

**IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF  
TENNESSEE  
COLUMBIA DIVISION**

<b>RUSS MCKAMEY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
	)	
<b>V.</b>	)	<b>Case No.</b> _____
	)	
	)	
<b>HULU, LLC;</b>	)	
	)	<b>JURY TRIAL DEMAND</b>
<b>NORTH OF NOW FILM &amp; TV, LLC;</b>	)	
<b>NORTH OF NOW STUDIOS, LLC;</b>	)	
<b>NORTH OF NOW, LLC; and</b>	)	
	)	
<b>JUSTIN YERACE,</b>	)	
	)	
<b>Defendants.</b>	)	

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**COMPLAINT**

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Plaintiff Russ McKamey submits the following for his Complaint against Defendant Hulu, LLC (“Hulu”), Defendants North of Now Film & TV, LLC, North of Now Studios, LLC, and North of Now, LLC (collectively “North of Now”), and Defendant Justin Yerace (“Yerace”):

**I. INTRODUCTION**

1. This case arises from Defendants’ collective violations of Mr. McKamey’s privacy and publicity rights under federal and Tennessee law.
  
2. Mr. McKamey brings three federal law claims and seven state law claims under federal question and diversity jurisdiction to redress his injuries by each and every Defendant.

3. Defendants' tone-deaf self-commendations regarding their exploits against Mr. McKamey convey clearly their belief that we live in a society where their misconduct is not just acceptable but celebrated.

4. In their desperate attempts to stay afloat in the vast sea of the attention economy, Defendants have each lost the plot and become entirely unmoored from any remotely anchored sense of decency, propriety, and legality. Such is the inevitable destination of those who chart a course for relevance compassed only by sensationalism.

## II. JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 due to federal questions of law presented under 18 U.S.C. § 1030 (the Computer Fraud and Abuse Act) and 18 U.S.C. § 2707 (the Stored Communications Act and Electronic Communications Privacy Act) and Court has supplemental jurisdiction over the remaining state law claims pursuant to 28 U.S.C. § 1367.

6. This Court also has subject matter jurisdiction over all claims pursuant to 28 U.S.C. § 1332(a)(1) as there is diversity of citizenship between Mr. McKamey and each of the Defendants with a current<sup>1</sup> total of \$4,050,000 in controversy among the state claims alone.

7. Venue is proper in this court pursuant to 28 U.S.C. § 1391(b)(2)-(3) because there is no single judicial district where all Defendants reside, a substantial part of the events giving rise to Mr. McKamey's claims arose and occurred in this district, and all Defendants are also subject to personal jurisdiction in this district. Central to this action is a documentary film created and participated in by Defendants entitled "Monster Inside: America's Most Extreme Haunted House" ("the Documentary") The Documentary was and continues to be broadcast to

This total of state law damages does not include the attributable profits of Defendant Hulu and Defendants North of Now which will require discovery or accounting. Such profits constitute compensatory damages under the Tennessee Protection of Personal Rights Act.

Hulu's customers throughout this district. Part of the production of the Documentary occurred in Tennessee through, at least, conversations and extensive attempts to persuade Mr. McKamey to participate. The hacking of Mr. McKamey's private email account – also central to this action – occurred while Mr. McKamey was located in this district. The publication by Defendants of Mr. McKamey's private, hacked emails occurred in this district. All injuries and damages have been suffered by Mr. McKamey in this district.

8. Personal jurisdiction over each Defendant comports with Tennessee's long-arm statute (T.C.A § 20-2-214). Defendants' tortious acts are considered to have been committed in Tennessee because the consequent injuries were sustained by Mr. McKamey here. Personal jurisdiction over each Defendant further comports with the state and federal constitution.

9. Defendant Hulu is subject to general personal jurisdiction in this Court as it is registered with the Tennessee Secretary of State to transact business, which it does, throughout Tennessee including this district. Defendant Hulu's contacts with this district are substantial, continuous, and systematic. Defendant Hulu has done more than simply place this Documentary into the stream of commerce in this district. In previous litigation in this state, Defendant Hulu has not argued it is not subject to general jurisdiction of courts located in this state. These jurisdictional statements are representative and not exhaustive of the factual basis for Defendant Hulu's personal jurisdiction in this action.

10. Defendants North of Now are subject to specific personal jurisdiction in this district because, through numerous agents including, but not limited to, Andrew Renzi, Defendants

purposefully availed themselves of the privilege of conducting activities within this district by repeatedly contacting Mr. McKamey by telephone and by email to persuade him to participate in the Documentary. Defendants North of Now also promoted and placed the

Documentary into the stream of commerce directed at this forum. These jurisdictional statements are representative and not exhaustive of the factual basis for the personal jurisdiction of Defendants North of Now in this action.

