

Appendix IX: Index of Stance on Claims Made

PARTICULARS OF CLAIM

PARTIES

1. The Claimant, also known as Alex Graveley

Admitted.

is a software developer and programmer with a global reputation

False, not admitted for the former, denied for the latter.

for his work in the fields of free software and artificial intelligence.

False, hence denied.

He is best known for founding and selling Hackpad (later acquired by Dropbox)

Not admitted.

for developing AI-based technologies for GitHub and MobileCoin

Not admitted. It is misleading. Details provided beforehand.

The subject was also covered in Techrights.

and for currently serving as CEO of Minion AI

Not admitted, pure fantasy. Misframed.

a personal assistant artificial intelligence tool.

Not admitted.

2. The Defendant operates the website www.techrights.org (“Techrights”) and lives in Manchester in the United Kingdom. Techrights is a website that focusses on software and technology. It is a website available to the public-at-large by use of an internet browser, and is available globally including within the jurisdiction of England and Wales.

The word "internet" should have a capital "I", but the above is mostly admitted with exceptions or pedantic points as noted before.

Words Complained Of

3. On 29 October 2023, the Defendant published or caused to be published the following words that were defamatory of the Claimant on Techrights (“the Article”):
“Further Interesting Developments in the Story of the Serial Strangler, Alex Graveley, Who Made the Microsoft GPL Violation (and Plagiarism) Machine, GitHub Copilot posted by Roy Schestowitz on Oct 29, 2023

Alex Graveley arrested:

[Image of the Claimant]

THE bribing lawyer of Mr. Graveley may have managed to keep him out of prison (bribing the Attorney

General certainly helps in "red states"), but that does not change of the facts. What he did to a whole bunch

of women is matter of public record and this will never change.

Having said that, Graveley also used to be in Mobilecoin and high-profile people over there die mysteriously.

We now have the second mysterious death in 2 years of Mobilecoin leadership. Most people who follow the

news have heard about and know the first. Tobey Segaran is the other and we're told that this death also

involves drugging and raping women. Notice the trend here? Drug abuse, sexual abuse...

Microsoft. It is

like Microsoft does not even bother to check who it is hiring, even for senior positions.

Leave all that to

Nat Friedman and his sick friend, whom he's trying to belatedly dissociate from, apparently by hiring some

firm to edit his Wikipedia "vanity page".”

Paragraph 3 just reproduces a Web page. It is admitted that it was published. It is denied that it is defamatory.

4. The Article, at the point of settling this pleading, remains online on Techrights at the URL https://techrights.org/n/2023/10/29/Further_Interesting_Developments_in_the_Story_of_the_Serial_Str.shtml.

Admitted.

5. The words complained of at paragraph 3 above referred to the Claimant and in their natural and ordinary meaning meant and were understood to mean that the Claimant:

5.1. is guilty of violently strangling numerous women; and

5.2. avoided imprisonment for these criminal offences by procuring the bribery of an Attorney

General in the United States of America.

Not admitted for 5, denied for the misframings in 5.1 and in 5.2. I deny saying those things. You twist my words.

6. The Claimant also brings a claim for breach of the UK General Data Protection Regulation ("UKGDPR") in relation to the Claimant's personal data in the Article and 25 further additional

publications identified in the continuation sheet to the Claim Form (collectively “the Publications”). The additional publications also remain online at the point of settling these Particulars of Claim. All publications complained of in libel (the Article only), malicious falsehood (the Article only) and data protection (all of the Publications) are set out in the continuation sheet to the Claim Form which identifies the webpage URL and date of publication. The Schedule of Further Publications attached to these Particulars of Claim sets out the full text of each webpage from the continuation sheet. The continuation sheet and Schedule of Further Publications is to be treated as having been pleaded here in full. All of the publications were published on Techrights.

Denied. There is no "breach of the UK General Data Protection Regulation". No basis for such an allegation is formulated at all. Save that those pages remain online, it is denied they breach anything.

Extent of Publication

7. The words complained of in the Article were read by a substantial but necessarily unquantifiable number of readers. Pending disclosure or further information from the Defendant, the Claimant is unable to state with precision the number of hits or views of the Article complained of, but will rely upon the following facts and matters to draw an inference that there has been substantial publication globally, including substantial publication within the jurisdiction:

Not admitted for reasons stated before (except sentence 1) and even denied for some of the above statements, more so for 7.1 onwards.

