend “Joy,”  
5 *a person Ruth initially reported was a former fan club manager for Carter*, Ruth changed her story  
6 in her *Wrong Report Summary* as follows:

7 Joy did not go to the Backstreet Boys concert with me. My friend Eleanor did.

8 157. Next, although she had initially reported that Carter called her a “stupid bitch” after  
9 the alleged assault, and thereafter failed to report that he called her any names, Ruth again changed  
10 her story in her *Wrong Report Summary* as follows:

11 Nick didn’t call me a stupid bitch. Nick called me a retarded bitch because he knew  
12 I have autism and other special needs.

13 158. Carter’s alleged knowledge of Ruth’s alleged health conditions was never reported  
14 in any of Ruth’s prior reports, *nor did Ruth explain how Carter could have learned of such*  
15 *conditions*.

16 159. Next, Ruth’s reports concerning alcohol are inconsistent and highly suspicious.

17 a. In her second call, Ruth did not mention alcohol at all.

18 b. In her third call, *after admitting to the police that she had “been talking” to*  
19 *Schuman about allegedly being sexually assaulted by Carter*, Ruth reported that Carter had given  
20 her a *cranberry drink that “tasted a little funny.”* Ruth did not report that it was alcohol. At this  
21 time, she also reported that she had never had alcohol at the time. Also in her third call, *and for*  
22 *the first time*, Ruth reported that Schuman had advised her that Carter had given her a “*red*  
23 *beverage that tasted funny.*” Ruth’s corrections to her prior reports altered her accusations to  
24 more closely mirror the accusations Schuman had made.

25 c. Finally in her *Wrong Report Summary*, Ruth indicated that she never  
26 reported that Schuman advised her that she also received a red drink. Rather, Ruth stated that she  
27 previously reported that she “knew” Carter had given her and Schuman alcohol and further  
28

1 previously reported that she “knew [Carter] gave [Schuman] cranberry juice mixed with Bacardi  
2 *like he gave me.*”

3 160. In summary, Ruth’s story to the police evolved from no alcohol being reported at  
4 all, to a funny tasting cranberry drink being reported, to her final reports in her handwritten  
5 supplement that she previously reported she “knew” that her and Schuman were both provided  
6 “cranberry juice mixed with Bacardi.”

7 161. Although in her final September 17, 2020, report, Ruth stated that she had  
8 previously reported that she “knew” she received “cranberry juice mixed with Bacardi” from  
9 Carter, her August 25, 2020 report reflects that she reported that she had never consumed alcohol  
10 before at all. It is difficult to imagine how an officer receiving a sexual assault report could  
11 document that the alleged victim reported she received a funny tasting drink and had never  
12 consumed alcohol when he was purportedly told that the alleged victim “knew” she was provided  
13 “cranberry juice mixed with Bacardi.”

14 162. Next, although she initially reported that she attended the concert and went to the  
15 alleged post-concert autograph line with her fiend Joy, in her *Wrong* Report Summary and  
16 Addendum, Ruth not only stated that she went to the post-concert autograph line with Eleanor,  
17 Ruth also elaborated about a conversation she had with Eleanor concerning allegedly being “hurt”  
18 by Carter after the alleged assault.

19 163. In total, there were 13 contradictions between Ruth’s hand-written supplements and  
20 her previous reports, without even taking into account the numerous contradictions and  
21 inconsistencies in Ruth’s reports leading up to the handwritten supplements, which include the  
22 following:

23 a. After never reporting a sexual assault at all in her second call with the  
24 police, in her third call Ruth reported a sexual assault (vaginal penetration) that resulted in her  
25 contracting HPV-herpes. During her third call, Ruth reported that her therapy had enabled her to  
26 recall more details of the alleged incident. The report memorializing her third call also reflects  
27 that Ruth reported that she was a virgin at the time of the alleged assault.

28 b. In her fourth call, Ruth reported two additional oral sexual assaults.

1 c. In her final hand-written supplements, Ruth stated that she did not initially  
2 report the “rape” (in her second call) because she “didn’t remember it.” She further stated that she  
3 was receiving therapy and that her therapist “told [her] that it is normal for victims of trauma to  
4 not remember everything that happened and to only remember bits and pieces.”

5 164. On September 26, 2022, together with her hand-written supplements, Ruth also  
6 submitted photographs allegedly taken of the concert and the bruise that Carter allegedly caused  
7 to her “*arm*,” *despite initially reporting a bruise to her “wrist.”*

8 (6) Ruth’s Fifth Call to the Tacoma Police Department  
9 (10/2/2020)

10 165. Ruth made a fifth call to the Tacoma Police Department, on October 2, 2020, to  
11 inquire into the status of the investigation.

12 166. In response to Ruth’s inquiry, the officer that took the call documented that he  
13 informed Ruth of the “difference” between her initial report and her supplemental reports (of a  
14 sexual assault) that was made approximately nine “months later.”

15 167. The officer also documented that he submitted the matter to the district attorney’s  
16 office for “a charging decision.”

17 168. Not surprisingly, given the significant and numerous discrepancies and  
18 inconsistencies in her reports, Carter was not charged in connection with Ruth’s accusations.

19 c. **On Four Separate Occasions, Ruth Admitted That She Was Not**  
20 **Sexually Assaulted by Carter**

21 169. On September 21, 2019, Ruth sent the following tweet seeking to “join” the  
22 Schumans’ campaign against Carter:

23 @MelissaSchuman @aaroncarter Are you wanting all abuse victims<sup>20</sup> to come  
24 forward & join you? Or just Voldemorts [sic]<sup>21</sup> victims? Either way, I support you.  
Now that we are finally talking about it, it might encourage others to find their  
25 voice! #MeToo

26 <sup>20</sup> Upon information and belief, the perpetrator of the “abuse” Ruth referenced in her September 21, 2019  
tweet was a different celebrity.

27 <sup>21</sup> “Voldemort,” the antagonist from the Harry Potter franchise, was a moniker that Aaron used to vilify  
28 Carter in his social media posts. Aaron’s cohorts, such as Schuman *and thereafter Ruth*, adopted its use.

1  
2 170. Ruth’s tweet on September 21, 2019, reveals that at the time of her first contact  
3 with Schuman and Aaron, she was not claiming that Carter abused her, sexually or otherwise: “Are  
4 you wanting *all abuse victims to come forward & join you? Or just [Carter’s] victims?*”

5 171. Her tweet also demonstrates her blind “support” of Schuman’s campaign, despite  
6 the fact that she had no basis or grounds to believe a word Schuman said.

7 172. Next, in approximately 2019, Ruth began an online relationship on Twitter with a  
8 woman named Heather Hayat (hereinafter “Hayat”).

9 173. As their communications and trust progressed, Ruth informed Hayat that she had  
10 been abused and bullied by Carter, but never claimed to have been sexually assaulted by him.

11 174. Hayat suspected that Ruth was being used to facilitate Counter-Defendants’  
12 ongoing defamatory campaign against Carter.

13 175. On October 20, 2019, in a private direct message (DM) with Hayat, Ruth asked  
14 Hayat: “Can I tell you something?”

15 176. Hayat replied “yes, of course you can.” Ruth then confided that she had not been  
16 sexually assaulted by Carter:

17 *I feel bad. I didn’t get hurt by Nick like Melissa [Schuman] and Ashley did. He*  
18 *hurt me by saying really mean things and bullying me. I feel like I don’t really*  
19 *have a right to talk about it or be in the fight because what Melissa [Schuman] and*  
20 *Ashley went through is much worse.*

21 177. Hayat was later shocked to learn that Ruth’s accusations about Carter had evolved  
22 into allegations of sexual assault.

23 178. Third, in her sworn reports to the Hurricane City Police Department, it is  
24 documented that on December 3, 2019, Ruth informed the investigating officer that Carter did not  
25 sexually assault her:

26 Shannon advised me that she was not raped and was assaulted as Nick attempted to  
27 rape her.

28 179. Finally, in her initial police report to the Tacoma Police Department on December  
4, 2019, Ruth reported that “[Carter] only grabbed her arm and no other physical activity

1 occurred.” Significantly, the officer that received Ruth’s complaint expressly documented:  
2 “[Ruth] told me [Carter] only grabbed her arm and *no other physical activity occurred.*”

3 **B. A.R. HAD CONSENSUAL SEX WITH AT LEAST THREE DIFFERENT**  
4 **MEN WHILE AT THE MARATHON PROPERTY IN THE FALL OF 2003**

5 180. In the summer of 2003, Carter was 23 years old. The Carter family owned a  
6 compound in Marathon, Florida at the time, which included several family members homes  
7 (“Marathon Property”). In the summer and fall of 2003, the Carter family hosted many events  
8 and treated their home as somewhat of an open house for the family’s friends and loved ones.

