

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA
CIVIL DIVISION

**TRISTAN TATE, an individual and
ANDREW TATE, an individual**

Plaintiffs,

v.

**EMMA GABBEY, an individual,
MONA TABBARA GABBEY, an individual,
WILLIAM GABBEY, an individual,
ALIONA UNTILA, an individual, and
MATTHIEU MARTELLY, an individual**

Defendants,

CASE NO.
DIV.

Complaint for damages exceeding \$5,000,000.00 for defamation, defamation per se, commercial defamation, false imprisonment, tortious interference of a business relationship, civil conspiracy, intentional infliction of emotional distress, and negligent infliction of emotional distress.

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INTRODUCTION

The case of Andrew & Tristan Tate v Emma Gabbey is the story of a man, Tristan Tate, who was the victim of a Romance Scam by a professional con artist named Emma Gabbey—and Andrew Tate, who was collateral damage in the fallout. Romance scams are real and have devastating effects on their victims. According to the Federal Bureau of Investigation: Romance scams occur when a criminal adopts a fake online identity to gain a victim's affection and trust. The scammer then uses the illusion of a romantic or close relationship to hurt and manipulate the victim. Criminals who carry out romance scams are experts. They proffer the illusion of being genuine, caring, and believable. These con artists lurk on dating and social media sites until they find a mark. Afterward, they work quickly to establish a relationship—endearing themselves to their victims and gaining trust. They profess love, share stories, feign vulnerability, and plan to meet in person; eventually, they begin making demands.¹ Men are typically the villains in romance scam stories, and women are the unsuspecting victims. This dated, gender-based typecasting is shameful and wrong, falsely portraying men as villains and women as perpetual victims. There was a time in the recent past when throngs of women stepped up to tell their stories of how they were taken advantage of by predatory men in the “#METOO” movement.² Times have changed, and progress has been made. Brave male victims are now stepping up to tell their stories of being taken advantage of by predatory women in the “#WHYME?” movement. Those stories did not start with Tristan and Andrew Tate but will certainly end with Tristan and Andrew Tate.

¹See FBI’s Safety Bulletin and description of Romance Scamming <https://www.fbi.gov/how-we-can-help-you/safety-resources/scams-and-safety/common-scams-and-crimes/romance-scams>.

²See Description of the METOO movement @ https://www.projectcallisto.org/definitions?gad=1&gclid=CjwKCAjw-7OlBhB8EiwA0qsd5ptyG2qn6pOfAQ5Bgolq4W7heoQcmv-CABwSdwFsKbEAwxoCCjAQAvD_BwE.

COMPLAINT

Plaintiffs, TRISTAN TATE and ANDREW TATE (“Plaintiffs”) sue Defendant, EMMA GABBEY (“E. Gabbey”), MONA TABBARA GABBEY (“M. Gabbey”), WILLIAM GABBEY (“W. Gabbey”), MATHIEU MARTELLY (“Martelly”) and ALIONA UNTILA (“Untila”) and would show unto the court as follows:

PARTIES

1. Plaintiffs, Tristan Tate and Andrew Tate, are businessmen residing in Romania.
2. Defendant, Emma Gabbey, on information and belief is a resident of Palm Beach County, Florida, is an adult over the age of 18, and is otherwise *sui juris*.
3. Defendants, Mona Gabbey and William Gabbey, on information and belief, are the parents of Defendant, Emma Gabbey, both residing in Palm Beach County, Florida.
4. Defendants, William Gabbey and Mona Tabbara Gabbey, on information and belief, are adults over the age of 18 and are otherwise *sui juris*.
5. Defendant, Aliona Untila, is currently a resident of the United Kingdom and is an adult over the age of 18 and is otherwise *sui juris*.
6. Defendant, Matthieu Martelly, is currently a resident of Virginia and is an adult over the age of 18 and is otherwise *sui juris*.

JURISDICTION AND VENUE

7. This is a Complaint for damages in excess of \$5,000,000.00 for defamation, defamation per se, commercial defamation, false imprisonment, tortious interference of a business relationship, civil conspiracy, intentional infliction of emotional distress, and negligent infliction of emotional distress.

8. This Court has personal jurisdiction over the Defendants and venue is appropriate in this Court, as substantially all the events relating to the causes of action herein occurred in Palm Beach County, Florida or within the State of Florida.

9. E. Gabbey directed the false statements into the State of Florida to, at least, M. Gabbey and W. Gabbey. Those parties, in turn, made additional defamatory statements to a United States Embassy and, upon information and belief, other third parties.

10. Matthieu Martelly directed the defamatory statements into the State of Florida to, at least, M. Gabbey and W. Gabbey and several other people and entities.

11. This Complaint for damages is brought within the two (2) year statute of limitations for defamation under Florida Statute, whether it be libel or slander.

12. This Complaint is brought within the four (4) year statute of limitations for civil conspiracy, tortious interference, intentional infliction of emotional distress, negligent infliction of emotional distress, and false imprisonment under Florida Statute.

STATEMENT OF FACTS

The Tate Brothers

13. Andrew Tate, 36 (“A. Tate”) and Tristan Tate, 34, (“T. Tate”) (collectively, “the Tate Brothers”), are a pair of British-American brothers, entrepreneurs, major social media influencers, and international businessmen currently residing in Romania.

14. The Tate Brothers’ international presence can be attributed to the values and life experiences that began in youth, which had them frequently on the move from a young age, living in both the United States and the United Kingdom.

15. The Tate Brothers are a product of a multi-racial family and were reared by the late Emory Tate, an African American chess prodigy who became one of the most prolific and trailblazing

chess players of his time, and a white British mother who worked as a cook, or dinner lady, as it is known in the United Kingdom.

16. The Tate Brothers deeply respect, appreciate, and admire the personal sacrifice their mother undertook to provide for them during an era of extreme hardship when they were youths. In showing gratitude for said sacrifice, the Brothers retired their mother immediately after achieving financial independence.

17. Andrew Tate is a former world champion kickboxer, social media influencer, investor, international businessman—and most importantly, a father.

18. Tristan Tate is a former European champion kickboxer, social media influencer, investor, international businessman—and most importantly, a father.

19. In addition to their individual personal and individual business identities, the Tate Brothers also have a collective business identity and reputation composed of both Andrew Tate and Tristan Tate.

20. At any point, one brother may unilaterally and independently act for himself, in conjunction with or independently in support of the other brother, or as a member of the collective Tate Brothers Team. Neither brother has the authority to act on behalf of the other absent consent.

21. The Tate Brothers consult, advise, and generate income from multiple business ventures, generating revenues estimated in hundreds of millions of dollars. They are respected thought leaders, business moguls, and motivational speakers across various industries. Highly successful businessmen, investors, men seeking upward mobility, and men striving for financial independence invest in the Tate Brothers as a product that provides access to vast international investment, business, and influencer markets. Young men, in particular, look to the Tate Brothers

for hope, inspiration, and instruction regarding how to rise above and defeat the unfair circumstance they have been born into.

22. The Brothers' ability to work, advise, generate income, influence, market, obtain new business, maintain and develop existing business relationships, and be of value. As well as their ability to preach self-help, accountability, and personal responsibility towards oneself and society. All depends upon their reputation, ability to bank, travel, meaningfully participate in the international capitalistic marketplace, and express their First Amendment rights absent the threat of incarceration or censorship, and cancellation from Big Tech and Big Bank working as private agents of The United States Government, or any other government.

23. The Tate Brothers' use of social media and travel is a distinguishing factor in their success. Their massive social media presence (previously in the tens of millions of followers, putting them in the top 1% of social media personalities in the world), coupled with direct interaction with their following and the ability fly to anywhere in the world at a moment's notice represents a first of its kind intersection between social media personalities and people in the real world. Nothing like this had ever been seen before. Unfortunately, their following, previously amassed across Twitter, Instagram, Facebook, and YouTube, was wiped out due to the spurious false allegations underpinning the allegations in this complaint. And while the Brothers are rebuilding their following on Twitter and Rumble, the only two social media platforms that welcomed them back after being unjustly canceled across all social media platforms. Their losses due to this interruption are in the tens of millions of dollars.

24. The Tate Brothers are wise investors and previously increased their wealth through access to exclusive opportunities directly related to their reputation as respected influential businessmen among a community of elite investors. They previously owned many different asset classes,

including dozens of high-end luxury vehicles, cash, and jewelry seized due to being wrongfully accused of crimes they did not commit. Their estimated losses in the seized cars and jewelry alone are over \$5,000,000.00 (five-million-dollars).

25. The Tate Brothers have previously owned properties globally and regularly travel to different countries for business and recreation. Their ability to buy, sell, and invest in assets of any kind, and sell their product, greatly depends upon their ability to hold accounts in the international banking system and travel any distance at a moment's notice. The importance of their ability to bank and travel cannot be overstated. The losses they sustained due to this interruption are in the tens of millions of dollars.

26. The common philosophy uniting all the Tate Brothers' businesses, however seemingly unrelated, is a goal towards self-improvement in every aspect of life: personally, professionally, and spiritually. The Tate Brothers' businesses have consistently realized this goal, which goes a long way toward explaining their far-reaching and passionate following. All of this depends on their reputation and ability to prove demonstrable results to their investors, clients, and other members of their community. Young men represent a large constituency of their following, including, in the most dramatic of cases, men on the brink of suicide who have managed to drastically turn around their lives after being inspired by the Tate Brothers' message of mental and physical empowerment. The losses sustained due to their reputations as motivators and role models being destroyed are estimated to be in the tens of millions of dollars. **More importantly, the losses sustained by young men worldwide, who look to the Brothers for inspiration and practical instruction for legitimate ways to rise above class and race-based injustice—is incalculable.**

The Tate Brothers in Romania

27. Compared to Western Europe and the United States, Romania has long been known to be a traditional country with a rich cultural history, traditions, and Christian values, complying with the Tate Brothers' personal convictions and worldview. Because of this, beginning in or about 2015, the Tate Brothers became full-time residents of Romania. Indeed, the Tate Brothers have gone on record saying, through their spokesperson, Mattea Petrescu, that one of the reasons that they chose Romania was because of the country's strong laws against abusing women—a reflection of the country's traditional values. Bucharest, the capital of Romania, where they reside full-time, is statistically one of the safest cities in Europe.

28. The Tate Brothers are traditional in another respect: they believe in the bond of brotherhood, a lesson their late father, Emory Tate, instilled into them from a young age. This lesson is demonstrated by the closeness of their brotherly relationship, both personally and professionally. The Brothers tend to appear in public together because of their strong emphasis on the family unit and family values. For instance, A. Tate and T. Tate jointly promote their affiliate products and businesses. They also frequently collaborate on their podcasting and social media ventures and often appear together at business conferences and charitable events.

29. The Tate Brothers first garnered press attention in 2008. Before becoming celebrity entrepreneurs, the Tate Brothers separately distinguished themselves in successful careers as professional kickboxers: A. Tate won multiple World Titles, and T. Tate won numerous European Championships. The Tate Brothers soon found ways to parlay that fame into non-athletic ventures: T. Tate became a successful sports commentator and appeared on a British reality TV Show called *Shipwrecked Island* in 2011. In 2016, Andrew Tate appeared on a different British reality TV show called *Big Brother*. Their prominence has significantly increased over the past twelve months

due to viral internet clips from the summer of 2022. Their celebrity, however, is limited in geography and audience – to primarily young – traditional-leaning European men.