7.1. on 7 July 2019 the Defendant stated in an article on Techrights that the website had nearly five million hits in a single week. It can be inferred that a substantial number of these hits will be unique publishees and that the number of hits on Techrights (and the Publications published on Techrights) at the point of settling these Particulars of Claim continue to be substantial;

Not admitted, explanation as before. Denied for making some false assertions along the way.

7.2. the Techrights website uses analytics, which records the number of unique hits for each of the publications complained of, and accordingly the Defendant will be able to provide accurate and precise figures for each of the publications complained of;

Denied.

The core response also gave context regarding the publications on Graveley, which go a long way back and cover abuse. Real abuse.

7.3. Techrights is indexed by Google. It can be inferred that individuals searching for the Claimant would be directed to the Publications. Each of the Publications refer to the Claimant by name and are and remain publicly accessible and returnable in searches of the internet for the Claimant's name; and

Again, "internet" must have a capital "I" and this is not introducing anything new.

It is rather revealing – based on repeated efforts which are rather significant - that there is a weak technical grasp of the core issues. Palatinate.org.uk, which the Barrister used to edit, says “the senior partner in the [Rebekah Vardy] case David Sherborne commenting that [this Barrister] is “very adept at searching online through social media on his phone”.”

We may therefore conclude that he is adept at “apps” and “smart” “phones”, hence lacks a basic understanding of how the Internet and the Web work. People cannot suitably substitute real computing with small gadgets and online gossip.

Social media is gossip and it does not constitute anything more than gossip.

To repeat again, “*Paragraph 7.3 is strictly and wholly not admitted.*”

7.4. there are a large number of people within the jurisdiction and globally who are interested in technology and similar content covered on Techrights and who would search online for information in relation to news on these matters and/or the Claimant. It can be inferred that a substantial number would be directed to the Article.

Not admitted, see remarks made before.

8. The claim for libel, malicious falsehood and breach of the UK General Data Protection Regulation are brought in respect of global publication and processing and use of the Claimant’s personal data.

Denied. This is just a baseless assertion. It is true that a claim was brought forth based on false assertion - that much is true.

CLAIM IN LIBEL

9. Paragraphs 1 to 8 above are repeated. In respect of any publication in a jurisdiction other than England and Wales, if and insofar as necessary, the Claimant will rely upon the presumption that the foreign law of the relevant jurisdiction(s) is the same as English law (such a presumption being fair and reasonable taking into account the nature of the activities complained of and the fundamental rights protected) and that the publication of the words is actionable both by English law and the law of the place of the foreign publication.

This is denied on the basis that no issue was proven nor explained (or even demonstrated) at this point, neither in the UK nor elsewhere. **Almost half a decade has passed already.**

Serious Harm

10. The publication of the words complained of in the Article have caused or are likely to cause serious

harm to the Claimant's reputation. In support of this contention the Claimant will rely, amongst other things, on the following facts and matters:

Denied. The serious harm was done to Mr. Graveley's victims, who already spoke about it in public before Techrights even wrote about it. Allegations about his bad behaviour, especially against women, go more than 20 years back. The "serious harm", he might argue, comes from colleagues and housemates that he had.

10.1. the allegations against the Claimant made in the words complained of are self-evidently serious, including grave criminality and attack his personal and professional integrity.

Categorically denied. **Graveley** is the "grave criminality". He is projecting. This is patently, manifestly absurd.

It's a bit like a situation where a thief accuses a cop of hurting his feelings during the arrest, shifting the focus of culpability or guilt to the person who merely appeared on-site to enforce the law and protect people

Maybe Mr. Graveley should also consider suing cops now. After all, he did vex his victims with frivolous lawsuits – costing them a lot (fees of lawyers) that went nowhere. He left out that part, and

moreover, it's easy to see why. He's not innocent, he's just attacking anyone that he does not like, either physically or in courtrooms/dockets.

10.2. paragraphs 7 to 7.4 above are repeated. The words complained of were published to a substantial audience both in this jurisdiction and worldwide;

Not admitted for the first part, denied for the rest, nor is this relevant when the words published did not breach any laws and rules.