9 181. A.R. unilaterally injected herself into the Carter family by starting a fan website  
10 for Carter’s sister, Angel. A.R. used the website as a tool to befriend Angel while bringing herself  
11 closer to Aaron and Carter.

12 182. In approximately August of 2003, Angel invited A.R. to come to the Marathon  
13 Property to hang out with her family and friends. At this time, A.R. represented to Angel that she  
14 was 18 years of age.

15 183. A.R. secured her own travel arrangements from Pennsylvania to Marathon, Florida.  
16 The fact that she was able to travel on her own further solidified the belief that she was at least 18  
17 years of age.

18 184. Between the months of August and November of 2003, A.R. travelled by herself  
19 from Pennsylvania to the Marathon Property twice; once in August and once in October. Both of  
20 A.R.’s stays at the Marathon Property were lengthy.

21 185. Upon her arrival, A.R. informed all of the Carter family members, including  
22 Carter’s father and step-mom, that she was 18 years old. Indeed, A.R. confided in her friend at  
23 the time, Ashley Regan (“Ashley”), that she had informed everybody at the Marathon Property  
24 that she was 18 years old.

25 186. By all accounts of the persons that were present at the Marathon Property in 2003,  
26 A.R. looked like a woman that was at least 18 years of age. Indeed, even Assistant State Attorney  
27 Patrick McCullah, who helped investigate A.R.’s complaints, stated: **“A.[R]. looks eighteen years**  
28 **of age, any reasonable person would believe that she were at least that age.”**

1           187. When A.R. arrived at the Marathon Property, Carter was not there. According to  
2 Ashley, whom A.R. was communicating with and bragging to during her stay at the Marathon  
3 Property, A.R. immediately began having sex with Aaron. In their daily AOL messages, A.R.  
4 would brag to Ashley about “dating” Aaron.

5           188. After the first couple of weeks of her stay, A.R. bragged to Ashley that she was  
6 going to meet Carter as Carter was coming to stay at the Marathon Property for a short trip.

7           189. Although Carter visited the Marathon Property when he could, he was only present  
8 during the summer and fall of 2003 for a limited number of days.

9           190. Upon Carter’s arrival at the Marathon Property in the approximate fall of 2003,  
10 Carter was introduced to A.R. Carter was introduced to A.R. as Angel’s fan club manager.

11           191. When Carter was introduced to A.R., Carter believed her to be 18 years old. This  
12 was based on the fact that his family had advised him she was 18 years old as well as his personal  
13 observations and estimation of her age. Although Carter believed A.R. to be 18 years old, he  
14 specifically asked her to confirm how old she was. A.R. specifically informed Carter that she was  
15 18 years old and even provided Carter with an incorrect date of birth to solidify his belief about  
16 her age. A.R. admitted the foregoing to law enforcement in her sworn statement.

17           She stated that Nick Carter also believes that she was eighteen and he even asked  
18 her to confirm and she told him again that she was eighteen . . . She told Nick that  
her birth date is 12-15-1984.

19           192. Upon Carter’s arrival at the Marathon Property, A.R. immediately began flirting  
20 with Carter. A.R. quickly made it clear to Carter that she wanted to have sex with him. Carter  
21 was aware that A.R. had already had sex with several other individuals while at the Marathon  
22 Property, including his brother Aaron.

23           193. Based upon A.R.’s deception and her specific confirmations that she was 18 years  
24 of age, Carter reasonably believed that A.R. was 18 years old. After spending some days together  
25 at the Marathon Property and developing a connection, Carter and A.R. had consensual sex.

26           194. Carter then left the Marathon Property to attend a boat racing tour with his father.  
27 While at the event, Carter met a woman that he began dating.  
28



1           195. Carter and the woman hit it off immediately and even began referring to one another  
2 as girlfriend and boyfriend.

3           196. At some point in time, Carter and his father, together with the woman, visited the  
4 Marathon Property.

5           197. When A.R. observed Carter and the woman, A.R. became jealous which ultimately  
6 escalated to A.R. confronting the woman. A.R. proclaimed to the woman that she was in a  
7 relationship with Carter and demanded that the woman leave the Marathon Property and end her  
8 relationship with Carter.

9           198. A.R. persisted until the issue escalated to a physical encounter between A.R. and  
10 the woman.

11           199. Ultimately, A.R. appeared to accept Carter's new relationship. She continued her  
12 stay at the Marathon Property and began having sex with Aaron again.

13           200. After leaving the Marathon Property weeks later, fueled by jealousy, A.R. decided  
14 to go to the police. By her own admissions to the involved investigators, A.R. only reported an  
15 incident to retaliate against Carter for choosing another woman over her.

16           A.[R]. advised that after she had sex with Nick that he had another girl on the  
17 property that he referred to as his girlfriend. She advised that she was upset and  
18 very hurt. A.[R]. also admitted to this detective that if Nick had handled things  
19 differently, that she probably wouldn't even be pursuing this incident.

20           201. Although A.R. initially advised the police that she was a virgin and had sex (which  
21 she acknowledged was consensual) with Carter, she later admitted to the police that she had  
22 consensual sex with no less than three<sup>22</sup> other men while at the Marathon Property in 2003.

23           202. The following excerpts and statements are contained in A.R.'s sworn statement to  
24 law enforcement and the investigating prosecutors:

25           A.[R]. advised that there were two occasions that she was invited down to Marathon  
26 to stay on the Carter property. The first time was in August of 2003 and the second  
27 time was in October of 2003 until November 1, 2003.

28 <sup>22</sup> Witnesses that were present have indicated that A.R. had consensual sex with at least five different men.

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A.[R]. stated that everyone in the Carter family believed that she was eighteen years of age, admittedly because she told them that she was eighteen.

She stated that Nick Carter also believes that she was eighteen and he even asked her to confirm and she told him again that she was eighteen. A.[R]. stated that she had sexual intercourse with Nick Carter on three occasions. The first time was in the water, the second time on the bus, and the third time on Nick's boat.

[A.R.] advised that she never told him "no" or acted as though she didn't want to have sex. She stated it was exciting because he was "Nick Carter". She told Nick that her birth date is 12-15-1984.

203. After her admitted consensual and fraudulently induced<sup>23</sup> sexual encounter with Carter, A.R. reported the following:

A.[R]. also stated that she was still a virgin when she had sex with Nick and that she has not had sex with anyone else, since being with Nick.

204. In her same sworn report, after swearing that she was a virgin and that she only had consensual sex with Carter, A.R. also swore to engaging in consensual sex with additional individuals:

A.[R]. also admits to engaging in sexual intercourse with [Aaron] also, he is the younger brother of Nick. She stated that the sex was consensual. She also states that she had intercourse with a friend of [Aaron's] that was also consensual . . .

205. At the conclusion of the investigation, based upon A.R.'s deception and admissions, the investigating prosecutor refused to press charges against Carter:

[Assistant State Attorney] McCullah and Det. Sgt. Dally met in his office and made the conference call to the victim A.[R]., her mother was present and her attorney Mike Ferguson. ASA McCullah explained that his office was not going to prosecute this case. He explained that due to the delay in the victim reporting the incident, the victim portraying that she was eighteen and the members of the Carter Family believing that she was eighteen years of age. Also, that A.[R]. was able to travel far from home with no supervision, with her own money and stay for weeks at a time. ASA McCullah stated that for those reasons alone, including the fact that A.[R].

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<sup>23</sup> "Rape by fraud," is "an action whereby a person obtains sexual consent and has sexual intercourse of any type by fraud, deception, misrepresentation, or impersonation." Michael Mullen, *Rape by Fraud: Eluding Washington Rape Statutes*, 41 Seattle U.L. Rev. 1035 (2018). "Adult impersonation, by vitiating the consent of the defrauded victim, qualifies as rape by fraud . . . [t]he victim's consent to the intercourse is ineffective because of the juvenile's fraudulent representation as to being of age." Russell L. Christopher & Kathryn H. Christopher, *Adult Impersonation: Rape by Fraud As A Defense to Statutory Rape*, 101 Nw. U.L. Rev. 75, 103 (2007).

1 looks eighteen years of age, any reasonable person would believe that she were at  
2 least that age. **ASA McCullah also pointed out that the victim herself stated that**  
3 **the sex was consensual with all persons involved in this case.**

4 206. ASA McCullah went on to inform A.R that “according to the statute A.[R]. could  
5 herself be charged with a crime” based upon her deception and behavior. The prosecutor then  
6 informed A.R. and her attorney that the case would be closed.

7 207. Accordingly, the prosecutor’s office in Florida refused to charge Carter, or any of  
8 the other adult males that had sex with A.R. at the Marathon Property, due to A.R.’s delayed  
9 reporting, A.R.’s deceptive behavior concerning her age, A.R.’s adult behavior in travelling to  
10 Florida alone from Pennsylvania, the fact “that any reasonable person would believe that she was  
11 at least [18 years old] and that she admitted [that] all of her sexual encounters were consensual.”  
12 Moreover, given A.R.’s behavior and admissions, ASA McCullah admonished A.R. and her  
13 attorney that A.R. could be criminally charged herself.

14 **C. CARTER AND SCHUMAN HAD CONSENSUAL SEX**

15 208. Sometime in 2003, Schuman and Carter were both cast in a movie for television  
16 entitled *The Hollow*. *The Hollow* was filmed in Los Angeles, California.

17 209. One evening, Schuman and her friend (“Rachel”) were socializing with Carter and  
18 his friend, Tony Bass (“Tony”). This was the first time Carter had been introduced to Schuman’s  
19 friend, Rachel.

20 210. The group agreed to hang out and ended up at Carter’s apartment in Santa Monica,  
21 California.

22 211. Carter and Schuman were flirtatious throughout the night. Although Tony flirted  
23 with Rachel, Rachel did not express interest so the two kept their interactions platonic.

24 212. The apartment was small, comprised of only two rooms (a bedroom and an office).

25 213. The group drank alcohol and socialized together.

26 214. As the group became tired, they made their way into the only bedroom. Carter and  
27 Schuman laid down on the bed together, while Tony and Rachel laid down on the ground next to  
28 the bed.

1           215. With Tony and Rachel lying on the ground just feet away, Carter and Schuman had  
2 consensual sex.

3           216. After having consensual sex, Schuman and Carter fell asleep. Schuman slept next  
4 to Carter through the night. The four woke up together, exited the apartment together and walked  
5 out to the parking garage together.

6           217. Approximately 15 years later, in a November 2, 2017 blog, for the first time,  
7 Schuman publicly and falsely accused Carter of repeatedly raping her that night.<sup>24</sup>

8           218. In her blog, after admitting to consensually kissing Carter, Schuman wrote:

9           Now this is where things take a turn and gets graphic. I want to warn you that what  
10 I will be disclosing next describes graphic, violent sexual behavior. Please continue  
11 reading at your own discretion.

12           219. In her same blog, Schuman further stated:

13 I felt scared and trapped. He was visually and clearly growing very angry and  
14 impatient with me. I couldn't leave. It was evident to me, that I couldn't leave. He  
15 was stronger and much bigger than me, and there was no way I would be able to  
16 open that door or have anyone help me.

17           220. Schuman then accused Carter of taking her to the bathroom in the small apartment  
18 where she alleged he orally sexually assaulted her.

19           221. At this point in time, according to Schuman, “[s]omeone in the house knocked on  
20 the bathroom door” during her alleged rape. Other than she and Carter, the only other people in  
21 the apartment were Schuman’s friend and roommate (Rachel) and Carter’s friend (Tony).

22           222. Despite the intimate gathering and Schuman’s personal relationship with Rachel,  
23 Schuman *supposedly* did not alert the person knocking at the door that she was allegedly being  
24 sexually assaulted.

25           223. Schuman alleged that after the knock on the door, Carter “took [her] into the other  
26 bathroom to pick up where he left off.” According to Schuman, it was in this second bathroom

27 <sup>24</sup> Just six months before publicly accusing Carter of sexually assaulting her, Schuman made her true  
28 feelings about Carter clear when a Backstreet Boys fan posted a picture of Carter performing on Instagram  
and Schuman responded, “Great video! Thank you for sharing ♥”

1 that Carter forced her to perform fellatio on him.

2 224. Thus, according to Schuman’s story, Carter “forced” her to perform sexual acts in  
3 two bathrooms of a small apartment while she admittedly remained silent and failed to alert the  
4 two other individuals present in the apartment (including her friend/roommate Rachel and Tony)  
5 of the ongoing heinous crime.

6 225. Schuman continued in her defamatory blog, stating that in a mirror she was  
7 “[w]atching [her]self be assaulted, forced to engage in an act against [her] will” and that after one  
8 attack, Carter’s “appetite was still not satisfied,” so he took her to another room to allegedly  
9 continue the assault.

10 226. According to Schuman, Carter “threw [her] on the bed and climbed on top of  
11 [her],” was “relentless” and then “ruined . . . [t]he one thing [she] had held as a virtue.”

12 227. After the alleged rape, Schuman stated that Carter went to sleep.

13 228. After the alleged “graphic” and “violent” rape finally ended, Schuman claimed  
14 Carter fell asleep and she went to sleep in the bed alongside him, where she remained asleep until  
15 her roommate woke her up the next day. In fact, according to Schuman, she fell into such a sound  
16 slumber that Carter awoke before her and left the bedroom without her even realizing it.

17 229. After an evening during which Schuman claims she was repeatedly and violently  
18 assaulted and raped, Schuman described the following morning as follows:

19 The sun began to come up and my roommate came into the room and woke me up.  
20 We had to get home because she had work later that morning. My abuser was  
21 nowhere to be found. He was no longer on the bed and I never went looking for  
22 him. I just wanted to get out of there as fast as I could. I grabbed my things and my  
23 friend and I proceeded to the car.

24 230. According to Schuman’s blog entry, upon entering the car, she remained silent  
25 concerning the alleged assault while her friend and roommate exclaimed: “*That was so much fun,*  
26 *huh?!?”*

27 231. In her November 2, 2017, blog, Schuman wrote that she did not tell anybody about  
28 the alleged rape for **weeks, including her roommate**. In fact, upon awakening the next day,  
Schuman wrote:

1 I didn't tell [Rachel]. I didn't want to even admit what happened was real to myself.  
2 Over the next few weeks I withdrew further and further from my friends and family  
3 and they noticed. I still didn't tell anyone.

4 232. However, while appearing on Dr. Oz's December 1, 2017, show, just 29 days after  
5 posting her blog, Schuman claimed that, after the alleged assault, she immediately told her  
6 roommate and her roommate's mother and that they encouraged her to go to the police and get a  
7 rape kit done right away.

8 233. Next, in a 2018 interview with reporter Amy Zimmerman from *The Daily Beast*,  
9 Schuman said, "There was no blueprint to how to protect yourself in the situation that I was in. I  
10 did everything that I could. I started by avoiding him completely. **That was my first response, to**  
11 **just stay away, never be in the same room, never be in the same space.** I did everything I could  
12 within my power to protect myself."

13 234. In truth, immediately after the alleged assault, Schuman continued (and finished)  
14 filming *The Hollow* alongside Carter.

15 235. Then, just a few months later (in 2004), Schuman recorded a duet with Carter, a  
16 love song called "There for Me." Soon after recording the duet, Schuman performed the duet live  
17 with Carter as part of a showcase for a major record label.

18 236. In the years after the alleged sexual assault but before falsely accusing Carter,  
19 Schuman praised Carter and was supportive of him:

- 20 • Schuman followed Carter on Twitter for years following the alleged incident;
- 21 • In approximately 2008, 2010 and 2012, Schuman posted and/or "liked" tweets  
22 about the song she recorded with Carter and further praised Carter as being a  
23 "Talented guy!";
- 24 • On February 2, 2012, Schuman expressed empathy to Carter, tweeting him  
25 condolences after the death of Carter's sister, Leslie;
- 26 • On December 25, 2015, Schuman "liked" a tweet from her band Dream that stated  
27 "@backstreetboys Merry Christmas to our tour mates! We miss you guys!";<sup>25</sup>

28 <sup>25</sup> Missing your alleged rapist is an odd sentiment to say the least.

- On February 22, 2016, Schuman liked a tweet directed at her stating “@MelissaSchuman my favorite DILFS<sup>26</sup> together on stage Thursday on Lip sync battle!! @nickcarter @BrandonHenschel lol.”;
- On March 15, 2017, Schuman commented “Great video! Thank you for sharing ♥” in response to a video posted on a Backstreet Boys Instagram fan page of a Backstreet Boys performance from Las Vegas; and
- On May 23, 2017, Schuman again expressed empathy and sadness to Carter after the death of Carter’s father. This time Schuman posted her condolences on an *Instagram Live* feed.

237. Although Schuman, her father and their followers have repeatedly disseminated the narrative that Schuman would be legally pursuing Carter but for the applicable statute of limitations, a closer look at the protracted evolution of Schuman’s tale reveals that Schuman had ample time and opportunity to pursue Carter *but deliberately did not until it was too late*.<sup>27</sup>

238. Despite the foregoing, neither Schuman nor any of the other many persons she allegedly informed of the assault advised law enforcement (which would not have cost Schuman a dime) or made any formal complaint in 2003, or 2004, or 2005, or 2006, or 2007, or 2008, or 2009, or 2010, or 2011, or 2012, or 2013, or 2014, or 2015, or 2016, or 2017 *until November*.<sup>28</sup>

239. When the criminal investigation was reportedly cut short due to the statute of limitations, Schuman, Jerome and their followers exploited the foregoing *expected* result by falsely claiming that the statute of limitation *saved* Carter from investigation and prosecution.

240. Moreover, despite posting her dramatized account of Carter’s alleged assaults in 2017, Schuman did not retain a civil attorney to pursue claims against Carter until October 2020,

<sup>26</sup> D.I.L.F. is an acronym for *Dad I’d Like to Fuck*.

<sup>27</sup> Schuman recently filed a lawsuit against Carter in the Superior Court of the State of California under California’s recently enacted Sexual Abuse and Cover Up Accountability Act (Act), Case No. 23SMCV01577. Schuman’s lawsuit is frivolous as the Act creates a right of action against entity defendants for *covering up* acts of sexual abuse. Notwithstanding the fact that Schuman has zero evidence of a settlement, payoff, or “cover up,” the lawsuit is totally frivolous as it names Carter in his individual capacity.

<sup>28</sup> On November 21, 2017, Schuman reported that she was raped by Carter to the Santa Monica Police Department. The Los Angeles District Attorney declined the case in September 2018, because the applicable statute of limitations had elapsed.

1 *once again, after it was too late.*

2 241. Despite her transparent hope to be cloaked with the credibility of the #MeToo  
3 movement, upon close analysis, Schuman's allegations are nothing more than the desperate  
4 attempts of a former pop star to revive her public relevance and celebrity status, just as she had  
5 publicly stated she needed to do.

6 242. After falsely accusing Carter in the media, on December 18, 2017, Schuman  
7 reached out to Tony via text concerning the night of the alleged sexual assault. Schuman has  
8 admitted that Tony was on the floor with her friend in the same room while Carter allegedly  
9 sexually assaulted her on a bed just feet away.

10 243. Schuman's texts clearly demonstrate that Schuman was attempting to recruit Tony  
11 to support her story.

12 244. Schuman initiated the communication with the following text:

13 Hi Tony. I don't know if I am remembering the right person or not. I think I  
14 remember meeting you back in 2002-03? in CA when Nick was filming The Hollow  
15 If that is you, I'd love to chat a bit if you are open to it. I'd really appreciate it.

16 245. Tony responded in a somewhat confused fashion, pointing out that Schuman was  
17 inquiring about events that occurred years before.

18 246. Schuman persisted, asking if Tony would speak with her over the telephone:

19 Any chance you'd be willing to talk over the phone?

20 Totally confidential. I was wondering if you remember anything about the night  
21 my friend Rachel and I was over at Nick's Santa Monica apt.

22 It's been a super long time so I understand if you don't remember.

23 247. Tony's confusion persisted:

24 Sorry .. but where is this all going ?? I've been out of the loop for 14 years. So  
25 I'm kinda lost on all this ?

26 248. Schuman then injected her false story into the conversation:

27 I remember you on the floor in the room I was in with Nick. I never knew if you  
28 were asleep or not. I always hoped that you weren't so you can validate my story.

29 249. Tony responded by asking Schuman to explain what "story" she was referring to.



1           250. Schuman then called Tony and attempted to coach him into corroborating her  
2 fabricated sexual assault story. Tony advised Schuman that he did not observe the sexual assault  
3 she described and would not allow a woman to be sexually assaulted right in front of him.

4           251. Nearly two months later, on February 5, 2018, Schuman again reached out to Tony  
5 with the following Facebook message:

6           Hi Tony. I know that I reached out to you a month ago and you said you didn't remember.  
7 I thought I'd share my story with you

8           252. With her February message, Schuman included two videos of her being interviewed  
9 about the alleged assault, including her appearance on the “Dr. Oz” show.

10          253. Despite her repeated efforts, Schuman was not able to persuade Tony to “validate”  
11 her false claims of sexual assault.

12 **VI. A THIRD-PARTY WITNESS CONFIRMED THE CONSPIRACY**

13          254. In approximately 2019, Shane Coyle (“Coyle”), a popular blogger and social media  
14 troll, was introduced to Aaron through a mutual friend. Aaron told Coyle that his brother, Carter  
15 was a “sexual predator” and wanted Coyle’s help in “exposing” Carter on social media.

16          255. Aaron initially promised to pay Coyle \$2,500 per internet post that portrayed Carter  
17 in a negative fashion. Although Coyle did post some negative content about Carter at Aaron’s  
18 request, Aaron never paid Coyle any money. Coyle continued assisting Aaron nonetheless as the  
19 live videos he and Aaron were posting together generated followers for Coyle which was good  
20 marketing for his business. Additionally, after a short period, Aaron informed Coyle that he and  
21 others were going to get Carter to pay them “millions of dollars” and that Coyle would share in  
22 this money.

23          256. Aaron then began including Coyle on Facetime and Facebook Messenger video  
24 calls with Jerome and Schuman. Aaron introduced Coyle to the Schumans as “somebody helping  
25 to expose Nick.” Aaron informed Coyle that Schuman was sexually assaulted by Carter and that  
26 Jerome was Schuman’s father. Coyle testified<sup>29</sup> that the understanding between them was that

27 \_\_\_\_\_  
28 <sup>29</sup> Coyle has submitted two thorough declarations in the Main Lawsuit.

1 they would all share in any money realized from destroying Carter’s image. They all believed that  
2 Carter would ultimately pay to silence them.

3 257. Coyle testified that Jerome insisted on communicating on video calls as he was  
4 concerned that telephone calls could be recorded. Jerome was clearly in charge of the discussions  
5 during the group’s video calls. Jerome would regularly chastise Aaron for being under the  
6 influence. Jerome would also regularly berate Schuman about the “consistency” of her assault  
7 “story.” Although Jerome conveyed his approval of Coyle’s involvement in “exposing” Carter,  
8 Coyle got the impression that Jerome was hesitant about Coyle participating on the calls. In  
9 participating in the calls, Coyle became suspicious of the group’s objective as well as the validity  
10 of Schuman’s claims that Carter sexually assaulted her. Coyle testified that he became suspicious  
11 because it appeared that the three were fabricating the assault.

12 258. Coyle testified that the three were constantly talking about a “lawsuit” and the story  
13 about Carter “blowing up.” Jerome often lectured Coyle that he “was not doing enough to smear  
14 Nick online.” During one video call, the group discussed money and how they would split it.  
15 Aaron stated that he and the Schumans should receive the same share because he was Carter’s  
16 brother and the group therefore needed him. Jerome quickly responded, “I will decide how the  
17 money is split as Melissa is my daughter.” It became clear to Coyle that the assault story the group  
18 was spreading about Carter was not true. Coyle started to realize that the group was falsely  
19 smearing Carter with the rape allegations so they could split any monies realized from their plot.

