

Case 3:21-cv-00918-BAS-DEB Document 56-2 Filed 04/11/22 PageID.674 Page 14 of 50
From: Joshua Scarpuzzi
Sent: Monday, July 5, 2021 8:16 PM
To: greta.proctor@procopio.com <greta.proctor@procopio.com>
Subject: Breaking Code Silence

Hello Greta,

I am writing you this letter with deep sadness in my heart. After experiencing weeks of personal attacks and efforts to silence me over very serious professional concerns I feel that I have an obligation to the truth and to the BCS community of survivors to reach out to you.

The first issue is Vanessa. I have seen a pattern of bullying, talking down to, diagnosing volunteers and mocking them for it, cursing in meetings, and all around acting in a dictator authoritarian style of leading. For the last few months there were countless times her behavior resulted in a volunteer leaving or needing me or Jenny to smooth over how she handled things as a direct result of things she said or did. I was terrified of her and didn't dare speak out about it because if she was doing this to others then it meant she wasn't doing it to me. This was my indoctrination into the leadership "clique" that is now both the highest leadership roles and the board.

Secondly, once I raised the concerns of close to ten volunteers including myself and Jeremy, there was a group effort to dismiss and silence me even through the HR process. I set very clear boundaries and expectations for what it would take for me to continue volunteering my time with BCS and that was laid out in an email I sent over. Since sending that email I have been attacked personally by both Jenny and Katie, as well as Katie spreading false information about me to Jeremy. I've been falsely accused of blackmail and extortion, and left with zero choice but to walk away from the organization that I care so deeply about.

Finally, there has been a pattern of manipulative behavior that is always left me feeling uneasy. This began in the first conversations I had with Vanessa and not stopped since. There have been gross liberties taken that were suggested by Vanessa in regards to my activism work prior to 2021. My book was written and published in 2018. "Breaking Code Silence" was just the title of my book and nothing else. It was suggested by Vanessa that the activism work I had done in 2009/10 was done under the title of my book and that's a far stretch. This narrative was pushed on me and in many ways I liked the idea of me being the founder as it was the first time the Breaking Code Silence community had ever acknowledged me. I believe a title of a book cannot be trademarked and given that my activism work was unrelated I don't not believe the trademark agreement we made has any validity to it and I do not believe that I have any claim to the mark.

Vanessa through this entire process has been privy to the "investigation" into her. I don't know of any organization or company that the person accused of abuse is one of the ones orchestrating their own investigation. And the board members are all people she has picked to protect and go to battle in her name, I know because for months I was one of them. I have zero faith in this leadership to hold her to any standard and am walking away with my head high. They have kicked me out of every survivor Facebook group with zero reason other than retaliation. I believe Vanessa's actions, specifically the diagnosing and labeling volunteers as "on the spectrum" or "bipolar" and then mocking them for it, is reportable to the state under her licensing. They are nothing but bullies who are attempting to grab power and hold onto it at the cost of destroying friendships.

The way they have treated Jeremy is cruel and unprofessional. At times when Jeremy has raised concerns Vanessa had mocked him, one time bringing up his sexuality and asking me why gay men are "drama queens."

I have attached a number of screenshots showing the abuse I have taken. I will at this time request that I not be contacted by anyone from BCS or on behalf of BCS.

There have been countless opportunities for them to remedy this, to apologize, to admit her behavior was wrong, and they have only escalated it and further proved my point that they are unprofessional and incapable of leading this movement.

Joshua Scarpuzzi

Case 3:21-cv-00918-BAS-DEB Document 56-2 Filed 04/11/22 PageID.675 Page 15 of 50
From: Josh Scarpuzzi <joshscarpuzzi@hotmail.com>
Sent: Friday, July 9, 2021 2:58 PM
To: Proctor, Greta A. <greta.proctor@procopio.com>
Subject: Re: BCS forwarded emails

Statement of Fact

July 08, 2021

Hello BCS Community, Lawyers, and Leadership,

In

2007-2008 while at Spring Creek I wrote a collection of poetry that was titled "The thoughts of a caged bird." This collection was never intended to be a part of my book and was written independently.

On

October 12th, 2010 I spoke at a Mathew Sheapherd Memorial event in San Diego California. At this event I spoke about my struggle with suicide, and my time at Spring Creek. At this point in time I had began writing my book with no title, it was meant to be a journal at first.

From

2010-2018 I had worked at a number of small events that talked about troubled teen issues and suicide awareness but always acted on behalf of myself and was not

promoting, engaging, or in any way mentioning the BCS mark. I continued working on my book independently.