10.3. each of the statements complained of would likely have been published to an audience that would be interested in the fields in which the Claimant works, and in circumstances where the Claimant is a prominent individual in such fields (paragraph 1 above is repeated) the harm to his reputation would be accordingly increased. He has worked hard over many years to build up a good reputation in cutting-edge technology both professionally and personally. The defamatory allegations have damaged the Claimant's reputation in this community;

Denied. He did considerable harm to many people. Many other things in that paragraph were already denied. He makes false assertions.

10.4. the Claimant has lost a major business opportunity (the 'acqui-hire' of Minion AI, including himself) after a prospective purchaser read the Publication and withdrew from

negotiations as a result in September 22, 2024. It can be inferred that the Article has caused a similarly deleterious effect upon the Claimant's reputation on other occasions where he has not been informed by the publishee;

He lost a "major business opportunity" because of his own behaviour, not because of the publication about his behaviour. So this too is denied.

10.5. the Article has created a highly damaging permanent 'digital footprint' about the Claimant which is beyond his control and is likely to continue to cause serious harm to the Claimant's reputation in the future; and

Denied. He already had terrible reputation for a long time. There is evidence from his close colleagues; they attest to the same experience with him (direct experience).

10.6. it can be inferred that the allegations complained of have inevitably spread amongst others, and the Claimant relies on the 'grapevine effect'.

This is not relevant and denied regardless. Just copied from the Garrett Case. As usual.

11. In addition to the serious reputational harm suffered as set out above, the publication of the Article caused the Claimant distress and embarrassment as set out further below.

His own actions caused this. It is thus **denied**.

CLAIM IN MALICIOUS FALSEHOOD

12. Paragraphs 1 to 9 above are repeated. It can be inferred that there was substantial publication of the Publication, and paragraph 7 above is repeated. In respect of any publication in a jurisdiction other than England and Wales, if and insofar as necessary, the Claimant will rely upon the presumption that the foreign law of the relevant jurisdiction(s) is the same as English law (such a presumption being fair and reasonable taking into account the nature of the activities complained of and the fundamental rights protected) and that the publication of the words is actionable both by English law and the law of the place of the foreign publication.

Denied for the same reasons as stated before. This is just repetition of sentences.

13. The words complained of set out at paragraph 5 above were published by the Defendant knowing (or readily appreciating) and thereby intending that they would be understood to bear the meaning set out at paragraph 5 above, and in that meaning, which would have been understood by some or all readers, the words complained of were false and published maliciously.

Strongly denied. Paragraph 5 (like 5.1 and 5.2) is utterly misleading.

14. Alternatively, the words complained of within the Publication were published by the Defendant recklessly, not caring whether they were true or false and with no honest belief that they were true and in that meaning the words complained of were false and published maliciously.

There was substantial evidence for the publication. This is thus denied.

PARTICULARS OF FALSITY

15. The meaning referred to and set out above is false. The Claimant has never strangled or otherwise assaulted any women. He has never bribed or procured the bribery of any officer of the Court or Judge.

This is a lie. This is denied.

PARTICULARS OF MALICE

16. In support of his plea of malice, including Loutchansky malice in respect of continued publication, the Claimant relies on the ignoring of unequivocal factual statements included in correspondence on the Claimant's behalf from his lawyers, including in pre-action correspondence. The Defendant was made unambiguously aware of the falsity of the allegations before and since the Publication was published. Despite this, Defendant went on to publish the allegations without varnish and despite the fact that they were aware of their falsity:

This is denied. It is a lie. See the appendices detailing all the communications.

16.1. the Defendant was expressly informed by the Claimant's US lawyer by email dated 8 July 2022 that the Claimant had not been convicted of any offence and the accusations of assault by an ex-girlfriend had been retracted and were untrue. This was more than a year before publication; and

Denied. This is a lie about what the US lawyer said.

16.2. on 23 October 2024, the Claimant's solicitors in England again made clear in the Letter of Claim that while a police complaint was made by the Claimant's ex-girlfriend, she withdrew it because it was false. Further, as is explained, the Court dismissed the case.

The solicitors lied for their client. So this is denied.

17. Despite being on notice of these facts and the strong evidential foundation put forward by the Claimant's lawyers, the Defendant has continued to publish and repeat the false allegations in the Publication. The Claimant will rely upon the full nature and wording of the Publication in support of his plea of malice.