20 259. Significantly, Coyle was clear that the group expanded beyond the four of them.  
21 The group also indicated that other girls were involved with their plan, including Ruth and A.R.

22 260. Coyle testified that he participated in approximately ten video calls with Aaron,  
23 Schuman and Jerome as well as at least one three-way telephone call with Jerome and Aaron alone.

24 261. Coyle concluded an affidavit filed in the Main Lawsuit testifying as follows:

25 Based on my private conversations with Aaron, my telephone calls with Aaron and  
26 Jerry, and my video calls with Aaron, Jerry and Melissa, it was clear to me that  
27 Aaron, Jerry, Melissa, [Ruth] and potentially others were working together to  
28 publicly smear Nick in an effort to extort money from him [and that Coyle does]  
not believe that Nick [committed the alleged] sexual assaults . . .

1           262. Coyle confirmed that “other girls,” including Ruth and A.R., were involved in the  
2 plot to defame Carter with allegations of sexual assault. Indeed, a cursory review of the group’s  
3 social media posts over an approximately eight-month time frame reveals a concerted effort to  
4 tweet, re-tweet, post, re-post and otherwise spread one another’s defamatory statements. The  
5 Counter-Defendants never missed an opportunity to garner attention for themselves and their  
6 campaign.

7 **VII. COUNTER-DEFENDANTS’ UNLAWFUL CONDUCT**

8 **A. COUNTER-DEFENDANTS’ DEFAMATORY STATEMENTS AND**  
9 **INTENTIONAL INTERFERENCE**

10 **1. Counter-Defendants’ Social Media Posts**

11           263. On February 12, 2021,<sup>30</sup> replying to a tweet by Schuman, Ruth published the  
12 following statement: “20 years later Nick Carter is still a rapist.” The statement is false and  
13 constitutes libel *per se*.

14           264. On March 8, 2021, Olay published a message on Twitter stating that Carter had  
15 committed sexual assault and “so much more.” The statement is false and constitutes libel *per se*.

16           265. On March 8, 2021, Ruth published the following statement: “I can tell you Paris  
17 was not the only one Nick lost his temper with & left bruises.” The statement is false and  
18 constitutes libel *per se*.

19           266. On April 6, 2021, replying to a tweet made by *People* magazine, Jerome posted a  
20 mugshot picture of Carter deceptively conveying that Carter had been arrested for sexual assault.  
21 Next to Carter’s picture was a picture of Harvey Weinstein and Danny Masterson, both known to  
22 be criminally prosecuted for sexual assault, *and Weinstein known to have been convicted*  
23 (hereinafter “the Defamatory Mugshot”). On and above the picture, Jerome published the  
24 following statements about Carter: “#SerialPredator,” “#SerialRapist” and “#BSBCoverUp.” All  
25 four of these statements, including the message conveyed by the Defamatory Mugshot, are false  
26

27 <sup>30</sup> Although some of the defamatory statements outlined herein appear to have been made outside of the  
28 governing limitation period, such defamation claims were timely filed in the Main Lawsuit.

1 and constitute libel. The picture and statement that Carter is a “serial rapist” constitute libel *per*  
2 *se*.

3 267. On April 7, 2021, Ruth published the following statement:  
4 “#NickCarterIsARapist.” The statement is false and constitutes libel *per se*.

5 268. On April 13, 2021, Ruth published the following statement directed at Carter: “you  
6 are a rapist and it's time to admit the truth.” The statement is false and constitutes libel *per se*.

7 269. On April 13, 2021, Jerome published the following statements about Carter on  
8 Twitter: “you are a rapist” and “you assault multiple women.” Both statements are false and  
9 constitute libel *per se*.

10 270. On April 13, 2021, Olay published the following statements about Carter on  
11 Twitter: “Nick is a rapist” and “everyone knows that he sexually assaulted all of those women.”  
12 Both statements are false and constitute libel *per se*.

13 271. On April 21, 2021, replying to a tweet from Jerome, Ruth published a statement  
14 describing herself “as someone who was sexually assaulted by Nick.” The statement is false and  
15 constitutes libel *per se*.

16 272. On June 18, 2021, Jerome published the following statement on Twitter: “Nick  
17 Carter [] is an abuser and rapist.” This statement is false and constitutes libel *per se*.

18 273. On June 29, 2021, Jerome posted the Defamatory Mugshot, with the following  
19 statements about Carter on Twitter: “#SerialPredator,” “#SerialRapist” and “#BSBCoverUp.”  
20 Below the picture, Jerome published the following statement on Twitter: “This is FACT  
21 @nickcarter is a #serialrapist.” All five of these statements, including the message conveyed by  
22 the Defamatory Mugshot, are false and constitute libel. The picture and two statements that Carter  
23 is a “serial rapist” constitute libel *per se*.

24 274. On July 8, 2021, Jerome re-published the following statement that was originally  
25 published by Ruth on Twitter: “Nick Carter is a rapist & abuser of multiple people.” The statement  
26 is false and constitutes libel *per se*.

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1           275. On July 8, 2021, Ruth published the following statement to *Variety* magazine on  
2 Twitter: “Nick Carter is a rapist & abuser of multiple people.” The statement is false and  
3 constitutes libel *per se*.

4           276. On July 8, 2021, Olay published the following statement about Carter on Twitter:  
5 “Just a reminder that Nick Carter is a rapist.” The statement is false and constitutes libel *per se*.

6           277. On July 8, 2021, Olay published the following statement about Carter on Twitter:  
7 “Nick Carter is a rapist & abuser of multiple people.” The statement is false and constitutes libel  
8 *per se*.

9           278. On July 11, 2021, Ruth published the following statement: “Nick is a rapist &  
10 abuser.” The statement is false and constitutes libel *per se*.

11           279. Also on July 11, 2021, Ruth published the following statements: Carter “is a  
12 RAPIST!,” “#SerialRapist,” “#SerialPredator” and “#SerialAbuser.” The foregoing four  
13 statements are false and constitute libel. The statements that Carter is a “rapist” and “serial rapist”  
14 are false and constitute libel *per se*.

15           280. On August 1, 2021, Ruth published the following statement: “Nick is definitely a  
16 rapist and abuser!” The statement is false and constitutes libel *per se*.

17           281. Also on August 1, 2021, Ruth published the following statement: “If you are asking  
18 if Nick raped and abused me too, yes he did.” The statement is false and constitutes libel *per se*.

19           282. On August 4, 2021, Ruth published the following statement: “Nick is a rapist &  
20 abuser.” The statement is false and constitutes libel *per se*.

21           283. On August 5, 2021, Ruth and Jerome published the Defamatory Mugshot, with the  
22 following statements about Carter: “#SerialPredator,” “#SerialRapist” and “#BSBCoverUp.”  
23 Above the Defamatory Mugshot, Jerome published the following statements: “CANCEL  
24 #NickCarter,” “#SerialRapist,” “#SerialPredator” and “#SerialAbuser.” Below the Defamatory  
25 Mugshot, Ruth also published that Carter is a “known rapist & abuser.” These statements,  
26 including the message conveyed by the Defamatory Mugshot, are false and constitute libel. The  
27 statements that Carter is a “serial rapist” and a sexual assault convict are false and constitute libel  
28 *per se*.

1           284. On August 5, 2021, Jerome tweeted the following message with the intent to  
2 interfere with Carter’s scheduled appearance at Fan Expo Boston:

3           Spend your hard earned money to meet a #SerialRapist? Cancel @FanExpoBoston.  
4           Cancel #NickCarter

5           285. Ruth then retweeted Jerome’s false and unlawful post and separately accused Carter  
6 of being a “known rapist & abuser” and further attacked Fan Expo Boston for involving Carter in  
7 a 2021 convention.

8           286. On August 6, 2021, Ruth published the following statement: “Nick sexually  
9 assaulted me.” The statement is false and constitutes libel *per se*.

10          287. Also on August 6, 2021, Ruth published the following statement: “Nick is a rapist  
11 and abuser of multiple people.” The statement is false and constitutes libel *per se*.

12          288. On September 22, 2021, Jerome published the following statements: Carter is a  
13 “rapist,” “abused” multiple women, “#SerialPredator,” “#SerialRapist” and “#SerialAbuser.” All  
14 of the foregoing five statements are false and constitute libel. The statements that Carter is a  
15 “rapist” and “serial rapist” are false and constitute libel *per se*.