Around

2017 I settled on the title Breaking Code Silence for my book and began emailing editors and publishers. Book titles are not able to be trademarked and as such I never trademarked my book, only a general copyright that applies to any intellectual written property.

When

I was first approached by Vanessa Hughes with the new BCS organization, I was told by them that they believed I had the exclusive rights to the BCS mark and they wanted to secure that from me. They implied that what their trademark lawyer told them was that any work I did around the TTI(speaking about suicide, my poetry, my book) was entirely connected and legally constituted first use rights under trademark law. I have now learned that this is false. I had questioned this at the time and was reassured by both Vanessa and Katie on multiple occasions that my concerns over the validity and legality of this were already cleared by the lawyers. Despite my concern they continued to ensure me that anything I did in the past regarding TTI counted as part of my "BCS advocacy."

For

the last few months I have been defending myself as the sole owner and founder of BCS because that's what I was told and ensured by those in power at BCS was legally my right. It was never my intention to lie or deceive anyone in the process, I was operating under the information that was given to me with the intention that I was helping kids.

At

this time I am taking a step back from TTI advocacy as I never asked to be brought into the middle of this division and used as a pawn. Please respect my privacy and stop reaching out. To those who are calling and harassing me, sending me harassing messages online and via text, I'm asking you survivor to survivor, please stop.

Joshua
Scarpuzzi

On Jul 5, 2021, at 23:43, Proctor, Greta A. <greta.proctor@procopio.com> wrote:

Hi Josh, I am seeing all your emails come through. We represent the entity and so I will make sure your concerns are passed on to the board.

GRETA A. PROCTOR
PARTNER
PROCOPIO

—
P. 310.382.5321 | greta.proctor@procopio.com
633 WEST FIFTH STREET, 26TH FLOOR, LOS ANGELES, CA 90071
View Profile | LinkedIn | procopio.com

-----Original Message-----

From: josh scarpuzzi <joshscarpuzzi@hotmail.com>
Sent: Monday, July 5, 2021 11:19 PM
To: Proctor, Greta A. <greta.proctor@procopio.com>
Subject: BCS forwarded emails

* EXTERNAL EMAIL - Please use Caution. *

I've sent you two forwarded emails, the first was from Vanessa telling me there was still ongoing investigations, the second came the next day and said the investigation concluded that it's just a personal matter. I don't know how close to ten volunteers, leads, board members, and myself make this an issue that's solely between Vanessa and me.

This is another example of how I'm being silenced and I have no faith that they can fix this issue as long as Vanessa continues to be protected by people she has power over.

Josh

Mon Jul 05 2021 20:43:33

This is an email from Procopio, Cory, Hargreaves & Savitch LLP, Attorneys at Law. This email and any attachments hereto may contain information that is confidential and/or protected by the attorney-client privilege and attorney work product doctrine. This email is not intended for transmission to, or receipt by, any unauthorized persons. Inadvertent disclosure of the contents of this email or its attachments to unintended recipients is not intended to and does not constitute a waiver of attorney-client privilege or attorney work product protections. If you have received this email in error, immediately notify the sender of the erroneous receipt and destroy this email, any attachments, and all copies of same, either electronic or printed. Any disclosure, copying, distribution, or use of the contents or information received in error is strictly prohibited.

From: josh scarpuzzi

Sent: Sunday, July 18, 2021 8:52 AM

To: Greta A. Proctor <greta.proctor@procopio.com>

Subject: BCS .com and Facebook page

Hello Greta,

I am writing to request that the website www.breakingcodesilence.com and the Facebook page facebook.com/breakingcodesilence be returned to me as the rightful owner. Given the agreement we signed over trademark rights was signed under false pretenses and is invalid given there was no claim to rights, that those be returned to me as quickly as possible as I continue to work on my copyrighted book being published.

If we can do this without me needing to get lawyers involved that would be great, otherwise if that is required, I am happy to go that route.

-Joshua Scarpuzzi

From: josh scarpuzzi

Sent: Tuesday, August 3, 2021 3:13 PM

To: Greta A. Proctor <greta.proctor@procopio.com>

Subject: BCS Facebook, com site

Greta,

I have already written you once without response. This is my second attempt at a civil exchange of my rightful property the domain www.breakingcodesilence.com and the Facebook page [Facebook.com/breakingcodesilence](https://www.facebook.com/breakingcodesilence).

Given that your clients have committed contract fraud, I believe the best scenario for everyone is to promptly return these to the rightful owner so I can continue with my book publication.

Failure to comply with this lawful request will be met with legal action.

Joshua Scarpuzzi