Strongly denied. Hence, the full communications are enclosed in the appendices.

18. The statements were calculated to cause and were likely to cause the Claimant pecuniary damage within the meaning of s.3(1)(a) of the Defamation Act 1952, in that they impute serious criminal misconduct and professional wrongdoing which would deter business partners, employers, or investors from dealing with the Claimant. The Claimant will rely on, inter alia the fact that the malicious falsehood targets and predominantly concern the Claimant's business roles, naming and identifying him in such a capacity; and that receipt of the allegations complained of would make it highly unlikely that the recipient would enter into business with the Claimant. Paragraph 10.4 above is repeated.

This is denied. His own actions bear consequences. He tries to blame a publisher.

19. In the premises, the publication of the words complained of in the Publication was malicious on the part of the Defendant. The publication of the Article caused the Claimant distress and embarrassment as set out further below.

Denied. The distress was what he **victims** experienced.

CLAIM IN DATA PROTECTION

20. The Claimant is a data subject within the meaning of article 4(1) of the UK GDPR and the Data Protection Act 2018 (“DPA 2018”). Paragraph 1 above is repeated.

Admitted only regarding the UK being the residence of the Defendant. The assertion was already responded to in the Garrett Case.

21. Paragraph 2 is repeated. The Defendant is a data controller within the meaning set out in the UK GDPR and DPA 2018 in respect of personal data processed by the Publications on Techrights,

and in respect of the personal data processed by the creation and publication of the
Techrights
website.

Admitted regarding where the Defendant resides. Save the inclusion of Paragraph 2.

22. The Defendant is established within the jurisdiction for the purposes of Article 3(1) of
the UK

GDPR and section 207 of the Data Protection Act 2018. Paragraph 6 above is repeated.

Admitted. Set aside Paragraph 6.

23. The Defendant is required to comply with the principles for processing personal data set
out in

Article 5(1) of the UK GDPR (“the Principles”) and, inter alia, Article 9 and Article 10.

No rules were breached. This is not admitted. It is a loaded statement.

24. Paragraphs 4 and 6 above are repeated. The information in the Schedule of Further
Publications

attached to these Particulars of Claim referring to the Claimant (“the Additional
Publications”)

and the references to the Claimant in the Article constitute the Claimant's personal data (together "the Personal Data"). The Defendant is responsible for the processing of the Personal Data from the Publications in his capacity as data controller.

Denied. This is false and there is no explanation whatsoever of the basis of these assertions. As noted before: "*Paragraph 24 is is denied on the basis that the data was in the public domain already.*"

25. The obtaining, editing, storing and publishing of the Publications and each of them constituted the processing of the Personal Data by the Defendant in breach of the UK GDPR.

Denied. Everything was publicly available. It was also of relevance to the articles.

PARTICULARS OF BREACH

25.1. In breach of Article 5(1)(a) of the UK GDPR, the Defendant's processing of the Personal

Data was unlawful in that it did not meet any of the conditions under Article 6 of the UK GDPR and further in relation to the data in the Article, was also unfair, and unlawful in that the publication of the Article constituted libel and malicious falsehood, as set out

above. Further, the way the data were processed, in terms of the nature, subject and frequency of the Publications was inherently unfair processing of the Claimant's personal data;

See aforementioned response.

25.2. In breach of Article 5(1)(b) of the UK GDPR, for the reasons set out at paragraph 25.1 above;

See aforementioned response.

25.3. In breach of Article 5(1)(c) of the UK GDPR the Defendant's processing was excessive, in that it was not adequate, relevant or limited to what was necessary in relation to the purposes for which the data were processed.

See aforementioned response.

26. The Claimant provided formal notice by way of letter from the Claimant's solicitors to the Defendant on 23 October 2024, pursuant to Articles 17 and 21 of the UK GDPR, that he objects to the processing of his personal data and requested that his personal data be erased from the Publications and the Further Publications. The Defendant has failed to provide information on

action taken on these requests within the time period of one month required under Article 12(3) and (4) of the UK GDPR or at all. The Defendant has further failed to comply with the notice provided.

See aforementioned response.

27. In the premises, by holding and/or recording and/or disclosing and/or publishing the Personal Data to the world at large and in failing to respond or act on the requests under Articles 17 and 21 the Defendant has infringed the Claimant's rights as a data subject, in contravention of the UK GDPR.

See aforementioned response.

28. As a consequence of the Defendant's infringement of the Claimant's rights under the UK GDPR, the Claimant has suffered damage and distress as set out further below.

Damage

29. In support of his claim for damages and/or aggravated damages the Claimant will rely on the

following facts and matters:

29.1. the matters set out at paragraphs 3 to 5 above. The allegations are self-evidently extremely serious and their publication on Techrights in the manner and form they have been published are designed to damage the Claimant which has caused distress to the Claimant. They are an utterly false indictment of the Claimant (paragraph 15 above is repeated), calculated to strike at his personal and professional core and to degrade him in the eyes of right-thinking members of society; especially those in his field of expertise;

This is denied (both 28 and 29). Someone did some very bad things and does not wish anyone to talk about them. He is trying to deflect focus and shift blame.

29.2. the Article has caused serious harm to the Claimant. Paragraph 10 to 10.6 above are repeated;

Mr. Graveley caused serious harm to many people.

29.3. each of the Publications have been published to a substantial number of people.

Paragraphs 7 to 7.4 above are repeated;

29.4. the Claimant has worked hard over many years to build up a good reputation in the free software community and is particularly distressed to be targeted on Techrights, which is likely to be read by others in the community;

He worked hard to hurt many people. Evidence was covered throughout this Defence.

29.5. the Defendant has failed to comply with the demands made in the pre-action protocol letter dated 23 October 2024. Indeed, the Defendant has entirely failed to engage in a proper manner or substantively respond to the Letter of Claim;

Strongly denied. The response was sufficient and substantial enough.

29.6. the Defendant has failed to apologise or undertake not to continue to publish further defamatory statements; and

There is no need to apologise to people who did terrible things to many people.

29.7. the acts complained of above caused the Claimant great personal distress and embarrassment. That distress has been compounded by the fact that the Claimant has

informed the Defendant of the falsity of the allegations in the Article. Despite this, the Defendant has continued to publish the Article. Paragraphs 16 to 17 above are repeated. In the circumstances, the Claimant's distress has been justifiably heightened by the Defendant's conduct which he reasonably believes was malicious.

This is false and denied. See aforementioned detailed response.

Injunction

30. Unless restrained by injunction the Defendant will further publish the words and images complained of or words and images with similar defamatory meanings.

31. The Claimant will rely in support of his claim for an injunction on the Defendant's failure to cease

publishing defamatory allegations concerning the Claimant and the failure to cease processing the

Claimant's personal data unfairly and without his consent, despite a request by the

Claimant's

solicitors that he do so.

There is no basis upon which to legitimately obstruct publication of correct information. See earlier explanations.

AND THE CLAIMANT CLAIMS

- (1) damages, including aggravated damages, for libel and malicious falsehood;
- (2) compensation for damage and/or distress pursuant to Article 82(1) of the UK GDPR and section 168 Data Protection Act 2018, against the Defendant for breach of the statutory duty to process the Claimant's personal data in accordance with Articles 5 and 6 of the UK GDPR in respect of the relevant Publications;
- (3) an injunction to restrain the Defendant, whether by himself, his servants or agents or otherwise howsoever, from publishing or continuing to publish or causing or authorising the publication or continued publication of any words or images bearing the same or similar defamatory meanings as those complained of above;
- (4) an order under Articles 17 and 21 of the UK GDPR and/or section 167 of the Data Protection Act 2018 prohibiting the unlawful processing of the Claimant's personal data and requiring the destruction/erasure of the same;
- (5) an order pursuant to section 12(1) of the Defamation Act 2013 that the Defendant publish a summary of any judgment in the Claimant's favour; and
- (6) an order pursuant to section 13(1) of the Defamation Act 2013 for the Court to order the operators of websites on which the Publication is posted or republished to remove the statements complained of.

The Claimant needs to compensate the site's operator for not only wasting time and harassing him with threats (since 2022) but moreover for using the frivolous, false claims to strategically help the Garrett Case. The Court does not exist to punish reporters for merely reporting, correctly, on affairs in another continent.

Enclosed Garrett Case, the “Twin” Case