16          289. On November 20, 2021, Jerome published the following statement:

17          @nickcarter is a RAPIST, many times over. Simple FACT. Your day is coming  
18 you piece of shit, one way or another. Mark my words.

19          These statements are false and constitute libel. The statement that Carter is a “rapist many times  
20 over” is false and constitutes libel *per se*.

21          290. On November 22, 2021, A.R. replied to a tweet from Shania Twain showing  
22 support for the Backstreet Boys stating, “such a bummer to see you support a rapist.”

23          291. On August 11, 2022, Schuman posted a video on TikTok that displayed an image  
24 of Carter next to a banner that stated “PREDATOR.” The message conveyed was that Carter was  
25 a sexual predator. The statement that Carter is a sexual predator is false and constitutes libel *per*  
26 *se*.

27          292. On August 12, 2022, Schuman posted a video on TikTok displaying Carter’s name  
28 on a list as: “Nick Carter (of Backstreet Boys; Rape, DA).” The video contained Carter’s image

1 and was posted with the hashtag “#eatpredators.” The message conveyed by the list and hashtag  
2 was that Carter was a rapist and sexual predator. The statements that Carter was a rapist and sexual  
3 predator are false and constitute libel *per se*.

4 293. On August 26, 2022, Schuman posted a reply on Twitter that concerned Carter.  
5 The reply contained an image of Carter with the following statement: “my abuser.” The statement  
6 is false and constitutes libel *per se*.

7 294. In November of 2022, A.R. contributed to an alleged “documentary” wherein  
8 Carter was depicted as a “rapist.” The statements A.R. made as well as her contribution to the  
9 alleged “documentary” were false and constitute slander *per se*.

10 295. On December 9, 2022, A.R. tweeted support for Ruth using the hashtags  
11 “#nickcarter” and “#rapist.” The statement is false and constitutes libel *per se*.

12 296. On December 28, 2022, A.R. replied to a tweet asking why Carter had not sued  
13 Schuman or herself in response to their claims that he raped them and A.R. responded, “cause it’s  
14 the truth.” The statement is false and constitutes libel *per se*.

15 297. On February 15, 2023, A.R. retweeted the false statement that Carter was a  
16 “#serialrapists.” The statement is false and constitutes libel *per se*.

17 298. On December 30, 2021, Ruth, Schuman and Jerome appeared on a *Child USA*  
18 podcast. During the podcast, Ruth stated that Carter “sexually assaulted” her. The foregoing  
19 statement is false and constitute slander *per se*.

20 299. During the same podcast, Schuman stated that Carter “sexually assaulted” her, that  
21 Carter “assaulted [her] numerous times,” that “other survivors have suffered the same” by Carter,  
22 that “there’s definitely a pattern” to Carter’s alleged sexual assault, that Carter “raped” her, and  
23 that Carter “roofied” her. The foregoing statements are false and constitute slander *per se*.

24 300. In the latter part of 2023, A.R. contributed to an alleged “documentary” being  
25 produced by Ish Entertainment wherein Carter is being depicted as a rapist. The statements A.R.  
26 made as well as her contributions to the Ish Entertainment “documentary” indicating that Carter is  
27 a rapist or that she was raped by Carter were/are false and constitute slander *per se*.

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**2. Ruth and her Attorney’s Stage a “News Conference”**

301. Because Ruth’s claims had already been vetted and dismissed by both law enforcement and civil attorneys, there was very little value in Counter-Defendants continuing to pursue their extortive efforts.

302. Notwithstanding the foregoing, Ruth was able to find a law firm willing to milk her ongoing campaign for what little value remained: *publicity*.

303. The law firm of Corsiglia, McMahon & Allard (hereinafter “CM&A”) quickly realized the marketing benefits that could be realized from publicizing Ruth’s frivolous claims in the media.

304. Accordingly, on December 7, 2022, before the Main Lawsuit was even filed, Ruth and CM&A posted a “Live Press Conference” announcement on CM&A’s Facebook page. The announcement indicated that the press conference would take place on December 8, 2022, at 10:30 a.m. (PDT).

305. The “Live Press Conference” announcement described the purpose of the press conference as follows:

To announce details of a lawsuit against a prominent singer for the sexual abuse and rape of a young teenage girl.

306. Also, before the Main Lawsuit was filed, Ruth and CM&A sent a *Media Advisory* out to local Los Angeles news outlets announcing the foregoing press conference. The announcement in the *Media Advisory* provided as follows:

Announcing a sexual abuse lawsuit filed against Nick Carter of the Backstreet Boys for the rape of a young teenage girl.

307. The *Media Advisory* indicated that the press conference would take place in the Palm Room of the Beverly Hilton Hotel on December 8, 2022, at 10:30 a.m. The *Media Advisory* further announced that:

Attorney Mark Boskovich, law firm of Corsiglia, McMahon & Allard, will discuss the filing of a lawsuit against Nick Carter on behalf of an underage rape victim.



1           308.    The *Media Advisory* provided that the following persons would be involved with  
2 the press conference:

3           The rape victim, her attorney Mark Boskovich, and CHILD USA Founder and CEO  
4 Marci Hamilton.

5           309.    Finally, the *Media Advisory* provided the following “background” information for  
6 the press conference:

7           Nick Carter’s rape victim will speak at the press conference. She has agreed to be  
8 named publicly. The lawsuit will be filed first thing in the morning and will be  
available to the media starting at 10:30 am.

9           310.    On December 8, 2022, at 7:28 a.m. (PDT), Ruth filed her Complaint against Carter  
10 in the Main Lawsuit falsely alleging that he sexually assaulted her after a Tacoma concert in  
11 February of 2001.

12           311.    As scheduled and promoted, the press conference was broadcast on Facebook Live  
13 at approximately 10:30 a.m. on December 8, 2022. Thereafter, the press conference was replayed  
14 by countless television networks and media platforms.

15           312.    Throughout the press conference, Ruth and Boskovich defamed Carter over and  
16 over behind a podium that was draped with a large advertisement depicting the CM&A logo, the  
17 CM&A law firm name, and CM&A’s web address.

18           313.    During the press conference, *knowing full well that Ruth’s accusations had not*  
19 *been properly investigated by his firm and were unsubstantiated*, Boskovich openly solicited  
20 other individuals to come forward with accusations of sexual assault against Carter and to “call or  
21 email” his law firm.

22           314.    Throughout the press conference, both Ruth and Boskovich repeatedly solicited  
23 alleged victims to come forward and join their cause.

24           315.    After the defamatory press conference, on December 19, 2022, CM&A re-posted  
25 the press conference on its Facebook page along with a statement that provided:

26           Our law firm continues to investigate allegations of sexual assault against Nick  
27 Carter, Backstreet Boys, as a result of our recently filed lawsuit[.]

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1           316. Since its opportunistic broadcasting of Ruth’s story, Boskovich and CM&A have  
2 posted defamatory advertisements about Carter and Ruth’s story on both their Facebook page and  
3 business website. The advertisement reads:

4           Attorney Mark Boskovich is encouraging . . . other women who may have been  
5 sexually assaulted by Nick Carter, to call 408-[XXX-XXXX].

6           317. Similarly, on August 28, 2023, the day after filing her Complaint in the instant  
7 action, A.R. and her attorneys (Marsh Law Firm and Trial Lawyers) posted a defamatory post as  
8 “Breaking News” on her lawyers’ website stating that Carter had sexually assaulted A.R. Excerpts  
9 from the post read as follows:

10           Prior to his recent and tragic death in November of 2022, Aaron Carter, made public  
11 statements in support of victims of his brother Nick Carter.<sup>31</sup>

12           The Plaintiff, A.R., and other victims of Nick Carter are now able to seek justice  
13 for their child sexual abuse because of dedicated efforts to reform to the statute of  
14 limitations for child sexual abuse in recent years.

15           Despite numerous complaints about Carter’s past conduct towards young women,  
16 his victims continue to struggle to hold the Nick Carter publicly accountable for his  
17 harms against them.<sup>32</sup>

18           318. The advertisement stated that A.R.’s lawsuit “follows two prior lawsuits filed  
19 against Carter on behalf of sexual abuse survivors Melissa Schuman and Shannon Ruth.”

20           319. Ruth, Schuman, A.R. and Jerome permitted and facilitated the defamatory press  
21 conference with full knowledge of Carter’s business opportunities, advantages and contracts.