30. As demonstrated above, from early on, the Tate Brothers involved themselves in various businesses. One such industry explored by the Tate Brothers was in the already booming webcam modeling industry, where they frequently collaborated with women in lucrative partnerships to model on lawful social media websites, such as TikTok and OnlyFans. The Tate Brothers have long since moved on from the webcam modeling business, as they have moved on from kickboxing and reality television at earlier stages in their careers. Since then, the Tate Brothers have occasionally advised women looking to make careers in lawful webcam modeling, social media, or other modeling sites on ways to earn money after being solicited to do so. Advice given in these situations is always in the spirit of helping someone better their lives, absent judgment or condemnation— always considering the sacrifices they had to make to achieve success.

31. The Tate Brothers are compassionate and empathetic people, especially to those who are less fortunate than them. They also believe that people generally act in good faith and, in most cases, approach them out of a genuine desire for self-improvement. Their generosity is evidenced by the fact that they regularly let friends make use of their luxuries, often permitting them to freely enter and exit their multimillion-dollar homes, make use of their luxury vehicles, attend elegant gatherings, and lodge at their Romanian estate, even during times where the Brothers were abroad for extended periods.

32. The Brothers' generosity stems from the fact that they were disadvantaged when they were young. Tristan has publicly recounted stories when the Brothers, during their early 20s, had little to no money. To obtain food, they would visit local KFC restaurants and wait in the car until patrons finished their meals outdoors, at which point the Brothers would take and eat whatever

leftovers remained to prevent themselves from starving. Never forgetting that era in their life, the Brothers regularly open their home and pool to families in their local Bucharest community because they want the less fortunate to experience, to some small yet meaningful extent, what life can be like if you work hard and are determined to succeed.

33. People genuinely enjoy being around the Tate Brothers because they are friendly, successful, charismatic, young, wealthy, and highly generous. For instance, if a friend solicits professional advice from either brother, the Brothers are known to be quick and helpful in provisioning assistance. And as stated above, they often behave this way with strangers. Unfortunately, their altruism has made them targets for extortion by bad-faith actors, who have exploited their generosity for selfish and sometimes even criminal reasons.

34. Because of their wealth, notoriety, and apparent vulnerability to wrongdoers, the Tate Brothers employ approximately two dozen armed guards, primarily ex-Romanian police officers adequately licensed to carry firearms to guard their estate. Because of security protocols and turnover, the guards usually do not interact directly with the Tate Brothers. Communications between the Tate Brothers and the security guards are managed through a single point of contact, who directs security to verify visitors' identities and open the gate for anyone exiting the property. All guests who enter the Tate estate can freely and quickly leave anytime. This fact is corroborated by surveillance footage and witnesses who regularly frequent the estate.

35. Aliona Untila and Emma Gabbey are two women who were invited to become regular visitors at the Tate Estate and then maliciously accused the Brothers of horrible crimes. Aliona Untila and Emma Gabbey's stories are false and contradicted by hard evidence and witness accounts. For instance, there is publicly available video footage from the Tate estate showing Aliona Untila and Emma Gabbey, along with many others, freely entering and leaving the premises

at their leisure. Moreover, Iasmina Pencov (“I. Pencov”) a woman who hung out, partied with, and lodged with Aliona Untila and Emma Gabbey during that time, testified a sworn statement that she (Pencov), as well as Aliona Untila and Emma Gabbey, were all able to enter and exit the Tate Brothers residence without issue during all relevant times. I. Pencov also stated they could do the same at a second house, where she and Emma Gabbey lodged briefly.

36. **Importantly**, Pencov, and others, have testified that Andrew and Tristan Tate are innocent of human trafficking or any other crime. I. Pencov has also indicated that she has a background in psychology and is, therefore, less susceptible to psychological manipulation than the average person. She, therefore, is not the victim the Romanian Government has characterized her to be. However, Pencov has sworn that she is a victim of E. Gabbey, A. Untila, and that the Romanian Government capriciously violated her rights and the Tate Brothers’ rights. Lastly, another woman living with I. Pencov, named Beatrice Anghel, has indicated in a sworn statement that she is also a victim of E. Gabbey, A. Untila, and the improper weaponization of the Romanian Government, much in the same fashion as I. Pencov.

Emma Gabbey: upon information and belief...

36. Emma Gabbey is a predator who has a long history of baiting men into sexual relationships for the specific purpose of destroying their lives. She has a chain of victims going back several years to when she was a minor. Her modus operandi is as follows: she devises sophisticated narratives to elicit compassion and sexual attraction from unsuspecting men. She uses these men as hosts, taking what she wants for personal, emotional, and economic gain. At some point, she begins to exert control through intentional infliction of emotional distress, causing injury to the host. If her efforts to control do not produce an immediate return on her investment, she revokes consent for prior sexual acts and threatens to have her host arrested for rape unless her demands

are met. She is a serial extortionist and blackmailer who preys on successful men. On multiple occasions, she has accused innocent men of horrific crimes resulting in their unjust incarceration and damage to their professional and business reputations. Andrew and Tristan Tate are the latest victims in her trail of terror and destruction that has negatively affected the lives of dozens of men and women, all with disastrous consequences, including, but not limited to: Marlin Fisher, Tyler Hensel, Jailed John, Georgiana Naghel, Luana Radu, Iasmina Pencov, Beatrice Anghel, and, of course, Andrew Tate, and Tristan Tate.³

37. E. Gabbey repeats a similar pattern with her suitors: casting herself as a vulnerable young victim with a heartrending backstory: One that had to overcome incredible odds, such as an abusive, loveless childhood, to win the sympathy of her next exploit. As observed with each case, E. Gabbey proffers an elaborate narrative to elicit compassion from her victims—often emotionally susceptible, good-natured men who are connived by her sophisticated combination of natural beauty, touching backstory, musical talent, and charisma. A devastating combination for targets—clueless that criminal activity is afoot.

38. E. Gabbey has mastered the ability to deceive men into thinking she is an innocent woman without a manipulative bone in her body, a technique she has perfected after having experience with dozens of exploits who let their guards down to the point of becoming powerless amid the romantic conquest. Once she wins their trust, at the point of greatest vulnerability, E. Gabbey radically changes. The demure damsel in distress transforms into a controlling, aggressive, abusive, and sexually depraved woman, demanding sexual acts from her unsuspecting partners that often far exceed their comfort zones. The former, demure damsel who grew up without love and affection suddenly asks her partners to choke her, hit her, urinate on her, and spit into her

³ See EXHIBIT A, *Kenneth Marlin Fisher v. Emma Aida Gabbey and Dani Pinter*, Circuit Court of The Fifteenth Judicial Circuit, Palm Beach Country, Florida on July 4, 2023. Case No: 502023CA011740XXXXMB.

mouth during sex. The girl who could not afford an Uber ride home now demands exclusivity, money, and autocratic control over the man's life. Blackmail and extortion are the penalty if her demands are not met.

39. E. Gabbey also has a long history of fraudulently misrepresenting her age on various dating apps and targeting older, successful men. She deploys a combination of fake IDs and false narratives to prove her age when needed. Eventually, after having sex with a man under false pretenses, she moved to extort them for statutory rape if a series of demands were unmet. It is believed that she did this to over thirty men.

40. Some of E. Gabbey's online aliases, which can be found on her Instagram, TikTok, Snapchat, Tinder, Hinge, OnlyFans, Seeking Arrangements, OkCupid, and Pornhub accounts, include, but are not limited, to: "Satanslaying," "@hippiehex," "twistedpathway," "psychicsense," and "thegardenofeden__."

41. "FuryFatale" is another alias routinely deployed by E. Gabbey. By French definition, Femme Fatale is a dangerous woman that uses seduction to lure men into dangerous or compromising situations. In French, Fatale means fatal. According to Webster's Dictionary, Fury is defined as wild or violent anger. Combining the two terms, E. Gabbey's handle means: **fatal violent anger**, which she clearly directs at successful men.

42. After she targets a man, she gives a fake identity to her victims. For instance, "Eden Gavriet" is an infamous false identity that E. Gabbey routinely deployed to conceal her identity from her victims to avoid the legal consequences of her actions. When challenged as to the veracity of her identity E. Gabbey used the combination of a fraudulent identity card, tactical

avoidance, emotional outburst, and sophisticated false narratives to corroborate her false identity.⁴

43. On a night in the winter of 2021, E. Gabbey attended a Tate Affiliated War Room event in Miami, FL. She had previously introduced herself to T. Tate as “Eden.” Later that night, when the event had reached its natural conclusion, she played a melody from a piano at the bar, captivating the entire room, including T. Tate, who later invited E. Gabbey back to an afterparty at a Miami estate. T. Tate’s life would never be the same.

44. Eden is also the false name E. Gabbey used to deceive a man named Marlin Fisher: A good man from Florida who thought he had found love with a beautiful woman. However, Marlin Fisher was one of many men’s lives that E. Gabbey ruined.

Marlin Fisher Is Induced Into A Sexual Relationship With E. Gabbey And Then Extorted

45. As stated above, E. Gabbey has an extensive history of fraudulently inducing unsuspecting, well-intentioned men into sexual intercourse for nefarious purposes. Marlin Fisher, one of E. Gabbey’s longstanding romantic exploits, has detailed in his lawsuit against E. Gabbey how she would work her fraudulent scheme against him.⁵

46. E. Gabbey deployed a combination of sophisticated false narratives, fraudulent identification cards, and emotional outbursts to lure M. Fisher into a trap. For example, E. Gabbey detailed her techniques in a written text sent to people she misled about M. Fisher. Therein, E. Gabbey explains how she would devise a sympathetic backstory, being an orphaned child without

⁴ See EXHIBIT A, *Kenneth Marlin Fisher v. Emma Aida Gabbey and Dani Pinter*, Circuit Court of The Fifteenth Judicial Circuit, Palm Beach Country, Florida on July 9, 2023. Case No: 502023CA011740XXXXMB.

⁵ See EXHIBIT A, *Kenneth Marlin Fisher v. Emma Aida Gabbey and Dani Pinter*, Circuit Court of The Fifteenth Judicial Circuit, Palm Beach Country, Florida on July 9, 2023. Case No: 502023CA011740XXXXMB.

a loving household, which made it extremely difficult to form meaningful, healthy relationships with other people – including her adoptive parents:

E. Gabbey: “I need to open up and tell you all something because I owe it to you-the people I care about. You have each moved me so much in my life that I am able to do it. I have a problem. ***I am a pathological liar.*** My life started in Kazakhstan where I grew up in a loveless orphanage We were picked up facing away from the “caretakers” so we never developed “love”. I never learned how to hug, smile, kiss, touch, or be close to anybody. I was adopted by incredible people named Mona & Bill who saved me from a life of abuse. I had a beautiful childhood because of them. When I was 11 or 12 I began to dissociate and resent them. I felt unwanted and like I had no family. So I began to rebel. Doing drugs and meeting lots of different people.” [Emphasis Added.]⁶

47. As she deepened her manipulation, like a drug addict, E. Gabbey would seek out and desire more potent forms of sexual exploitation to satisfy a seemingly insatiable emotional void within her. E. Gabbey would pursue men like M. Fisher, who she never developed any sort of real, emotionally loving attachment with, and demand that he perform abusive, masochistic sexual conduct on her in the bedroom:

E. Gabbey: “**My cunt is craving abuse.**”
E. Gabbey: “I wish you were here to **bite me.**”
E. Gabbey: “i wish i **was gagged and tied up like a fuckslut** right meow.”
E. Gabbey: “maybe you can **leave pretty little bruises** on me”.
E. Gabbey: “i love it when you **gag me**”.
E. Gabbey: “Would a **buttplug go off through a metal detector**”. (For context, E. Gabbey is asking M. Fisher if wearing her “buttplug” would set off the courthouse metal detector that she needed to go through in order to meet with the District Attorney who was prosecuting Jailed John based on E. Gabbey’s allegations.) [Emphasis Added.]⁷

⁶ See EXHIBIT A, Fisher’s Complaint, paragraph 52, which cites Exhibit S.

