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Wagmor Pets and Wyler's Holistic Pet Center, Inc.
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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**

11 MELISSA BACELAR, an Individual;
WAGMOR PETS, a California Non-Profit
12 Corporation; WYLDER'S HOLISTIC PET
CENTER, INC. dba THE WAGMOR, a
13 Delaware Corporation,

14 Plaintiffs,

15 vs.

16 KIM SILL, aka [REDACTED]
17 [REDACTED] an Individual; SHELTER HOPE
PET SHOP, Inc., a California Non-Profit
18 Corporation; MATT [REDACTED] an
Individual; FAITH [REDACTED] an Individual;
19 and DOES 1 through 500, inclusive,

20 Defendants.
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CASE NO.: 24STCV01638

VERIFIED COMPLAINT

1 Plaintiffs allege as follows:
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3 **FIRST CAUSE OF ACTION**

4 **(By Plaintiffs For Defamation Against All Defendants, Including All DOES)**
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6 1. Plaintiff Melissa Bacelar is an individual residing in the County of Los Angeles,
7 State of California.
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9 2. Plaintiff Wagmor Pets, is a California non-profit corporation, with its principal
10 place of business in the County of Los Angeles, State of California.
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12 3. Plaintiff Wylder's Holistic Pet Center, Inc., dba The Wagmor, is a Delaware
13 corporation with its principal place of business in the County of Los Angeles, State of
14 California.
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16 4. Defendant Kim Sill ("Sill"), also [REDACTED]
17 [REDACTED] is an individual. Plaintiffs are informed and believe, and on that basis allege, that
18 Sill resides in the County of Ventura, State of California.
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20 5. Defendant Shelter Hope Pet Shop, Inc., is a California non-profit corporation,
21 controlled by Sill, with its principal place of business in the County of Ventura, State of
22 California.
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24 6. According to the Secretary of State's website, Shelter Hope Pet Shop, Inc.
25 was suspended by the Secretary of State on December 29, 2017, and by the Franchise Tax
26 Board on September 3, 2019. According to the IRS website, Shelter Hope Pet Shop, Inc.'s
27 non-profit status was revoked on May 15, 2018. Nevertheless, Shelter Hope Pet Shop, Inc.
28 continues to advertise itself as a non-profit organization.

1 7. Defendant [REDACTED] is an individual. Plaintiffs are informed
2 and believe, and on that basis allege, that [REDACTED] resides in the County of Los Angeles,
3 State of California.

4
5 8. Defendant [REDACTED] is an individual. Plaintiffs are informed and
6 believe, and on that basis allege, that [REDACTED] in the County of Los Angeles, State of
7 California.

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9 9. Plaintiffs do not know the true names or capacities of the Defendants sued
10 herein as Does 1 through 500 inclusive, and will seek leave to amend this Complaint to set
11 forth the true names and capacities of such fictitiously-named Defendants when the same
12 has been ascertained. Plaintiffs are informed and believe, and based on such information
13 and belief allege, that each of the fictitiously-named Defendants is liable for some or all of
14 the damages and other relief sought by this Complaint. Reference in this Complaint to the
15 "Defendants," includes both the named defendants and all Doe defendants.

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17 10. Defendants engaged in a campaign to defame Plaintiffs, employing websites
18 located at thetruthaboutwagmorpets.com and <https://shelterhopepetshop.org>, and also
19 Instagram accounts such as @thetruthaboutwagmorpets.com and @shelterhope_petshop.

20
21 11. In furtherance of that campaign, Defendants contacted a 13-year-old
22 Instagram influencer (the "Minor") and told him various lies about Plaintiffs. Among other
23 things, Defendants told the Minor that Plaintiffs were stalking him in a white Mercedes,
24 sending abusive emails, and making threats against the Minor. Defendants told the Minor
25 they had researched the matter, and traced all the IP addresses to Plaintiffs. Those
26 statements were all false, and Defendants knew them to be false.

27
28 12. Defendants then coached the Minor to make posts on Instagram, repeating

1 those lies. As a result, the Minor, who has in excess of 100,000 followers on Instagram,
2 made posts accusing Plaintiffs of stalking him, making death threats and other illegal
3 activities. It is likely that over 10,000 people, and perhaps over 100,000 people, saw what
4 he wrote.

5

6 13. Subsequently, the Minor's parent learned that their son had been, in their
7 words, "coached and lied to by a trusted adult."

8

9 14. Defendants responded by claiming that they had had no involvement in the
10 misconduct involving the Minor, and implied that their accounts had been hacked.
11 Defendants further implied that it had been Plaintiffs who were guilty of "threats" and "cyber
12 bullying."

13

14 15. Defendants' statements to the Minor were false, and defamatory *per se*.

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16 16. Defendants willfully and intentionally caused the Minor to repeat those false
17 and defamatory statements on Instagram, among other places, for the purpose of damaging
18 Plaintiffs, and for Defendants' own gain.

19

20 17. The false statements made by Defendants, both to the Minor and otherwise,
21 did, in fact, cause Plaintiffs substantial damage. The amount of such damage is difficult to
22 calculate, and continues to accrue, but Plaintiffs are informed and believe, and on that basis
23 allege, that damages exceed \$100,000.

24

25 18. The acts of Defendants were outrageous and despicable, especially in lying
26 to and manipulating the Minor. Defendants' actions were not only in complete disregard of
27 the Minor's well-being, they were designed with the specific intent to harm Plaintiffs.
28 Defendants are therefore liable for punitive and exemplary damages in an amount sufficient

1 to punish and make an example of them, according to proof.

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PRAYER FOR RELIEF

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WHEREFORE, Plaintiffs pray for Judgment against the Defendants, and each of them, as follows:

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1. For compensatory damages in an amount presently unknown but believed to be in excess of \$100,000;

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2. For punitive and exemplary damages against Defendants in an amount according to proof;

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3. For costs of suit, including, if applicable, reasonable attorneys' fees; and

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4. For such other and further relief as the Court deems just and proper.

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DATED: January 22, 2024

LEONARD, DICKER & SCHREIBER LLP

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By: Steve Schuman

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Steven A. Schuman
Attorneys for Plaintiffs

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VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing VERIFIED COMPLAINT and know its contents.

CHECK APPLICABLE PARAGRAPHS

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

X I am X an Officer a partner a of Wagner Pets

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. X I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters I believe them to be true

I am one of the attorneys for a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true

Executed on January 22, 2024 at Los Angeles, California. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Melissa Bacelar Type or Print Name

Signature

PROOF OF SERVICE 1013a (3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of State of California I am over the age of 18 and not a party to the within action; my business address is:

On, I served the foregoing document described as on in this action

- by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list
by placing the original a true copy thereof enclosed in sealed envelopes addressed as follows

BY MAIL

I deposited such envelope in the mail at California The envelope was mailed with postage thereon fully prepaid

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U S postal service on that same day with postage thereon fully prepaid at California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on at California.

(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on at California.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Type or Print Name

Signature

*BY MAIL: SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG;
**FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER