

Vanessa Ott
2825 S. King St., Apt. 2901
Honolulu, HI 96826
Cell Phone: 808-854-1018

IN THE CIRCUIT COURT FOR THE THIRD CIRCUIT
SMALL CLAIMS DIVISION
STATE OF Hawai'i

Electronically Filed
FIRST CIRCUIT
1DSC-21-0000748
31-AUG-2021
10:28 AM
Dkt. 3 DOC

VANESSA OTT, Plaintiff
MsVOtt@gmail.com

In the matter of defamation

v.

Civil No. 1DSC-21-_____

CHRISTINE K. ASUNCION, Defendant
Christine.Asuncion@k12.hi.us

Plaintiff's Statement of Complaint;
List of Exhibits 1-3

Plaintiff's Statement of Complaint

In October 2020, Christine K. Asuncion, Defendant, committed an act of defamation that set into motion a series of events which became very costly to Plaintiff financially, emotionally, and professionally. The details of the defamatory statements are contained in Ex. 1 (Plaintiff's letter dated November 3, 2020). Ex. 1 contains three witness statements that contradict Defendant's false statement, as well as requests for the statements to be retracted. To date, Defendant has not responded to requests for resolution, and has allowed the defamatory statements to stand as her record.

As a result of, and based on, Defendant's defamatory statements, Department of Education Administrators (Principal, Complex Area Superintendent, and Deputy Superintendent) took negative action against Plaintiff. (See Exhibit 1.) This made the working relationship between Plaintiff (family advocate and tutor for Special Needs student, Tevita Ahomana) and the school completely unworkable as evinced in Ex. 1 (Deputy Superintendent's letter dated October 17, 2020). Student's parent felt hopeless about her son's educational future in this setting.

In desperation, Feketi Huahulu (student's parent) consulted her brother. He and his wife suggested private school, and offered to pay for it. Plaintiff had a video meeting with Ms. Huahulu's sister-in-law in January 2021 who assured Plaintiff that she and her husband would pay for private school. Ms. Huahulu asked Plaintiff to find a school, and St. Patrick School was chosen as being in the lower cost range plus the school was willing to enroll a Special Needs student mid-year. Ms. Huahulu did not have the financial resources to pay for school costs and Ms. Huahulu's brother and sister-in-law live(d) in California. So, for the sake of expediency and to get the child enrolled in school as soon as possible (Semester 2 had already started), Plaintiff paid the school costs in January 2021 with the expectation she would be reimbursed. In

February 2021, Ms. Huahulu's brother, the primary wage earner for he and his wife, passed away from a sudden heart attack, and Ms. Huahulu's sister-in-law was thrown into a sudden financial crisis. Plaintiff wound up paying the fees for St. Patrick school and is awaiting reimbursement. (Ex. 2)

Exhibit 3 is a tally as of August 31, 2021 of financial damages Plaintiff suffered due to Defendant's refusal to correct her defamatory statements. This includes compensation for lost work time. Plaintiff is a private piano teacher who earns a net hourly fee of \$60. The 46.92 hours shown in Ex. 3 is an extremely conservative estimate of time spent on this issue to date. The longer this goes on, the more time this costs Plaintiff, and more court fees/expenses accrue.

In addition to financial damages, it has been exhausting and depressing to be falsely accused and then the perpetrator steadfastly refuses to retract her statements even with presented with irrefutable evidence of *her* error. Plaintiff has been an education advocate in Hawai'i since 2012 when she resigned her position as a DOE teacher. She can no longer continue that work when her reputation is so flagrantly defamed. Also, Plaintiff's student and his mother, Plaintiff's friends have fled Hawai'i like so many before them seeking a brighter future, and relocated to California this past summer. Living in Hawai'i had become bleak when Plaintiff could no longer assist with student's public education nor continue to pay for private school.

Plaintiff is willing to engage in and encourages mediation to settle this quickly.

Plaintiff is asking for:

- \$5,000 financial compensation; and
- restoration of Plaintiff's reputation with a "guilty of defamation" judgement from the court against Defendant.

Plaintiff is willing to settle for:

- \$2,500 financial compensation;
- a signed letter from Defendant with an:
 - apology for making false statements against Plaintiff;
 - explanation why Defendant refused to retract her false statements after receiving three (3) witness statements contradicting Defendant's story; and
- restoration of Plaintiff's reputation with a "guilty of defamation" judgement from the court against Defendant.

List of Exhibits

- Exhibit 1: *Exhibit-1-Correspondence.pdf*
- Exhibit 2: *Exhibit-2-Itemized-Statement-St-Patrick.pdf*
- Exhibit 3: *Exhibit-3-Financial-Damages.pdf*

Plaintiff: Vanessa Ott

August 31, 2021
Date