⁷ See EXHIBIT B at page 35.

The Intersection of the Jailed John Saga and Marlin Fisher

49. Jailed John is incarcerated because E. Gabbey accused him of █████ her. Jailed John is currently serving a lengthy prison sentence; his life has been utterly destroyed. The pattern of behavior used on Jailed John repeats the same pattern of behavior used against her other victims. Jailed John was induced into an illicit sexual relationship with a minor under false pretenses. According to M. Fisher, Jailed John performed deviant sexual acts in the bedroom, such as urinating on her during intercourse.⁸

50. On multiple occasions, E. Gabbey attempts to force M. Fisher out of his sexual comfort zone, asking M. Fisher to choke her harder during intercourse, and demanding that █████ perform “BDSM”⁹ and other sexually masochistic acts. At some point M. Fisher learns E. Gabbey was a minor when she had a sexual relationship with Jailed John, that E. Gabbey apparently lied to Jailed John when they met, and that Jailed John was going to do serious time because of it.

51. M. Fisher came to understand that Jailed John was sentenced to decades of incarceration because of █████’s accusations. M. Fisher knew that E. Gabbey lied about her age before the first sexual encounter. M. Fisher also knew that if E. Gabbey would have offered that information to the court, Jailed John’s sentence would likely have been substantially less than the decades-long sentence he is now serving in prison. M. Fisher confronted E. Gabbey during the Jailed John situation. The following exchange takes place between E. Gabbey and Jailed John during a text message conversation, where E. Gabbey refuses to disclose her real age because doing so would negatively affect her credibility in her impending case against Jailed John:

⁸ See EXHIBIT A, *Kenneth Marlin Fisher v. Emma Aida Gabbey and Dani Pinter*, Circuit Court of The Fifteenth Judicial Circuit, Palm Beach Country, Florida on July 9, 2023. Case No: 502023CA011740XXXXMB.

⁹ According to Merriam-Webster, “BDSM” is an acronym for “bondage, discipline, sadism, and masochism.” In general terms, it is defined as “sexual activity involving such practices as the use of physical restraints, the granting and relinquishing of control, and the infliction of pain.”

E. Gabbey: Okay, Marlin. If you are looking for me to publicly tell my actual age & name today or before my case is over [referring to her case against Jailed John], I'll sadly have to inform you that I won't. If that is what it takes to prove myself to you, I won't be able to." [Emphasis Added.]¹⁰

52. After being confronted, E. Gabbey then employs a psychological attack known as gaslighting to tactically avoid M. Fisher's questions.¹¹ In gaslighting Fisher, E. Gabbey accuses M. Fisher of attempting to "blackmail" her, which is precisely what E. Gabbey is actually doing to M. Fisher. She then casts herself as the victim – arguing that, in exposing the truth, M. Fisher had "betrayed" and "abandon[ed]" her, which in turn, in her view, gave her license to extort M. Fisher.

E. Gabbey: "**If you chose to blackmail me, I would have no choice except to be honest with the world about what you've done to me, why, and you would have to suffer repercussions of the truth. Among several men that attributing to my problems and behavior... of whom I also have evidence for..**"

M. Fisher: "I hear your points, and I'm not manipulating you to do anything. You could do something to prevent me if this were blackmail. There is nothing you can do. I hoped you wouldn't be shallow and selfish, I hoped you would show me you care. You showed me you don't care at all."

E. Gabbey: "*you blackmailed, betrayed my trust, & abandoned me.*" Emphasis Added.

E. Gabbey: "Thanks for abandoning me." [Emphasis Added.]¹²

¹⁰ See EXHIBIT A, Fisher's Complaint, paragraph 26.

¹¹ According to *Medical News Today*: gaslighting is a form of psychological abuse in which a person causes someone to question their own sanity, memories, or perception of reality. People who experience gaslighting may feel confused, anxious, or as though they cannot trust themselves.

¹² See EXHIBIT A, Fisher's Complaint, paragraph 28.

53. During another conversation, after M. Fisher unsuccessfully persuades E. Gabbey to come clean about the fact that she lied about her age to Jailed John. E. Gabbey, on her way to go meet with the prosecutor in the Jailed John trial, somehow combines Jailed John's suffering with sexual gratification. This is demonstrated by a conversation where E. Gabbey inquires with M. Fisher whether her "buttplug" will set off a metal detector in the courthouse.

E. Gabbey: "Would a buttplug go off through a metal detector". (For context, E. Gabbey is asking M. Fisher if wearing her "buttplug" would set off the courthouse metal detector that she needed to go through in order to meet with the District Attorney who was prosecuting Jailed John based on E. Gabbey's allegations.) [Emphasis Added.]¹³

E. Gabbey Fraudulently Accuses M. Fisher of Abuse in a Sworn Statement to Florida Court

54. On September 16, 2019, E. Gabbey went to the Palm Beach County Courthouse and filed a Temporary Injunction for Protection Against Domestic Abuse against M. Fisher under false pretenses.¹⁴ For context, E. Gabbey had asked M. Fisher to go to a concert with her. M. Fisher declined. E. Gabbey, furious that she could not control M. Fisher, files a restraining order under oath in a Florida State court where she maliciously accuses M. Fisher of severely abusing her. M. Fisher, distraught, did not know what to do. E. Gabbey had already been threatening to turn him in for statutory rape. So, in an act of desperation and under duress, M. Fisher accepted the false allegations of the restraining order to avoid a potential statutory rape charge. The following admissions by E. Gabbey in a text exchange with M. Fisher clearly demonstrate that E. Gabbey weaponized the justice system against M. Fisher to suit her own needs by constructing and masterminding a "completely false narrative" under oath.

¹³ See EXHIBIT B at page 35.

¹⁴ A true and correct copy of the September 16, 2019 Temporary Injunction for Protection Against Domestic Abuse filed against Fisher by E. Gabbey is attached hereto as EXHIBIT C.

M. Fisher: "**The things I remember being on it were that I - was a heavy user of illicit drugs - would beat you when you tried to leave - restrained you from leaving or calling the cops - often left you on the side of the highway if you said anything to upset me.**"

M. Fisher: "- and that I had been stalking you and showing up places that I knew you would be after you ended things."

E. Gabbey: "**that's so fucked up that i wrote that. i'm going to clear this up.**"

E. Gabbey: "not to defend any of this but to clarify i promise i never said you were a user of drugs..."

M. Fisher: "You weren't the one writing it?"

E. Gabbey: "the things i were definitely reworded and exaggerated. they asked me of events and then they reworded my words in the official injunction document. i was brought in to speak to two lawyers. (the legal aid who had just finished law school that was defending me & her colleague who was training her)."

E. Gabbey: "**I am incredibly sorry that what I said encapsulated a completely false narrative. Especially that paints you as a terrible person because you aren't. You never deserved to be treated that way. Nobody does.**"

E. Gabbey: "**None of it was okay. Absolutely none of it. Is there anything you can think of that i can do to prove that I understand that and truly am repentant?**" [Emphasis Added.]

55. The psychological, financial, and emotional damage done to Marlin Fisher's life by Emma Gabbey is permanent and irreversible. Because of this, on July 9 2023, Marlin Fisher filed a lawsuit against Emma Gabbey alleging extortion, civil conspiracy, abuse of process, and intentional infliction of emotional distress. The case was filed in the Circuit Court of Palm Beach County, Florida on July 4, 2023. Case No: 502023CA011740XXXXMB.

The Tragic Case of Dustin Milner

56. Dustin Milner's story is arguably the most heartbreakng of all. Interviews with family and friends strongly suggest that the proximate cause of Milner's tragic suicide was his relationship with E. Gabbey who targeted, abused, devalued, and manipulated Dustin Milner to the point where he took his own life. Our two strongest sources of intelligence regarding this tragedy are Dustin Milner's brother, Jason Milner, and Dustin Milner's close friend, Adam Heinrich.

57. According to Jason Milner, his brother, Dustin, was a well-intentioned, though vulnerable man who suffered from bouts of depression. Dustin's condition worsened after meeting E. Gabbey. Jason described E. Gabbey as being "all over the place" and alleged that E. Gabbey regularly tugged on Dustin's heart strings. Jason explained further that E. Gabbey convinced Dustin that she had been beaten by a former boyfriend, so Dustin allowed E. Gabbey to move in with him, but then moved out the next day. Shortly thereafter, Dustin took his own life.¹⁵

58. Adam Heinrich told our investigator that he knew Dustin for over twenty years and had met E. Gabbey on a few occasions. Heinrich explained that Dustin was the kind of guy who wore his heart on his sleeve and fell "madly in love" with E. Gabbey in a very short period of time. According to Heinrich, E. Gabbey never actually moved in with Dustin, but would more or less spend small amounts of time at Dustin's home, only to disappear and then return at some future point. According to Heinrich, E. Gabbey's behavior made Dustin incredibly angry and depressed, clearly exasperating his condition. Heinrich also stated that Gabbey was the last person to see Dustin before he committed suicide. Our investigator asked Heinrich if he felt that Dustin

¹⁵ See EXHIBIT D, Investigator Affidavit memorializing interview with Jason Milner.

took his life because of his relationship with E. Gabbey. Heinrich stated that he indeed believed E. Gabbey was the reason Dustin committed suicide.¹⁶

59. If called to testify, Jason Milner and Adam Heinrich would likely state that Dustin Milner quickly became enraptured by E. Gabbey's mystique and seductive charm, which lured him into an extremely volatile relationship. E. Gabbey manipulated, gaslighted, and emotionally abused Dustin Milner, a person predisposed to depression. E. Gabbey knew what strings to pull to make him angry, and would psychologically manipulate him by disappearing for days just after spending a long weekend with him, in order to keep him guessing and provoke his anger which manifested into self-hatred. Eventually driving Dustin Milner to commit suicide at the age of 35, while still in a relationship with Gabbey who had yet to turn 18.

60. **The Deception of Tyler Hensel:** *E. Gabbey Fraudulently Induces Tyler Hensel Into A Sexual Relationship and then Extorts Him.* Tyler Hensel was another boyfriend of E. Gabbey's. A summary of Tyler Hensel's statements to our Investigator is as follows: E. Gabbey led him to believe that she was 26 years old when she was really 17 at the time, in order to induce Hensel into an illicit sexual relationship. Hensel, who was 35 when he had intercourse with E. Gabbey, was thus deceived into believing he was having a licit relationship, thereby demonstrating another instance where E. Gabbey induced a man into having unlawful sex while still underage. E. Gabbey repeated her psychologically abusive playbook on Hensel: she targeted and manipulated Hensel, a recovering drug addict and therefore particularly vulnerable man. She played up her own perceived vulnerability to buy Hensel's sympathy, fabricating a story about her parents being drug addicts. Hensel is a well-intentioned man, as reflected in his lifework: he travels the world helping those with opioid addictions find organic treatments. He therefore was the perfect host to believe

¹⁶ See EXHIBIT E, Investigator Affidavit memorializing interview with Adam Heinrich.

E. Gabbey's lies, which he found convincing, and felt sympathy towards her given the emotional backstory she told him that included a history of drug abuse, which he could readily relate to. Upon inducing Hensel into sex, E. Gabbey doubled down on her masochistic tendencies: indicating to Hensel, like M. Fisher before him, that she was "into BDSM," and insisted on calling him "daddy" in the bedroom. At one point when the two of them were alone together, E. Gabbey even jumped on top of T. Hensel, initiating sexual contact. Hensel, who is not into this kind of degrading behavior, often rejected E. Gabbey's demands for more aggressive sexual contact. Eventually, upon discovering that E. Gabbey had communicated a different age to someone else, Hensel started questioning E. Gabbey about her own age, which got E. Gabbey to "confess" to him that she was "actually 19 years old." After discovering these revelatory facts about E. Gabbey's life, T. Hensel cut off all ties to E. Gabbey. T. Hensel told her that he did not want to speak with her anymore and blocked her on every social media platform.

61. **The Defamation of Joel Frydman:** E. Gabbey defamed a man named Joel Frydman to Marlin Fisher, when she falsely accused Frydman and then published said defamatory statements. Proof of falsity and publication can be found via text message and Frydman's affidavit memorializing a confrontation between Fisher and Frydman over the false statement.

E. Gabbey: "Can I message him [Joel] to tell him I have a boyfriend"

M. Fisher: As you clearly understand, nobody cares you have a boyfriend. But if you'd like to tell him that he raped you, by all means".

E. Gabbey: "... I'd like to not put our relationship at risk."

E. Gabbey: "I'll gladly tell him when I'm 18. And anybody else that happened with."

E. Gabbey: "So sweet you are. So you're breaking up with me because I don't want to tell Joel he raped me? One, I don't know if he would tell other people I'm underage. Or who he would tell. And if they know I'm dating you, what happens then? Two, it'd be awkward to go to a drum circle again lol." [Emphasis Added.]¹⁷

¹⁷ See EXHIBIT A, Fisher's Complaint, paragraph 49(iii).

62. Marlin Fisher confronted Frydman over the rape allegations. Frydman, an innocent man, of course, denied those allegations. When interviewed by our investigator, Frydman stated that he came to know E. Gabbey, in or around 2018, by meeting her at a Drum Circle Evening in Delray Beach. He knew her by the name of Eden, but only recently found out that her name was Emma. He recalled that Emma Gabbey specifically told him that her name was Eden. Frydman stated that they had a dating type relationship, but were never intimate, and shared the passion music together. Gabbey informed Frydman that she lived with a man named Jailed John. At some point she told Frydman that she was being abused by a man, but Frydman never saw any signs of abuse. At another point Gabbey began telling people that Frydman was her brother which made him uncomfortable. Finally, Frydman learned that Gabbey had accused him of rape after he was confronted by Marlin Fisher. Regarding the false allegation of rape against him, Frydman stated: This allegation of rape is an outrageous and blatant lie. I have never had an intimate relationship with Emma Gabbey, and never forced myself on her...I give this affidavit to get my side of the story out...as I understand Emma Gabbey was making defamatory statements to other people about me.¹⁸

¹⁸ A true and correct copy of the Investigator's Affidavit memorializing interview with Joel Frydman is attached hereto as EXHIBIT F.

The Unfortunate Arrival Of Emma Gabbey In Tristan Tate's Life

63. Prior to meeting T. Tate, E. Gabbey was active as an OnlyFans model,¹⁹ in addition to a website called “Seeking Arrangements,”²⁰ which pairs beautiful young women (sugar babies) with wealthy men (sugar daddys). According to an April 2, 2021, *Business Insider* article:

Seeking Arrangement’s was “designed to connect so-called sugar babies and sugar daddies...The Seeking Arrangement website states that the service has 10 million active members, with 8 million sugar babies and 2 million sugar daddies.”

“A statement from the company website, seeking.com reads as follows:

Life is too short to settle for relationships that do not meet your standards and expectations. Seeking helps members find relationships that align with their personal goals and dreams.

The right partnership can have a profound impact on your personal growth, which is why seeking.com doesn’t want you to settle for anything less than your ideal.”

64. The following excerpts are from a conversation that took place between E. Gabbey and her mother, Mona Gabbey, on November 18, 2021, regarding Tristan Tate.

E. Gabbey: I also have an amazing friend, Tristan that's coming here from Romania to host a big business conference. Him and his brother are world kickboxing champions. They are originally from England. His business conference will go for two weeks. He's having a big charity gala there and invited me as his date...

E. Gabbey: He's very nice, respectful, and all around a true gentleman...

E. Gabbey: He has beautiful homes in bucharest romania, miami, and monaco.

E. Gabbey: He's building a castle close to draculas old castle

E. Gabbey: I've been planning to go to the U.K. Tristan wants to show me all over romania²¹

¹⁹ E. Gabbey’s OnlyFans profile used the following URL: Onlyfans.com/edeniternal.

²⁰ See EXHIBIT B at pages 2 and 3 where E. Gabbey converses with prospective sugar daddies from the Seeking Arrangements website.

²¹ See EXHIBIT B at page 1 for conversation between E. Gabbey and her mother, M. Gabbey.

65. T. Tate met E. Gabbey on a dating application called “Hinge.” T. Tate found E. Gabbey interesting and invited her to a Tate affiliated War Room event taking place in Miami during December 2021. At some point, T. Tate invited E. Gabbey to join him and his friends at an afterparty event. Over the course of the next two weeks, T. Tate and E. Gabbey spent a good deal of time together: they frequently conversed and soon became romantically intimate. T. Tate, resided at a Miami property with a group of male and female friends during his visit and invited E. Gabbey to a property at which he was staying. E. Gabbey visited the property on multiple occasions during the approximate two (2) weeks that T. Tate was in Miami. During this two-week period, T. Tate and E. Gabbey engaged in consensual intercourse multiple times. On multiple occasions, T. Tate invited E. Gabbey back to the property. And each time E. Gabbey was invited back, she accepted those invitations. T. Tate and E. Gabbey continued to have intercourse up until the time T. Tate departed Miami in December 2021.

66. E. Gabbey initially told T. Tate that she came from a wealthy family, but gave few specific details about her family life. Over the course of numerous conversations, E. Gabbey explained to T. Tate that she had an interest in growing and monetizing her online presence on social media websites, such as “OnlyFans” and “TikTok.” T. Tate had the impression that E. Gabbey was a relaxed woman who was looking to further her online presence through various social media websites, and at some point, E. Gabbey and T. Tate began talking about E. Gabbey coming to Romania. After T. Tate’s departure to Romania, E. Gabbey and T. Tate followed up intermittently with each other between December 2021 and April 2022, via text message and “WhatsApp,” messaging.

67. As time went on, E. Gabbey’s messages to T. Tate became more frequent and adamant about relocating to Romania for work. The nature of the conversations primarily centered on

business, and specifically, creative ways E. Gabbey might get involved in Romania's hugely profitable e-modeling industry. Although T. Tate had minimal involvement – business, personal, or otherwise – in the Romanian e-modeling industry, T. Tate was under the impression, based on what E. Gabbey had previously told him, that she wanted to leave the United States for a variety of reasons. T. Tate knew about Romania's burgeoning modeling business, and thought Romania might be a perfect alignment with E. Gabbey's current work as a TikTok and OnlyFans model, and her professed long term career plans.

68. During those interactions, E. Gabbey also gave the appearance that she was hoping to continue her sexual rendezvous with T. Tate in Romania. T. Tate, by contrast, remained aloof, and for the most part did not reciprocate E. Gabbey's romantic advances. In fact, T. Tate on several occasions did just the opposite, and questioned her motives by asking: "do you really want to leave the USA?" T. Tate believed that E. Gabbey already lived quite well in Florida, since he was under the impression that she came from a wealthy family. T. Tate therefore made efforts to ground E. Gabbey's dreams about Romania in realistic expectations.²²

69. After getting assurances that E. Gabbey was serious about relocating to Romania, T. Tate eventually welcomed the idea of a rendezvous with [REDACTED] in Romania, and in the spirit of fun and adventure, gave E. Gabbey his credit card information to book a flight. E. Gabbey booked a business class ticket valued at approximately \$4,000, from Palm Beach International Airport to Bucharest.

70. On Wednesday, April 5, 2022, T. Tate picked E. Gabbey up from the Bucharest Airport in a blue Rolls Royce. Thereafter, the two of them went to lunch. At first impression E. Gabbey behaved differently from how T. Tate remembered her back in Miami: to him, she seemed aloof

²² A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 16.

and distant, which T. Tate found rather striking considering how warm and friendly he had remembered her during the time they spent together in Florida. When E. Gabbey arrived at the Tate Brothers' Romanian estate, she provided the security detail with her identification details, and they granted her access to enter and leave the property whenever at any time. E. Gabbey was in possession of her passport at all times.

71. **E. Gabbey was in Romania for a total of six days. She freely moved back-and-forth over that timespan between the Tate Brothers' property and the home of Iasmina Pencov, a friend of the Tate Brothers, with whom E. Gabbey resided during parts of her visitation.**

72. E. Gabbey stayed with T. Tate at his Romanian estate for the first two days, during which time E. Gabbey and T. Tate discussed permanent living arrangements. On the first night, E. Gabbey and T. Tate engaged in consensual intercourse. After the second day, on Friday, April 7, 2022, E. Gabbey relocated to another home, as agreed, located approximately one kilometer from the Tate estate. At no time while E. Gabbey was living at the second location were her movements restricted or was she confined in any way.

73. The second home, unlike the Tate Brothers' estate, was not guarded by security. E. Gabbey was free to enter and leave the home as she pleased, a fact that is corroborated by released surveillance footage – now widely available online – depicting E. Gabbey, freely moving back and forth from home to home without issue.

74. In addition, at all times, E. Gabbey was in possession of her phone and was able to speak freely without restriction. According to the sworn testimony of I. Pencov, E. Gabbey frequently communicated by cell phone – through both calls and texts – with her parents during her six-day visitation. E. Gabbey communicated with other friends and acquaintances located overseas by phone during her visitation as well.

75. At all times in which E. Gabbey was located in Romania, she was not restrained in her movement, never confined, never controlled by any person, nor was she threatened in any manner and always had free will. At no time did T. Tate, A. Tate, or anyone affiliated with the Tate Brothers restrict E. Gabbey's mobility during her visitation. In fact, there is video proof in CCTV footage of her leaving both houses to order pizza, visit the mall and shop, and for various other reasons. For instance, in one CCTV video E. Gabbey is happily and freely moving about the Tate Estate. She appears to exit, go to and retrieve something from a vehicle, and then re-enter with a smile on her face.²³

76. E. Gabbey published a litany of false, defamatory statements to multiple public agencies and private citizens during and after her time in Romania. She consistently claimed that she was not free to leave and was in danger. The truth is that during her six-day trip to Romania, she shopped, went sight-seeing, was free to leave at any time, and even attended a birthday party.²⁴

Emma Gabbey's False Statements to the Romanian Government

77. Upon information and belief, months in advance of her trip to Romania, E. Gabbey had been plotting to escape the United States for Europe to pursue a lavish new life overseas. By the time she met T. Tate in December of 2021, she had become extremely disillusioned with her own life in the United States, the direct result of having ensnared herself in a series of poor decisions starting from a young age, and refusing to deal with the consequences of her actions like a mature

²³ See Video of E. Gabbey freely moving in and out of the Tate Estate during her six-day-trip to Romania @ <https://drive.google.com/file/d/1cplX8lCx8YsrgpKRU7FOUQz1tP7m0LU7/view?usp=sharing> (last visited on July 11, 2023).

²⁴See Video of E. Gabbey freely attending a party during her six-day-trip to Romania @ <https://drive.google.com/file/d/18RX3CKcHwYngaEsZZmXWld86w5h32sJ/view?usp=sharing> (last visited on July 11, 2023).

adult. Accordingly, for anyone, but particularly for a woman of her age, she had already amassed a ton of emotional, financial, and legal baggage.²⁵

78. As discussed above, several of these men's lives were literally destroyed from E. Gabbey's diabolical exploits – one languishes in prison, his entire life ruined with a lengthy prison sentence; another was driven to suicide; dozens more remain emotionally and financially shattered. The idea, therefore, that she wanted to turn the page on her life and hit the proverbial reset button was self-explanatory.

79. We do not know exactly what went through her head the moment she first laid eyes on Tristan Tate. It is possible that she targeted him for destruction in a manner similar to Marlin Fisher and Jailed John. It is also possible that she gazed upon an exceedingly handsome and successful man that she could partner with in love, business, or in the context of the sugar baby, sugar daddy relationship. In a text message to her mother, dated November 18, 2021, E. Gabbey describes T. Tate as an “amazing friend … [who is] coming here from **Romania** to host a **big business conference**.” [Emphasis Added.]. E. Gabbey’s first impression description of T. Tate reveals quite a lot already about her intentions: E. Gabbey immediately hones in on T. Tate’s success as a European entrepreneur, and by extension, identified him as an ideal scapegoat to start life afresh in Europe:

E. Gabbey: “I'll wear the dress to Art Basel. I also have an **amazing friend**, Tristan, that's coming here from **Romania** to host a **big business conference**. Him and his brother are **world kickboxing champions**. They are originally from **England**. His business conference will go for two weeks. He's having a **big charity gala** there and invited me as his date.” [Emphasis Added.]²⁶

²⁵ Emma Gabbey's false statements to the Romanian government have been incorporated herein by reference as EXHIBIT G.

²⁶ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 1.

80. Of pertinence in the above are E. Gabbey's identifications of T. Tate and A. Tate as two worldly, successful businessmen, with well-established European ties. She mentions "business" several times, which underscores the Tate Brothers' track record of financial success – and therefore, believes they have the means to support her European dreams. Moreover, her emphasis on "charity gala" is of twofold import: one, it demonstrates yet another instance of the Tate Brothers' history of charitable and philanthropic work, which has been – and continues to be – an integral part of their business ventures, long before they ever had to deal with allegations of human trafficking; and two, it demonstrates that, like the profiles of M. Fisher, T. Hensel, and many other previous victims of E. Gabbey, E. Gabbey identified T. Tate as a man with good intentions, and thus sized him up as someone potentially susceptible to falling for her damsel in distress ruse.

81. In subsequent messages with her mother, E. Gabbey repeatedly emphasizes the Tate Brothers' European backgrounds, general worldliness and success as businessmen. As well as her ardent desire to visit the United Kingdom, which had long been a central part of her own long-term plans. In particular, E. Gabbey made a point of noting the Tate Brothers' British roots, an added bonus that dovetailed nicely with her longstanding plans to visit and potentially start a fresh life in London:

E. Gabbey: "when we met we opened up to each other about a lot. He likes to call me Emma even though he knows everyone calls me Eden. Something he brought up recently is that he has been to [almany??] many many times and has very good friends there. And he wants to show me around the country and take me to the waterfalls and their cultural festivals and then to Europe :)*

M. Gabbey: Awesome plans! Makes me dream? But keep your feet well anchored to your grounds??

E. Gabbey: **either way I've been planning to go to the UK.** Tristan wants to show me all over Romania. [Emphasis Added.]²⁷

²⁷ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 1.

82. In the above exchange, E. Gabbey is encouraged to travel to Europe with T. Tate by none other than her own mother, M. Gabbey, which is noteworthy given that M. Gabbey later becomes a material participant in the effort to destroy the lives of the Tate Brothers. Furthermore, E. Gabbey confirms that she had been planning to travel to the United Kingdom before ever having met the Tate Brothers. It is thus, glaringly obvious that E. Gabbey viewed T. Tate as the perfect vehicle upon which she could accomplish many of her goals. Therefore, even at this early stage, E. Gabbey viewed the Tate Brothers as not *ends* in themselves, but as *means* to transactionally help bring about her goal of visiting – and potentially even reestablishing her identity – in Europe.

83. After spending a few days at the Tate estate in Bucharest, E. Gabbey's unrealistic expectations about living a glamorous life in Europe were forced to come to terms with the mundane, day-to-day realities of successful businessmen. Although T. Tate and A. Tate offered E. Gabbey free-range of their home and many luxuries throughout the duration of her visit, the Tate Brothers themselves spent most of their days preoccupied with work, rather than entertaining and spending time with guests. E. Gabbey refused to adjust her expectations to meet the Tate Brothers' work-focused lifestyle: she expected a European tour immediately, and basically wanted to live and be treated like royalty. Her patience quickly wore thin; despite having access to their pool, vehicles, and other high-end amenities, E. Gabbey became bored and restless at the Tate estate. She no longer wanted to pursue opportunities in Romania as an e-model. Instead, E. Gabbey began conjuring ways to exploit the Tate Brothers, which, in accordance with her manipulative nature, could only ever be the one source of true pleasure for her.

84. E. Gabbey proceeded to survey the other female friends of the Tate Brothers who visited their estate for potential accomplices. Although the overwhelming majority of female guests were quite happy with the lifestyle, E. Gabbey dialed in on one guest, A. Untila, who appeared similarly

bored with the experience – and, like E. Gabbey, was looking for newfound excitement. E. Gabbey conscripted A. Untila, using similar methods of manipulation, to convince her to go along with E. Gabbey’s new scheme to defraud the Tate Brothers – and ultimately accuse them of human trafficking and other grave crimes. Afterward, being rescued by the United States Embassy and Romanian Police for human trafficking, E. Gabbey and A. Untila would travel together to the French Riviera and London to have the glamorous European experience E. Gabbey had always envisioned.²⁸

85. E. Gabbey and A. Untila started off by using a private group chat to plot their conspiracy against the Tate Brothers – upon information and belief, at the heart of the conspiracy was the motive to defraud A. Tate of \$200,000.00 euros of money. On April 10, 2022, E. Gabbey and A. Untila initiated their plot to obtain money from A. Tate by false pretenses. Although they were ultimately unsuccessful, the following exchange provides insight into how E. Gabbey and A. Untila had planned to defraud and extort A. Tate of money and potentially other luxuries:

E. Gabbey: “I’m talking to my friend
E. Gabbey: “about it now.”
E. Gabbey: “she is saying you should **try to get \$ from andrew.**”
E. Gabbey: “where is your sister in london babe.”
A. Untila: “I’m not good at this lol.”
A. Untila: “I have never asked anyone for money.”
E. Gabbey: “she’s saying if you tell him you have something important that you need money for, he will give it to you.”
A. Untila: “Okay I will think about it like what to say.”
[Emphasis, Added.]²⁹

²⁸ Plaintiffs respectfully submit that luxury vacations to the French Riviera are irregular in terms of what human trafficking victims are doing after being rescued and give notice that they will be requesting all relevant information from Defendant Gabbey’s counsel pertaining to the planning and financing of these trips.

²⁹ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 28.

86. The two women, E. Gabbey and A. Untila, then go on to take matters to the next level and have the following conversation, in text messages and in pertinent part, in which they describe how they will employ matters of deception against the Tate Brothers to carry out the criminal act:

E. Gabbey: “**cover tracks.**”
E. Gabbey: “always.”
E. Gabbey: “your phone might be visible.”
A. Untila: “You are a good actress [unknown emoji].”
E. Gabbey: “i practiced.”
A. Untila: “Perfecto.”
A. Untila: “for now change my name in your phone.”
E. Gabbey: “okay.”
E. Gabbey: “you too.”
A. Untila: “Just play it cool.”
E. Gabbey: “got it.”
A. Untila: “Like you don’t know anything.”
A. Untila: “play dumb.”
E. Gabbey: “**i’m going to pull some tears out.**” [Emphasis Added.]³⁰

87. It is clear from the above exchange that neither E. Gabbey nor A. Untila believed they were victims. Rather, they simply did not want to be held responsible for attempting to defraud A. Tate of money and devised a whole scheme, using false pretenses, to trick him. Further evidence of their chicanery is found in the fact that E. Gabbey even goes so far as to laugh when A. Untila speaks about “playing the victim.” **Afterward, E. Gabbey and A. Untila joke about contacting Netflix and other streaming services to recount their “golden Oscar” performances, which they apparently considered Hollywood worthy.** The following exchange took place between E. Gabbey and Untila and demonstrates their cavalier, flippant attitudes towards committing fraud:

E. Gabbey: “**we are writing a movie asap.**”
A. Untila: “Yep.”
A. Untila: “For sure.”
A. Untila: “We have too.”
E. Gabbey: “I’m dying inside.”
A. Untila: “**Let’s email Netflix.**”
A. Untila: “Asap.”
E. Gabbey: “**hulu, amazon prime.**”
A. Untila: “Yep.”³¹

³⁰ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 29.

³¹ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 34.

88. In making light of a very serious accusation – it is patently clear from the above exchange that neither E. Gabbey nor A. Untila believed they were ever in real danger, let alone in a situation even remotely close to “human trafficking” or being “falsely imprisoned,” which they would later allege. Indeed, the very opposite is true: rather than being victims, E. Gabbey and A. Untila are in fact perpetrators of a crime of moral turpitude to commit fraud against the Tate Brothers. Upon failure to execute their conspiracy, instead of taking responsibility for their actions like any morally competent and self-aware adult, E. Gabbey, consistent with her character, doubled down to inflict maximum damage.

89. Next, E. Gabbey took the conspiracy to an entirely new level by sending distressing messages to an American-based Matthieu Martelly (“Martelly”), either a former or current lover. Gabbey publishes in a text message to Martelly that both she and A. Untila were being “human trafficked.” The end goal of course remained always the same: to scapegoat the Tate Brothers, pursuant to the pleasures she derived from manipulating and extorting successful paramours, and upon incriminating them, thereafter enjoy a luxurious European vacation in London and the French Riviera.

90. On April 11, 2022, just one day after conspiring with A. Untila to defraud A. Tate of money, E. Gabbey communicates to Martelly, via text message, that she’s “leaving to [go to] [L]ondon on the 12th,” and that she had already “bought tickets,” and wanted to bring “a young girl” (her co-conspirator, A. Untila) along for the ride.

91. Martelly, apparently in love or infatuated with E. Gabbey, then starts contacting government friends that eventually puts the United States Embassy in Bucharest on alert of E. Gabbey’s allegations that E. Gabbey and A. Untila were being human trafficked by the Tate

Brothers. Martelly does this despite the fact that Gabbey tries to talk Martelly out of calling the US Embassy, as demonstrated in the below:

E. Gabbey: hard thing is getting out the house.
E. Gabbey: there's three other girls besides her and i. they are groomers and handlers
E. Gabbey: if they see us leave they call the brothers then brothers call airports and stop us from leaving
Martelly: Embassy of the United States

Martelly: Hold on to your passport and go there there's a USMC security detail
Martelly: **Say I am an American an I'm in danger**
E. Gabbey: I bought us tix for 6 or so am we would leave in the middle of the night
E. Gabbey: tomorrow 6 am
Martelly: Stand by I'm gonna makes call
E. Gabbey: don't make any calls please
E. Gabbey: **I want to go to London lol**
E. Gabbey: I can let you know how Tuesday goes
E. Gabbey: you have my location
E. Gabbey: if something happens then we call?
Martelly: fine, be safe
Martelly: Slightest hint of danger
E. Gabbey: **i think I'll be able to get to London, then I'll fly back to fl after two weeks there**
E. Gabbey: if I don't call or text Tuesday, something happened
E. Gabbey: **but it's unlikely** [Emphasis Added.]³²

92. In subsequent text-based exchanges with Martelly, E. Gabbey makes it clear that she has no issues leaving the Tate estate and that she did not sustain any injuries. These statements collectively erode the theory that she and A. Untila were being imprisoned against her will as a human trafficking victim:

E. Gabbey [4/11/2022 4:21:23 AM]: I don't think they will notice is though. **We're leaving in the middle of the night.**
Martelly [4/11/2022 4:21:25 AM]: Good, just glad you're **unharmed.**

Martelly [4/11/2022 4:25:15 AM]: Are you injured
E. Gabbey [4/11/2022 4:25:20 AM]: **No injuries**
E. Gabbey [4/11/2022 4:25:26 AM]: **neither of us**
E. Gabbey [4/11/2022 4:25:36 AM]: it's been a short amount of time

³² A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 5.

E. Gabbey [4/11/2022 4:25:42 AM]: they don't suspect us for leaving [Emphasis Added.]³³

93. In the following exchange, **E. Gabbey again repeats for a third time to Martelly that she had no issues leaving the Tate Brothers' estate.** Moreover, based on the language used, E. Gabbey appears to be intentionally planning out each and every step of her plot against the Tate Brothers, as demonstrated by her understanding to gather "evidence." She further doubles down on her stated aim to travel to London while still in Romania, despite being the alleged victim of an ongoing human trafficking operation where she was still in the company of her alleged traffickers:

E. Gabbey [4/11/2022 4:55:42 AM]: **i don't think i'll have trouble leaving**

E. Gabbey [4/11/2022 4:55:47 AM]: it's more of the girl with me

E. Gabbey [4/11/2022 4:56:42 AM]: **we have so much evidence though**

E. Gabbey [4/11/2022 4:57:04 AM]: we can **gather it and send it somewhere** once we are away from here

Martelly [4/11/2022 4:57:52 AM]: Go to the embassy And get expedited stateside

E. Gabbey [4/11/2022 4:58:33 AM]: **I want to go on my trip that I was promised??**

E. Gabbey [4/11/2022 4:58:38 AM]: **So I'm going to do that lmao** [Emphasis Added.]³⁴

94. E. Gabbey also repeats the same story that she was free to leave the Tate Brothers' estate in several text messages to both her parents, M. Gabbey and W. Gabbey, as demonstrated in the following examples:

E. Gabbey: "I am not so concerned. tristan doesnt really care if i leave."

E. Gabbey: ""i don't think they care that much if we leave anyways, which is why i feel okay."³⁵

³³ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 6.

³⁴ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 7.

³⁵ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 25.

95. As the conversation continues, however, and E. Gabbey comes to realize the full gravity of her human trafficking allegations, she dramatically changes her tune. As evidenced in the below exchanges with Martelly, E. Gabbey becomes vindictive and gets bitter with Martelly for calling the United States Embassy. E. Gabbey also perceives the fallout from these allegations represents an inconvenient yet significant roadblock in her plans to visit London. Accordingly, E. Gabbey reverts from her damsel in distress routine, wherein she becomes upset with Martelly and blames him for the consequences of the impending police raid.

96. **IMPORTANTLY** and highly relevant to the state of affairs at the Tate Estate, is the fact that E. Gabbey stresses that only she and another girl – A. Untila – wanted to leave the Tate Brothers estate, further supporting the fact that nobody was in danger, and that the human trafficking allegations were purely the product of E. Gabbey and A. Untila's imagination. Despite the litany of warnings to Martelly and her parents that she was not in danger and was free to go and come as she pleased. Martelly and Gabbey's parents publish Gabbey's false claims to the United States Embassy, which has resulted in a monstrous amount of suffering and personal loss to Andrew and Tristan Tate.

E. Gabbey: **Did you call the embassy**
E. Gabbey: ?
E. Gabbey: be honest please
E. Gabbey: apparently marines are after me?
E. Gabbey: that's what my mom just called on the phone screaming
E. Gabbey: completely compromised my safely
E. Gabbey: thanks
Martelly: **Yeah I called** Neves and did what he said to do
E. Gabbey: **goodbye matt**
E. Gabbey: **i just wanted to go to london**
E. Gabbey: handle it on my ow[n]
E. Gabbey: i trusted you with that info
Martelly: Be upset if you want honestly but having the US government come save your ass in a position you put yourself in
E. Gabbey: ?
E. Gabbey: it's not just me here
Martelly: I KNOW
E. Gabbey: you don't understand

E. Gabbey: **it's only me and one girl that want to leave**
E. Gabbey: are they coming here now
E. Gabbey: or when i leave
Martelly: This is serious
E. Gabbey: can they take her to
Martelly: Yes
Martelly: That's why
Martelly: I'm specifically trained for this we have protocols in place
Martelly: Its my literal job em
E. Gabbey: so they aren't on the way
E. Gabbey: **good job now the police are coming** [Emphasis Added.]³⁶

97. Finally, as E. Gabbey becomes fully aware of the ramifications of her actions, she wants Martelly to retract the US Embassy call, and then proceeds to accuse Martelly of orchestrating the scheme:

Martelly: She's a human trafficking victim
Martelly: She'll be entitled to protection
E. Gabbey: But she needs to go to London
E. Gabbey: to her family
E. Gabbey: we bought the tickets
E. Gabbey: *i wish I could take it back*
E. Gabbey: **please matt**
E. Gabbey: **please do anything**
E. Gabbey: i'll do **anything** to take it back
Martelly: Yes they'll evaluate her
E. Gabbey: **i'm so sad you're doing this**
E. Gabbey: she has family³⁷

98. E. Gabbey also makes reference again to playing a role, as in a movie or Netflix series, and states her belief that she and A. Untila executed their respective parts quite well.

E. Gabbey: **we played our role really good today**
E. Gabbey: nobody thinks we are going to leave at all
[Emphasis Added.]³⁸

99. Finally, E. Gabbey goes so far as to gaslight Martelly, repeating a psychologically abusive tactic she had used on previous lovers, into taking the blame for E. Gabbey's situation and for even

³⁶ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 8.

³⁷ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 10.

³⁸ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 10.

putting herself in danger, despite her allegations of human trafficking, for alerting the authorities about her situation:

E. Gabbey: errmmm **definitely not trusting anything u say**,
don't know why i bothered asking
Martelly: I have no clue what your talking about
E. Gabbey: you've actually managed to put me in far more
danger by doing what you did yesterday with my parents
E. Gabbey: and **won't even admit to it** [Emphasis Added.]³⁹

100. On or about April 12, 2022, police raided the home where E. Gabbey was residing. Police removed E. Gabbey from the house, along with A. Untila—separated the two women from the other females residing there at the time. Upon information and belief, none of the other women at the home were treated as victims but required to endure uncomfortable conditions for hours on end. As an example, according to the sworn statement of I. Pencov, who was recovering from surgery at the time, she was forced, as a result of E. Gabbey's outrageous conduct, to sit on a hard surface and go to the bathroom while being watched by a police officer. Only later did it become known that I. Pencov and B. Anghel, two neighbors who lived close by, were unknowingly being treated as victims against their will by the Romanian government. The affidavit of each person is attached hereto confirming such coercive conduct by the Romanian prosecutors.⁴⁰

101. Upon information and belief, W. Gabbey, M. Gabbey, and M. Martelly knowingly, intentionally, and purposefully published false statements by E. Gabbey alleging grave crimes against her by the Tate Brothers, including "human traffick[ing]" her and "falsely imprisoning" her. These false statements directly impugned the character and professional standing of the Tate Brothers, which W. Gabbey, M. Gabbey, and M. Martelly communicated to the United States Embassy and several other persons and entities. At no point did the Tate Brothers engage in human

³⁹ A true and correct copy of the text message is attached hereto as EXHIBIT B, at page 12.

⁴⁰ The affidavits of I. Pencov and B. Anghel is attached hereto as EXHIBIT H and EXHIBIT I, respectively.

trafficking of E. Gabbey or anyone ever, nor have the Tate Brothers ever been charged with the felony of human trafficking by any jurisdiction anywhere in the world. Because the statements were made knowingly and/or with a reckless disregard for their falsity, and therefore with malice, they are not protected under Florida law.

102. E. Gabbey clearly acted with malice when she falsely accused the Tate Brothers of human trafficking and false imprisonment, in the same manner in which she has maliciously perpetuated falsehoods for her own benefit in many previous relationships. The difference being that this time, her malicious falsehoods resulted in the immediate and unjust incarceration of two innocent men. Her actions were deliberate. The consequences of her actions, including the deprivation of the Tate Brothers' freedom was completely foreseeable, and likely then end goal considering her perilous history of destroying men's lives.

103. As stated above, E. Gabbey has a nefarious history of revoking sexual consent in order to extort men. She likewise, accused T. Tate of physically abusing her while having intercourse – namely, choking her until she passed out. However, approximately two weeks after making the fantastical accusations of human trafficking and other crimes of moral turpitude against the Tate Brothers, E. Gabbey and A. Untila were already vacationing on the French Riviera “mentally preparing for our upcoming adventure...”⁴¹

104. Upon information and belief, E. Gabbey is the owner of the Instagram handle, “Furyfatale,” and A. Untila was at some point the owner of the Instagram handle, “AlionaUntila.” This was confirmed in photographs provided by Romanian witness, I. Pencov, who provided an affidavit, which attests to taking the screen grabs of the pictures attached hereto as Exhibit H.

⁴¹ This is corroborated by social media content posted by E. Gabbey on the French Riviera and is attached hereto as Composite EXHIBIT J.

105. Being the opportunist she is, E. Gabbey, appears to be ready to seize the moment on social media, and has recently been associating herself with various human trafficking organizations to promote herself on the internet and various social media platforms.⁴² But nothing could be further from the truth.⁴³

106. The serious allegations of human trafficking by E. Gabbey and others directly prompted Romanian authorities' investigation into the Tate Brothers, resulting in the Tate Brothers' incarceration and ongoing house arrest. Indeed, one Romanian judge in the Bucharest Court of Appeal found the evidence against the Tate Brothers for human trafficking and other criminal charges so unpersuasive that she ruled that "that the brothers should be allowed to move freely in Romania, without restrictions,"⁴⁴ according to the *Associated Press* and other international reports, prompting a rare split decision in which a third judge had to be called in to preside over the ruling and render the deciding vote.

107. Whereas, as a result of the Defendants' actions, the Tate Brothers suffered actual damages and noneconomic damages, including loss of months of their lives, loss of personal freedoms, loss of their routine, missing the birth of T. Tate's child, impaired communication with close relatives – including their mother, wives, and children, serious stress and health complications, spending time out of their lives coping with being defenseless against the violation of their rights, the incapacitation of their freedom, and the confusion and inability to understand the false accusations at the beginning of this nightmare and torment that has been ongoing for months. The Tate Brothers

⁴² A compilation of E. Gabbey's social media posts is attached hereto as EXHIBIT K.

⁴³ A compilation of E. Gabbey's social media posts is attached hereto as EXHIBIT L.

⁴⁴ See Stephen McGrath and Vadim Ghirda, *Andrew Tate loses appeal against house arrest in Romania as human trafficking case continues*, Associated Press (July 6, 2023), <https://apnews.com/article/andrew-tate-loses-appeal-house-arrest-romania-284b6d71b007702a4c769f09c710f287>.

have also sustained physical injuries resulting from their imprisonment, in which they languished behind bars for months under egregious conditions of confinement that included long stints of prolonged solitary confinement, lack of sunlight, ventilation, proper food, and medical care—all while being denied meaningful attorney access.

108. The Tate Brothers have experienced significant damages to their businesses and potential business prospects, including lost opportunity costs, a function of being effectively blacklisted by every noteworthy social media platform and being imprisoned and on house arrest for months without meaningful access to the outside world. In addition to suffering the loss of their personal lives, freedoms, and peace of mind as mentioned above, the Tate Brothers have lost personal reputation, business reputation, and sustained an incarceration that interfered with their personal and business income, and which has resulted in the seizure of personal assets by a foreign government.

109. Furthermore, imputing conduct incompatible with the proper exercise of the Tate Brothers' lawful business, trade, and profession as major social media influencers with worldwide followings, and businessmen, E. Gabby damaged their relationship with many third-parties, caused a criminal investigation and seizure of business assets by a foreign government, and injured them in their trade and profession, among other critical reputational and economic losses. The Tate Brothers' professional reputations have been irreversibly tarnished in the eyes of the global community, as well as the elite relationships with investors, businessmen, and influencers that took them a lifetime to cultivate.

110. To defend themselves against these outlandish allegations the Tate Brothers have had to hire teams of lawyers across the world to protect and defend their personal and professional interests against this manifestly unjust attack.

111. All conditions precedent to filing this Complaint have been satisfied.

FIRST CAUSE OF ACTION

Defamation: W. Gabbey, M. Gabbey, and Martelly

112. The Tate Brothers re-allege and restate paragraphs 1-111 as though fully stated herein, and allege that those facts as pleaded demonstrate that E. Gabbey, W. Gabbey, M. Gabbey, and M. Martelly, are guilty of Libel against Andrew and Tristan Tate.

113. Under Florida law, the following four elements must be met to satisfy a claim for defamation: (i) the defendant published a false statement; (ii) about the plaintiff; (iii) to a third party; and (iv) the falsity of the statement caused injury to the plaintiff. *Border Collie Rescue v. Ryan*, 418 F.Supp.2d 1330, 1348 (M.D.Fla. 2006).

114. PUBLICATION OF FALSE STATEMENTS TO THIRD PARTIES: As demonstrated above, Defendants E. Gabbey, W. Gabbey, M. Gabbey, and M. Martelly knowingly, intentionally, and purposefully published false statements communicated to them by E. Gabbey about the Tate Brothers “human traffick[ing]” her and “falsely imprisoning” her to the United States Embassy and/or several other third parties. At no point did the Tate Brothers engage in human trafficking of E. Gabbey or anyone ever, nor have the Tate Brothers ever been charged with the felony of human trafficking by any jurisdiction anywhere in the world. As detailed at length above, E. Gabbey is a serial liar, manipulator, and schemer, who predatorily exploits vulnerable, often wealthy men with good intentions for sexual, financial, and emotional profit. W. Gabbey, M. Gabbey, and M. Martelly communicated E. Gabbey’s false statements about T. Tate and A. Tate despite E. Gabbey’s well-known, well-documented track record of lying about and extorting men for profit.

115. INJURY TO PLAINTIFF: As a direct consequence of the publication of E. Gabbey’s false statements, T. Tate and A. Tate sustained serious personal, financial, and professional

injuries. The publication of these false statements directly contributed to T. Tate and A. Tate's censorship on social media platforms like Twitter and Instagram, on which the Tate Brothers have millions of followers and other business ventures they have long since relied upon to generate income. Furthermore, imputing conduct incompatible with the proper exercise of the Tate Brothers' lawful business, trade, and profession as major social media influencers with worldwide followings, and businessmen, E. Gabbey damaged their relationship with many third-parties, caused a criminal investigation and seizure of business assets by a foreign government, and injured them in their trade and profession, among other critical reputational and economic losses. The Tate Brothers also suffered personal losses, including the serious emotional toll resulting from being denied meaningful access to close relatives, including their mother, wives, and children. Furthermore, the Tate Brothers experienced psychological and physical injuries, in addition to the major professional and personal losses aforementioned, the direct result of being incarcerated from the publication of E. Gabbey's completely baseless human trafficking allegations.

SECOND CAUSE OF ACTION

Defamation Per Se: W. Gabbey, M. Gabbey, and Martelly

116. The Tate Brothers re-allege and restate paragraphs 1-115 as though fully stated herein.
117. This is an action by the Tate Brothers against W. Gabbey, M. Gabbey, and Martelly for libel per se.
118. Under Florida law, the following four elements must be met to satisfy a claim for defamation: (i) the defendant published a false statement; (ii) about the plaintiff; (iii) to a third party; and (iv) the falsity of the statement caused injury to the plaintiff. *Border Collie Rescue v. Ryan*, 418 F.Supp.2d 1330, 1348 (M.D.Fla. 2006). Florida law recognizes "per se" cases of defamation under certain circumstances. Per se defamation presumes damages if one of the

following subjects is met: (i) impugns a person's professional character or standing; (ii) states or implies that an unmarried person is unchaste (e.g., is sexually active); (iii) states or implies that a person is infected with a sexually transmitted disease; or (iv) states or implies that the person has committed a crime of moral turpitude (e.g., theft or fraud).

119. PUBLICATION OF FALSE STATEMENTS TO THIRD PARTIES THAT DIRECTLY IMPUGNED CHARACTER, PROFESSIONAL STANDING: W. Gabbey, M. Gabbey, and M. Martelly knowingly, intentionally, and purposefully published false statements by E. Gabbey alleging grave crimes against her by the Tate Brothers, including "human traffick[ing]" her and "falsely imprisoning" her. These false statements directly impugned the character and professional standing of the Tate Brothers, which W. Gabbey, M. Gabbey, and M. Martelly communicated to the United States Embassy and several other third parties elaborated in the above. At no point did the Tate Brothers engage in human trafficking of E. Gabbey or anyone ever, nor have the Tate Brothers ever been charged with the felony of human trafficking by any jurisdiction anywhere in the world. As detailed at length above, E. Gabbey is a serial liar, manipulator, and schemer, who predatorily exploits vulnerable, often wealthy men with good intentions for sexual, financial, and emotional profit. W. Gabbey, M. Gabbey, and M. Martelly communicated E. Gabbey's false statements about T. Tate and A. Tate despite E. Gabbey's well-known, well-documented track record of lying about and extorting men for profit.

120. INJURY TO PLAINTIFF: As a direct consequence of the publication of E. Gabbey's false statements, T. Tate and A. Tate sustained serious personal, financial, and professional injuries. The publication of these false statements directly contributed to T. Tate and A. Tate's censorship on social media platforms like Twitter and Instagram, on which the Tate Brothers have millions of followers that they predominantly rely upon to market their War Room, Hustlers

University, and other business ventures. Furthermore, imputing conduct incompatible with the proper exercise of the Tate Brothers' lawful business, trade, and profession as major social media influencers with worldwide followings, and businessmen, E. Gabbey damaged their relationship with many third-parties, caused a criminal investigation and seizure of business assets by a foreign government, and injured them in their trade and profession, among other critical reputational and economic losses. The Tate Brothers also suffered personal losses, including the serious emotional toll resulting from being denied meaningful access to close relatives, including their mother, wives, and children. Furthermore, the Tate Brothers experienced psychological and physical injuries, in addition to the major professional and personal losses aforementioned, the direct result of being incarcerated from the publication of E. Gabbey's completely baseless human trafficking allegations.

THIRD CAUSE OF ACTION

Commercial Defamation: W. Gabbey, M. Gabbey, and Martelly

121. The Tate Brothers re-allege and restate paragraphs 1-120 as though fully stated herein.
122. This is an action by the Tate Brothers and their various businesses, including the War Room and Hustlers University, for commercial defamation, specifically libel and slander against W. Gabbey, M. Gabbey, and Martelly.
123. Under Florida law, the following three elements must be met to satisfy a claim for commercial defamation: (i) the statement was false; (ii) the person making the statement intends for you to suffer financial loss and your business does suffer loss, resulting in actual damages; and (iii) the person making the statement knew it was false or did not have any concern whether it was true. *See Business Disparagement in Florida*, Trevor Brewer (May 16, 2019).
124. PUBLICATION OF FALSE STATEMENTS TO THIRD PARTIES THAT RESULTED IN FINANCIAL LOSSES TO BUSINESS: W. Gabbey, M. Gabbey, and M. Martell knowingly,

intentionally, and purposefully published false statements communicated by E. Gabbey alleging grave crimes against her by the Tate Brothers, including “human traffick[ing]” her and “falsely imprisoning” her. These false statements directly impugned the character and professional standing of the Tate Brothers, which W. Gabbey, M. Gabbey, and M. Martelly communicated to the United States Embassy and/or several other third parties elaborated in the above. At no point did the Tate Brothers engage in human trafficking of E. Gabbey or anyone ever, nor have the Tate Brothers ever been charged with the felony of human trafficking by any jurisdiction anywhere in the world. As detailed at length above, E. Gabbey is a serial liar, manipulator, and schemer, who predatorily exploits vulnerable, often wealthy men with good intentions for sexual, financial, and emotional profit. W. Gabbey, M. Gabbey, and M. Martelly communicated E. Gabbey’s false statements about T. Tate and A. Tate despite E. Gabbey’s well-known, well-documented track record of lying about and extorting men for profit.

125. KNOWLEDGE AND/OR DISREGARD OF FALSITY AND INJURY TO PLAINTIFF:
As a direct consequence of the publication of E. Gabbey’s false statements, T. Tate and A. Tate sustained serious personal, financial, and professional injuries. The publication of these false statements directly contributed to T. Tate and A. Tate’s censorship on social media platforms like Twitter and Instagram, on which the Tate Brothers have millions of followers that they predominantly rely upon to market their War Room, Hustlers University, and other business ventures. Furthermore, imputing conduct incompatible with the proper exercise of the Tate Brothers’ lawful business, trade, and profession as major social media influencers with worldwide followings, and businessmen, E. Gabbey damaged their relationship with many third-parties, caused a criminal investigation and seizure of business assets by a foreign government, and injured them in their trade and profession, among other critical reputational and economic losses. The Tate

Brothers also suffered personal losses, including the serious emotional toll resulting from being denied meaningful access to close relatives, including their mother, wives, and children. Furthermore, the Tate Brothers experienced psychological and physical injuries, in addition to the major professional and personal losses aforementioned, the direct result of being incarcerated from the publication of E. Gabbey's completely baseless human trafficking allegations.

FOURTH CAUSE OF ACTION

False Imprisonment: Emma Gabbey and Aliona Untila

126. The Tate Brothers re-allege and restate paragraphs 1-125 as though fully stated herein.
127. Under Florida law, any person who personally participates in or proximately causes the unlawful detention of another may be liable for false imprisonment. *Johnson v. Weiner*, 155 Fla. 169, 19 So. 2d 699 (1944). Florida courts generally consider the following factors when determining a claim for false imprisonment: facts showing that plaintiff was physically restrained or confined against his or her will; facts showing that defendant acted with intent of imposing confinement or with knowledge that such confinement would, to a substantial certainty, result from it; facts demonstrating a causal nexus between the defendant's conduct and the confinement; and damages.
128. PHYSICAL CONFINEMENT AGAINST WILL BY E. GABBEY'S AND A. UNTILA'S ACTIONS: The Tate Brothers were unlawfully incarcerated and wrongfully detained for months as a direct result of the human trafficking and baseless other criminal allegations lodged against them by E. Gabbey and A. Untila. In alleging human trafficking violations against the Tate Brothers, and furthermore, in communicating such baseless claims to family, friends, and other contacts, who later reported those unfounded allegations to the United States Embassy, there was

a direct causal link between E. Gabbey and A. Untila's conduct and the Tate Brothers' subsequent confinement.