22           320. Ruth, Schuman, A.R. and Jerome permitted and facilitated the defamatory press  
23 conference with the intent of defaming Carter, extorting Carter, and interfering with Carter’s  
24 prospective business opportunities/advantages and contractual relationships.

25 <sup>31</sup> Not surprisingly, A.R. and her attorneys’ “Breaking News” post failed to inform the public that Aaron  
26 publicly recanted his prior statements, referred to Carter’s accusers’ accusations as “fake” and further  
27 indicated that he did not believe any of them.

28 <sup>32</sup> Of course, A.R. and her attorneys’ “Breaking News” post failed to inform the public that A.R.’s  
accusations were fully investigated and rejected by prosecutors based on A.R.’s deception and admissions.

1            321. All of the foregoing statements, whether made during the press conference or  
2 posted on social media platforms months and even years prior to the filing of the lawsuit, were and  
3 are defamatory. These statements were not made as part of a judicial proceeding or in furtherance  
4 of a judicial proceeding. The statements were neither compelled by law nor subject to the control  
5 and oversight of the judicial system. In fact, these statements were published to the world, to  
6 persons totally and completely uninvolved in Ruth and/or A.R.s' lawsuits. The statements made  
7 during the *coordinated* press conference, as a matter of law, fall outside the scope of the litigation  
8 privilege. Accordingly, all defamatory statements alleged herein were made without privilege and  
9 outside the protection of the litigation privilege.

10            **B. COUNTER-DEFENDANTS' INTENTIONAL INTERFERENCE**

11            322. Counter-Defendants had and have knowledge of Carter's business opportunities,  
12 advantages and contracts.

13            323. Counter-Defendants published the foregoing defamatory statements with a specific  
14 intent to damage Carter's reputation and interfere with his business opportunities, advantages and  
15 contracts.

16            324. In addition to publishing the defamatory statements to the world on social media  
17 and through other mediums, Counter-Defendants also copied or "tagged" many of their defamatory  
18 statements directly to third parties that are either involved with or have influence over Carter's  
19 prospective business opportunities, advantages and contracts. Such third parties include but are  
20 not limited to: *People* magazine, *Variety* magazine, Donny Osmond, Fan Expo Boston, Safemoon,  
21 "Varney & Co" (television program on FOX), "The Masked Singer" (television program on FOX),  
22 Perez Hilton, FOX News, Billboard, TMZ, "The Ellen Show," ABC, Sean Hannity, Dan Bongino,  
23 Laura Ingraham and iHeart Radio.

24            325. Counter-Defendants had no right or privilege to interfere with Carter's prospective  
25 business opportunities, advantages and contracts.

26            326. Counter-Defendants' interference was intentional, malicious and oppressive and  
27 designed specifically to damage Carter's image, reputation, and prospective economic advantages  
28 and opportunities.

1           327. As an illustration, prior to coordinating their press conference, Counter-Defendants  
2 were acutely aware of Carter’s ABC Christmas special, “A Very Backstreet Holiday.” Counter-  
3 Defendants were also aware that “A Very Backstreet Holiday” was scheduled to air on ABC on  
4 December 14, 2022.

5           328. At the urging of Schuman, A.R. and Jerome and in furtherance of the conspiracy,  
6 Ruth and her attorneys (Boskovich and CM&A) deliberately and strategically filed this lawsuit  
7 just six days before “A Very Backstreet Holiday” was scheduled to air and the day before Carter  
8 and his band were scheduled to go on “Good Morning America” to promote the special as well as  
9 the band’s new Christmas album. Counter-Defendants did so to torpedo the ABC special and all  
10 of the publicity, promotion and revenue that would have been realized, garnered and earned in  
11 connection therewith.

12           329. Indeed, within hours of Ruth’s suit being filed, ABC cancelled both the special as  
13 well as the band’s scheduled appearance on “Good Morning America.” The value of the foregoing  
14 publicity and album-promotion would have been substantial.

15           330. Carter and his band spent hundreds of hours and thousands of dollars rehearsing  
16 and filming the Christmas special in Los Angeles. Carter and the band also incurred substantial  
17 costs associated with travel and promotional efforts concerning the special.

18           331. The cancellation of the Christmas special and “Good Morning America” shows  
19 alone have damaged Carter in an amount in excess of \$1,000,000.

20           332. Counter-Defendants also had and have knowledge of the following contracts and/or  
21 business deals in which Carter, and/or companies in which he holds an interest, was a party:

- 22           • an endorsement deal with MeUndies worth at least \$350,000;
- 23           • an endorsement deal with VRBO worth at least \$1,000,000; and
- 24           • an endorsement deal with Roblox worth a substantial amount in  
25           publicity/marketing, retail revenue and other potential revenue streams.

26           333. Counter-Defendants, with the help of their lawyers, defamed Carter with the intent  
27 or design to disrupt, interfere with and/or sabotage the foregoing contracts and business deals.  
28

1 334. As a direct result of the press conference and Counter-Defendants other defamatory  
2 statements as outlined at Section VII(A), *supra*, the ABC special, Carter and his band’s appearance  
3 on the “Good Morning America” show, and Carter’s contracts and business deals with MeUndies,  
4 VRBO and Roblox, among others, were cancelled. Accordingly, Carter has been damaged in the  
5 amount of at least \$2,350,000.

6 335. Counter-Defendants’ actions were intentional, malicious, oppressive and designed  
7 specifically to damage Carter’s contractual relationships and prospective economic advantages and  
8 opportunities. Counter-Defendants’ plot to smear Carter’s image in an effort to extort him  
9 financially has substantially damaged his image, reputation and ability to earn a livelihood.  
10 Indeed, given Counter-Defendants’ actions and defamatory statements, Carter’s damages are  
11 presumed by law.

12 336. Additionally, Counter-Defendants’ acts have caused Carter, his wife and his young  
13 children to suffer emotional distress. Carter and his family have been harassed for years, including  
14 being stalked, receiving relentless phone messages and even receiving multiple death threats –  
15 forcing the family to retain full-time security.

16 **FIRST CLAIM FOR RELIEF**  
17 **(Civil Conspiracy – All Counter-Defendants)**

18 337. Carter re-alleges all paragraphs within this Counterclaim and incorporates the same  
19 by reference as if repeated herein in their entirety.

20 338. Counter-Defendants entered into an agreement, whether explicit or implied, to  
21 publicly defame and smear Carter’s name and reputation for the unlawful objectives of ruining his  
22 reputation, interfering with his prospective economic advantages and contractual relations, and  
23 extorting him.

24 339. Counter-Defendants’ agreement was and is intended to accomplish an unlawful  
25 objective.

26 340. Acting in concert, the purpose of Counter-Defendants’ agreement was and is to  
27 harm Carter in furtherance of achieving their avaricious, malicious, and unlawful objectives.  
28

1 341. As co-conspirators, Counter-Defendants are liable for the actions of themselves and  
2 of one another in furtherance of their conspiracy and underlying torts.

3 342. Counter-Defendants' intentional interference, defamation, extortion, and abuse of  
4 process was intentional, malicious and oppressive, and designed specifically to damage Carter.

5 343. As a result of Counter-Defendants' actions, Carter has been damaged in an amount  
6 in excess of \$2,350,000, the exact amount to be proven at trial. As a further result of Counter-  
7 Defendants' actions, Carter has suffered anxiety and severe emotional distress causing him  
8 additional damages, the exact amount to be proven at trial.

9 344. It was necessary for Carter to retain the services of an attorney and incur attorneys'  
10 fees and costs to prosecute this action, and therefore Carter is entitled to reimbursement for all the  
11 attorney's fees and costs incurred herein as special damages.

12 **SECOND CLAIM FOR RELIEF**  
13 **(Intentional Interference with Prospective Economic Advantage – All Counter-Defendants)**

14 345. Carter re-alleges all paragraphs within this Counterclaim and incorporates the same  
15 by reference as if repeated herein in their entirety.

16 346. Carter is a professional musician and performer who enjoys prospective contractual  
17 relationships and economic advantages with third parties throughout the entertainment and  
18 commercial industries.

19 347. Counter-Defendants had and have knowledge, or should have had knowledge, of  
20 Carter's existing and prospective contractual relationships and economic advantages.

21 348. Counter-Defendants intended to harm Carter by interfering with, disrupting and/or  
22 preventing his prospective contractual relationships and economic advantages by the acts outlined  
23 herein, among others.

24 349. Counter-Defendants had no right, justification or privilege to interfere with Carter's  
25 prospective contractual relationships and economic advantages.

26 350. As co-conspirators, Counter-Defendants are liable for the actions of themselves and  
27 of one another in furtherance of their conspiracy and underlying torts.

28

1 351. All defamatory statements and other unlawful acts alleged herein were made  
2 outside the purview and scope of the absolute judicial and/or litigation privilege. Counter-  
3 Defendants improperly and/or illegally interfered with Carter’s prospective contractual  
4 relationships and economic advantages.

5 352. Counter-Defendants’ interference was intentional, malicious and oppressive, and  
6 designed specifically to damage Carter.

7 353. As a result of Counter-Defendants’ actions, Carter has been damaged in an amount  
8 in excess of \$2,350,000, the exact amount to be proven at trial. As a further result of Counter-  
9 Defendants’ actions, Carter has suffered anxiety and severe emotional distress causing him  
10 additional damages, the exact amount to be proven at trial.

11 354. It was necessary for Carter to retain the services of an attorney and incur attorneys’  
12 fees and costs to prosecute this action, and therefore Carter is entitled to reimbursement for all the  
13 attorneys’ fees and costs incurred herein as special damages.

14 **THIRD CLAIM FOR RELIEF**  
15 **(Intentional Interference with Contractual Relations – All Counter-Defendants)**

16 355. Carter re-alleges all paragraphs within this Counterclaim and incorporates the same  
17 by reference as if repeated herein in their entirety.

18 356. Carter and/or his companies were a party to the valid and existing contracts,  
19 business deals and/or endorsements set forth at Section VII(B), *supra*.

20 357. Counter-Defendants had actual or inferred knowledge of the foregoing contracts,  
21 contractual relations, business deals and/or endorsements.

22 358. Counter-Defendants engaged in acts that were intended or designed to disrupt  
23 and/or interfere with the foregoing contracts, contractual relations, business deals and/or  
24 endorsements.

25 359. Carter’s foregoing contracts, contractual relations, business deals and/or  
26 endorsements were actually disrupted and/or cancelled.

27 360. As co-conspirators, Counter-Defendants are liable for the actions of themselves and  
28 of one another in furtherance of their conspiracy and underlying torts.

1           361. All defamatory statements and other unlawful acts alleged herein were made  
2 outside the purview and scope of the absolute judicial and/or litigation privilege. Counter-  
3 Defendants improperly and/or illegally interfered with Carter’s contracts, contractual relations,  
4 business deals and/or endorsements.

5           362. Counter-Defendants’ interference was intentional, malicious and oppressive, and  
6 designed solely to damage Carter.

7           363. As a result of Counter-Defendants’ actions, Carter has been damaged in an amount  
8 in excess of \$2,350,000, the exact amount to be proven at trial. As a further result of Counter-  
9 Defendants’ actions, Carter has suffered anxiety and severe emotional distress causing him  
10 additional damages, the exact amount to be proven at trial.

11           364. It was necessary for Carter to retain the services of an attorney and incur attorneys’  
12 fees and costs to prosecute this action, and therefore Carter is entitled to reimbursement for all the  
13 attorneys’ fees and costs incurred herein as special damages.

14                           **FOURTH CLAIM FOR RELIEF**  
15                           **(Defamation – All Counter-Defendants)**

16           365. Carter re-alleges all paragraphs within this Counterclaim and incorporates the same  
17 by reference as if repeated herein in their entirety.

18           366. The statements made by Counter-Defendants outlined in Section VII(A), *supra*,  
19 were false and defamatory in nature.

20           367. The false and defamatory (slandorous/libelous) statements by Counter-Defendants  
21 were made about Carter.

22           368. The false and defamatory statements were made and published online and in the  
23 public domain by Counter-Defendants to countless third parties.

24           369. Under the circumstances, no privilege exists regarding the false and defamatory  
25 statements made by Counter-Defendants.

26           370. Counter-Defendants intentionally, or at the very least negligently, made the  
27 defamatory statements.  
28



1           371. As co-conspirators, Counter-Defendants are liable for the actions of themselves and  
2 of one another in furtherance of their conspiracy and defamation.

3           372. All defamatory statements and other unlawful acts alleged herein were made  
4 outside the purview and scope of the absolute judicial and/or litigation privilege.

5           373. Counter-Defendants' acts in making the false and defamatory statements were  
6 intentional, malicious and oppressive, and designed specifically to damage Carter's image,  
7 reputation and professional dealings.

8           374. As a result of Counter-Defendants' actions, Carter has sustained actual and/or  
9 presumed damages in excess of \$2,350,000, the exact amount to be proven at trial. As outlined  
10 herein, many of these defamatory statements constitute defamation *per se*. As a further result of  
11 Counter-Defendants' actions, Carter has suffered anxiety and severe emotional distress causing  
12 him additional damages, the exact amount to be proven at trial.

13           375. It was necessary for Carter to retain the services of an attorney and incur attorneys'  
14 fees and costs to prosecute this action, and therefore Carter is entitled to reimbursement for all the  
15 attorneys' fees and costs incurred herein as special damages.

16   **FIFTH CLAIM FOR RELIEF**  
17   **(Abuse of Process – All Counter-Defendants)**

18           376. Carter re-alleges all paragraphs within this Counterclaim and incorporates the same  
19 by reference as if repeated herein in their entirety.

20           377. A.R., *and based on their concerted and unlawful involvement Schuman, Ruth and*  
21 *Jerome*, had an ulterior purpose in filing this action other than resolving a legitimate legal dispute.

22           378. Ruth, A.R. and Schuman have made multiple attempts to extort money from Carter  
23 in connection with their false and fabricated allegations. All such attempts failed due to the  
24 accusations having no merit.

25           379. As outlined herein, Counter-Defendants' ulterior purpose was and is to continue to  
26 defame, financially ruin and extort Carter while drawing unwarranted fame and attention to  
27 themselves.  
28

1 380. Counter-Defendants willful acts in the use of process were not proper in the regular  
2 conduct of the proceeding.

3 381. As co-conspirators, Counter-Defendants are liable for the actions of themselves and  
4 of one another in furtherance of their abuse of process.

5 382. All unlawful acts alleged herein were made outside the purview and scope of the  
6 absolute judicial and/or litigation privilege.

7 383. Counter-Defendants' conduct was intentional, malicious and oppressive, and  
8 designed specifically to damage Carter.

9 384. As a result of Counter-Defendants' actions, Carter has been damaged in an amount  
10 in excess of \$2,350,000, the exact amount to be proven at trial. As a further result of Counter-  
11 Defendants' actions, Carter has suffered anxiety and severe emotional distress causing him  
12 additional damages, the exact amount to be proven at trial.

13 385. It was necessary for Carter to retain the services of an attorney and incur attorneys'  
14 fees and costs to prosecute this action, and therefore Carter is entitled to reimbursement for all the  
15 attorneys' fees and costs incurred herein as special damages.

16 **PRAYER FOR RELIEF**

17 WHEREFORE, Carter prays for judgment against Counter-Defendants, and each of them,  
18 as follows:

19 1. For damages in an amount of no less than \$2,350,000, the exact amount to be  
20 proven at trial;

21 2. For emotional distress damages, the exact amount to be proven at trial;

22 3. For punitive damages;

23 4. For an award of reasonable attorney fees and costs of suit;

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- 5. For pre and post-judgment interest in an amount to be determined after trial; and
- 6. For such other and further relief as the Court deems just and proper.

DATED this 5<sup>th</sup> day of January, 2024.

**HAYES | WAKAYAMA | JUAN**

By /s/ Dale A. Hayes, Jr.

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **DEFENDANT NICKOLAS CARTER'S COUNTERCLAIM** was submitted electronically for filing and service with the Eighth Judicial District Court on the 5<sup>th</sup> day of January, 2024. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:<sup>33</sup>

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<sup>33</sup> Pursuant to the Nevada Electronic Filing and Conversion Rules, Rule 9(c), each party who is a registered user with EFS consents to electronic service in accordance with NRCP 5(b)(2)(E).