

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

DR. SPRING CHENOVA COOPER,

Plaintiff,

-against-

RYAN BROEMS, CALIDADDY26, INRISKWETRUST,
and JOHN DOES 1-100,

Defendant(s).

**STATEMENT OF
MATERIAL FACTS
PURSUANT TO UNIFORM
RULE 202.8-g**

Index No. 153384/2018

The Parties and Their Relationship

1. Plaintiff DR. SPRING CHENOVA COOPER (“Dr. Cooper” or “Plaintiff”) is a resident of the County of New York, State of New York, where she works as an Associate Professor at the City University of New York’s School of Public Health (Complaint, annexed hereto as Exhibit 1, ¶¶6,7; Answer, annexed hereto as Exhibit 2, ¶¶1).

2. Defendant RYAN BROEMS (“Defendant” or “Broems”), at the time the lawsuit against him was initially filed, was a resident of the City of New York and State of New York (Exhibit 1, ¶9, Exhibit 2, ¶9).

3. Dr. Cooper and Broems dated for what Broems calls “a period” and Dr. Cooper defines as being from December 2016 until November 18, 2017 (Exhibit 1, ¶22, Exhibit 2, ¶¶5).

4. During this time, Plaintiff sent intimate content of herself to Defendant (Criminal Transcript, annexed hereto as Exhibit 3, p. 6, ln. 2-4; Exhibit 4, ¶4).

Defendant’s Dissemination of the Content

5. On January 15, 2018, Dr. Cooper received a string of messages from “CALIDADDY26” on Tumblr which included, among other things, a demand that Dr. Cooper “be my personal webslut, or I’ll post you on my slut exposing blog” (Exhibit 1, ¶30).

6. When Plaintiff declined to reply, “CALIDADDY26” uploaded onto the internet multiple intimate images of Plaintiff (Exhibit 4, ¶5, Exhibit 1, ¶¶30-31, Exhibit 3, p. 5, ln. 14-18).

7. The first two images depicted Dr. Cooper’s face and nude body while she was masturbating and a third image was a screenshot of her OKCupid profile (Exhibit 1, ¶31). Defendant has averred that the images he uploaded show Plaintiff’s genitals and nipples and that she was identifiable in the images because her face was visible and her name accompanied them (Exhibit 3, p. 5, ln. 19 – p. 6, ln. 1).

8. Business records produced by Tumblr show that “CALIDADDY26” was previously “NYCRyan86” (Exhibit 5, p. 2) and Defendant has admitted to creating and utilizing the Tumblr account “NYCRyan86” (Exhibit 6, ¶¶1-2).

9. On February 22, 2018, Defendant was arrested (Exhibit 1, ¶37, Exhibit 2, ¶¶2-3, 6).

10. The following day, Dr. Cooper discovered that an additional eight of her intimate images had been uploaded online; these, like the others, had previously solely been within Broems’ possession (Exhibit 1, ¶39).

11. This pattern repeated itself no fewer than four additional times over the course of the next month, with new images being uploaded online each time after Defendant was arrested (Exhibit 1, ¶¶41-51, Exhibit 2, ¶¶1-7).

12. On March 26, 2018 and March 29, 2018, for example, two new Tumblr sites were created with new intimate photographs of Plaintiff (Exhibit 1, ¶47, Exhibit 2, ¶2).

13. The intimate content was accompanied by identifying information such as Dr. Cooper’s faculty page (Exhibit 1, ¶49, Exhibit 2, ¶2), Dr. Cooper’s OKCupid profile (Exhibit 1,

¶31, Exhibit 2, ¶2), and a link of and screenshot to Dr. Cooper's Facebook profile (Exhibit 1, ¶40, Exhibit 2, ¶2).

Defendant's Criminal Case

14. On June 26, 2018, Defendant uploaded onto the docket a list of the criminal charges which had been brought against him, which included:

- a. PL 135.60(3): Coercion in the Second Degree
- b. PL 240.30(1)(a): Aggravated Harassment in the Second Degree
- c. PL 340.30(3): Aggravated Harassment in the Second Degree
- d. PL 120.45(1): Stalking in the Fourth Degree
- e. PL 110/135.60(3): Attempted Coercion in the Second Degree
- f. AC 10-177(b)(1): Unlawful disclosure of an intimate image
- g. AC 10-177(b)(2): Unlawful threat to disclose an intimate image
- h. PL 240.26(3): Harassment in the Second Degree (Exhibit 7).

15. On December 15, 2021, Defendant pleaded guilty to a violation of unlawfully disclosing an intimate image, pursuant to New York City Administrative Code Section 10-177(b)(1) (Exhibit 3, p. 1, p. 3, ln. 5-18).

16. As part of his plea, Defendant admitted, on the record that "on or about January 16, 2018 [he] posted images of [Plaintiff] Spring Cooper, on the internet" in which Plaintiff's "genitals and nipples were exposed" and she "was identifiable to other individuals in those images because her name accompanied the images, and her face was visible" (Exhibit 3, p. 5 ln. 14-p. 6, ln. 1).

17. Defendant also admitted that he "gained access to those images from Spring Cooper" and disclosed them "without Spring Cooper's consent" in a manner he "knew that Spring Cooper intended they would not be disclosed" (Exhibit 3, p. 6, ln. 2-11).

18. Defendant further admitted that his “intent in disclosing those images was to cause Spring Cooper economic, physical or substantial emotional harm” (Exhibit 3, p. 6, ln. 12-19).

19. As part of his plea deal, Defendant agreed to enter and complete an abusive partner program as well as an order of protection (Exhibit 3, p. 7, ln. 3-p. 8, ln. 21).