129. DEFENDANT ACTED WITH INTENT TO CAUSE CONFINEMENT, RESULTING IN DAMAGES: E. Gabbey and A. Untila were fully aware that in making such allegations to the United States Embassy, directly or indirectly, through contacts back home and other third parties, there was substantial certainty that the Tate Brothers would be arrested, detained, and confined, as a direct result of such allegations. The Tate Brothers subsequently were incarcerated for no less than three months, and remain under 24/7 house arrest, for an indeterminate length of time, despite never once being formally charged with a crime – in short, they have faced confinement on the basis of E. Gabbey and ██████████ conduct alone. As stated above, the Tate Brothers experienced severe personal, emotional, and professional damages, including be denied access to loved ones, loss of business opportunities and other economic losses, as a direct result of E. Gabbey and A. Untila's baseless allegations of human trafficking, rape, forming a criminal organization to exploit women. E. Gabbey and A. Untila acted with knowledge that making such false statements would directly cause Romanian authorities to arrest, incarcerate, and detain the Tate Brothers, which they did, thereby effectively operating as a conduit to help achieve a nefarious purpose.

FIFTH CAUSE OF ACTION

Tortious Interference with a Business Relationship: Emma Gabbey

130. The Tate Brothers re-allege and restate paragraphs 1-129 as though fully stated herein.

131. Under Florida law, the following four elements must be met to satisfy a claim for tortious interference with a business relationship: (i) the existence of a business relationship under which the plaintiff has legal rights; (ii) knowledge of the relationship on the part of the defendant; (iii) an intentional and unjustified interference with that relationship by the defendant; and (iv) damage to

the plaintiff as a result of the breach of the business relationship. *Bortell v. White Mountains Ins. Grp.*, Ltd., 2 So. 3d 1041, 1048 (Fla. Dist. Ct. App. 2009).

132. EXISTENCE OF A BUSINESS RELATIONSHIP AND KNOWLEDGE BY E.

GABBEY: The Tate Brothers and their various Companies are informed and believe, and based thereon allege that, at all times relevant herein, Defendant E. Gabbey knew of the advantageous business relationship between T. Tate and their contractors and associates, and deliberately sought to interfere with such economic advantage. The Tate Brothers and their various Companies are informed and believe, and based thereon allege that, until Defendant, E. Gabbey, contacted M. Gabbey and W. Gabbey and made false allegations about the conduct of the Tate Brothers and Companies, there was a reasonable probability that the Tate Brothers would be able to continue operating their lawful businesses with the contractors and business associates and continue deriving an income from such.

133. INTENTIONAL AND UNJUSTIFIED INTERFERENCE WITH THE RELATIONSHIP

BY E. GABBEY: The Tate Brothers and their various Companies are informed and believe, and based thereon allege that, E. Gabbey did not like the competition in the business that she was receiving from the other girls living in the house as demonstrated by communicating knowingly false statements about the Tate Brothers' alleging serious criminal activity which has caused significant economic and reputational damages to the Tate Brothers' various companies. The Tate Brothers and their various Companies are informed and believe, and based thereon allege that, by her unjustified and unprivileged conduct, as alleged above, E. Gabbey intended to disrupt the Tate Brothers' prospective economic advantage in the operation of their business. E. Gabbey tortiously interfered with the Tate Brothers' business operations by communicating knowingly false

statements about the Tate Brothers' alleging serious criminal activity which has caused significant economic and reputational damages to the Tate Brothers' various businesses.

134. DAMAGE TO THE TATE BROTHERS AS A RESULT OF THE BREACH OF THE BUSINESS RELATIONSHIP: The Tate Brothers and their various Companies are informed and believe, and based thereon allege that, E. Gabbey's conduct, as alleged above, disrupted the Tate Brothers' and Companies' prospective economic advantage in continuing the operation of their lawful business. As a direct, proximate, and foreseeable result of E. Gabbey's wrongful conduct, as alleged above the Tate Brothers have suffered damages in an amount to be proven at trial, and which the Tate Brothers and Companies are informed and believe exceeds the jurisdictional threshold for classification as an unlimited civil case. The Tate Brothers and Companies will seek leave of Court to amend this Complaint to set forth the exact amount of damages when they have been ascertained.

SIXTH CAUSE OF ACTION

Civil Conspiracy: Emma Gabbey and Aliona Untila

135. The Tate Brothers re-allege and restate paragraphs 1-134 as though fully stated herein.

136. This is an action by the Tate Brothers against Emma Gabbey and Aliona Untila, for civil conspiracy. Under Florida law, the following four elements must be met to satisfy a claim for civil conspiracy: (i) a conspiracy between two or more parties; (ii) to do an unlawful act or to do a lawful act by unlawful means; (iii) the doing of some overt act in pursuance of the conspiracy; and (iv) damage to the plaintiff as a result of the acts performed pursuant to the conspiracy. *Walters v. Blankenship*, 931 So. 2d 137, 140 (Fla. Dist. Ct. App. 2006).

137. CONSPIRACY BETWEEN TWO OR MORE PARTIES: Upon information and belief, Untila colluded with E. Gabbey to intentionally inflict harm on the Tate Brothers and also obtain money from A. Tate by false pretenses.

138. TO DO AN UNLAWFUL ACT AND THE DOING OF SOME OVERT ACT IN PURSUANCE OF THE CONSPIRACY: Untila and E. Gabbey took an overt act in furtherance of their conspiracy by outlining a systematic plot to deceive A. Tate to steal money and, upon information and belief, potentially other property from him. Text messages evidencing this conspiracy are attached hereto as Exhibit B.

139. DAMAGE TO THE PLAINTIFF: In addition, as shown above, E. Gabbey and Untila indicated that they would need Emmy Awards for the performance and script they came up with to deceive the Tate Brothers as well as those around them further indicating that they should contact Netflix and Hulu. Furthermore, by way of their plot, E. Gabbey and Untila inflicted significant emotional distress on the Tate Brothers. By conspiring to defame the Tate Brothers and trying to obtain money under false pretenses, the Tate Brothers have been economically damaged because they suffered material losses, between the lost property that was the basis for the conspiracy, lost time at work as a result of being distracted and imprisoned, and the economic and reputational damages sustained to their various multimillion dollar businesses because of E. Gabbey and Aliona Untila's defamation.

SEVENTH CAUSE OF ACTION

Intentional Infliction of Emotional Distress: Emma Gabbey and Aliona Untila

140. The Tate Brothers re-allege and restate paragraphs 1-139 as though fully stated herein.

141. This is an action by the Tate Brothers against E. Gabbey and A. Untila for intentional infliction of emotional distress.

142. Under Florida law, the following four elements must be met to satisfy a claim for intentional infliction of emotional distress: (i) the wrongdoer's conduct was intentional or reckless, that is, he intended his behavior when he knew or should have known that emotional distress would likely result; (ii) the conduct was outrageous, that is, as to go beyond all bounds of decency, and

to be regarded as odious and utterly intolerable in a civilized community; (iii) the conduct caused emotional distress; and (iv) the emotional distress was severe. *LeGrande v. Emmanuel*, 889 So. 2d 991, 994 (Fla. Dist. Ct. App. 2004).

143. E. GABBEY AND A. UNTILA'S CONDUCT WAS INTENTIONAL OR RECKLESS AND OUTRAGEOUS: E. Gabbey and A. Untila caused the Tate Brothers deliberate or reckless mental suffering by publishing statements to third parties that caused the Tate Brothers to be subject to a criminal investigation and which directly led to their incarceration, causing extreme stress and emotional anguish, in addition to the psychological trauma that resulted from the personal, economic, and reputational harms to the Tate Brothers and their various businesses. In addition to the statements made between E. Gabbey and Untila, E. Gabbey has a long and demonstrated history of inflicting severe emotional distress on her victims.

144. E. GABBEY AND A. UNTILA'S OUTRAGEOUS CONDUCT CAUSED SEVERE EMOTIONAL DISTRESS: E. Gabbey and Aliona Untila's conduct, which is well outside of the bounds of what is tolerated by society because of how serious and depraved human trafficking and rape allegations are, directly caused mental and emotional anguish for the Tate Brothers because it caused extreme anxiety and distress. As a direct result of this conduct, the Tate Brothers suffered both psychological and physical harms, including insomnia, weight loss, chest pain, and other serious physical ailments.

EIGHTH CAUSE OF ACTION

Negligent Infliction of Emotional Distress: Emma Gabbey and Aliona Untila

145. The Tate Brothers re-allege and restate paragraphs 1-144 as though fully stated herein.

146. This is an action by the Tate Brothers against E. Gabbey and Aliona Untila for negligent infliction of emotional distress.

147. Under Florida law, the following four elements must be met to satisfy a claim for negligent infliction of emotional distress: (i) the plaintiff must suffer a discernable physical injury; (ii) the physical injury must be caused by the psychological trauma; (iii) the plaintiff must be involved in the event causing the negligent injury to another; and (iv) the plaintiff must have a close personal relationship to the directly injured person. *LeGrande v. Emmanuel*, 889 So. 2d 991, 994 (Fla. Dist. Ct. App. 2004).

148. PLAINTIFF MUST SUFFER A DISCERNIBLE PHYSICAL INJURY FROM THE PSYCHOLOGICAL TRAUMA: E. Gabbey and Aliona Untila caused the Tate Brothers negligent mental suffering by publishing statements to third parties that caused the Tate Brothers to be subject to a criminal investigation and which directly led to their incarceration, causing extreme stress and emotional anguish due to the egregious conditions in which they were confined for months, in addition to the psychological trauma that resulted from the economic, emotional, and reputational harms to the Tate Brothers' various businesses and indefinite house arrest. E. Gabbey and Aliona Untila caused the Tate Brothers physical injury as a direct result of E. Gabbey and Aliona Untila's negligent actions because the Tate Brothers suffered from insomnia, weight loss, chest pain, and other serious physical ailments, as a result of their extended prison sentence and house arrest.

149. PLAINTIFF MUST BE INVOLVED IN THE EVENT CAUSING THE NEGLIGENT INJURY AND HAVE A CLOSE PERSONAL RELATIONSHIP TO THE DIRECTLY INJURED PERSON: The Tate Brothers were the targets of E. Gabbey and A. Untila's conspiracy, and therefore directly involved in the defamatory event and allegations that resulted in their imprisonment and house arrest that prompted the negligent injury. T. Tate and A. Tate are brothers and business partners, and therefore have an extremely close personal relationship to one

another, even for brothers, and have suffered emotional distress from seeing each other in anguish over a sustained period of time.

RESERVATION OF RIGHTS

Plaintiff reserves the right to amend this Complaint upon discovering additional facts, including adding a claim for punitive damages against one or more Defendants.

DEMAND FOR JURY TRIAL

Plaintiffs' demand a trial by jury on all issues so triable.

RELIEF SOUGHT

WHEREFORE, Plaintiffs ANDREW TATE and TRISTAN TATE pray for judgment against each defendant, jointly and severally, as follows:

WHEREFORE, Plaintiffs, ANDREW TATE and TRISTAN TATE pray that this Court will enter judgment of liability against Defendant, EMMA GABBEY, WILLIAM GABBEY, MONA TABBARA GABBEY, MATTHIEU MARTELLY, AND ALIONA UNITLA and award damages including attorneys' fees and costs where authorized by statute, pre- and post-judgment interest, and all other relief that this Court deems just and proper.

Respectfully submitted this 11th day of July 2023.

/s/ Thomas Maniotis, Esq.
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Contemporaneously with complaint)