11. Defendant Yerace is subject to specific personal jurisdiction of this Court because he traveled to and entered this district to be a guest of McKamey Manor, which is the origin for his misconduct detailed herein. Defendant Yerace subsequently directed his relevant activities towards this forum by gaining access to Mr. McKamey's private email account while Mr. McKamey was located in this forum. In this process, Defendant Yerace obtained copies of Mr. McKamey's emails which were created by Mr. McKamey's personal devices located in this forum. Defendant Yerace has repeatedly directed his online publishings of Mr. McKamey's hacked emails to residents of this forum. These jurisdictional statements are representative and not exhaustive of the factual basis for Defendant Yerace's personal jurisdiction in this action.

### **III. PARTIES**

12. Plaintiff Russ McKamey is an individual who resides at 12 Stephenson Road, Summertown, Lawrence County, Tennessee 38483.

13. Defendant Hulu is a Delaware Limited Liability Company with a principal place of business located at 2500 Broadway Floor 2, Santa Monica, Los Angeles County, California 90404. Defendant Hulu is considered a citizen of Delaware and California. Hulu can be served with

process through its registered agent, Corporation Service Company, located at 2908 Poston Avenue, Nashville, Davidson County Tennessee 37203.

14. Defendant North of Now, LLC and Defendant North of Now Film & TV, LLC are limited liability companies with a principal place of business located at 5018 Deelane Street, Torrance, Los Angeles County, California 90503. These two North of Now Defendants also

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share a registered agent, Jeremy Herbst, through whom they can be served with process at 1849 Sawtelle Boulevard, Suite 630, Los Angeles, Los Angeles County, California 90025.

15. Defendant North of Now Studios, LLC is a limited liability company with a principal place of business located at 3383 Robertson Place, Los Angeles, Los Angeles County, California 90034. This North of Now Defendant can be served with process through its registered agent, Daniel Yarosheskey, located at 3383 Robertson Place, Los Angeles, Los Angeles County, California, 90034.

16. All three Defendants North of Now are considered citizens of the State of California.

17. Defendant Justin Yerace is an individual residing at 3 Kenneth Avenue, New Castle, Lawrence County, Pennsylvania 16105, where he can be served with process. Defendant Yerace is a citizen of the State of Pennsylvania.

#### IV. FACTS

##### *The Documentary: Production*

18. Mr. McKamey resides in Summertown, Tennessee where, for years, he has

operated a popular, immersive theater experience in the genre of horror on his private property, which he calls McKamey Manor.

19. On October 12, 2023, Defendant Hulu released the Documentary which was produced by Defendants North of Now. Defendants North of Now have direct liability for their misconduct discussed herein. Defendants North of Now also acted with apparent and actual agent authority for Defendant Hulu at all times relevant hereunder.

20. Because this action is solely concerned with Defendants' invasions of Mr. McKamey's privacy and violations of his protected personal rights or publicity rights, it does not

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[Case 1:24-cv-00037](#) [Document 1](#) [Filed 04/08/24](#) [Page 5 of 43](#) [PageID #: 5](#) address or

intend to address the substance or merits of any claim about Mr. McKamey or McKamey Manor made in the Documentary or otherwise made by Defendants. The only such claim which is relevant to this action is the narrow claim by Defendant Hulu and Defendants

North of Now in the Documentary that Mr. McKamey is a "celebrity."

21. The opening credits for the Documentary state "Hulu Presents" and "Hulu Original."

22. "Lion TV USA - An All3Media Company" is listed in the Documentary credits.

Although not specified in the credits, Lion TV participated in the development of the Documentary and, at all times relevant and discussed herein, acted as an agent of Defendants Hulu and North of Now.

23. Andrew Renzi, principal and co-owner of Defendants North of Now, is credited as

Director and Executive Produce of the Documentary.

24. In response to the question, “Why make this documentary?”, Defendants North of

Now, through Renzi, stated:

I actually went to Hulu, who I had worked with before, uh several times, and I just sort of said to them, there’s three women who run the documentary department over there and we had lunch and I was like, “There’s such a white space in the documentary world of horror documentaries. Like it doesn’t exist.” There’s true crime, you know, and that’s, in my opinion, getting a little tired, and, like, there’s no horror movies. Every year a horror movie comes out and it kills it and everyone watches it, but it’s always fake. Like, why aren’t there more documentaries? And, um, and so, we kind of found this story. They introduced me to a company who had been developing a story about this world of McKamey Manor specifically, and so, I just started getting into and I love this concept of people who wanted to be the stars of their own horror film, effectively, that’s basically what this boils down to. And I was like there’s probably no better way to try to make this sort of genre pop in the non-fiction space than to have a group of people that want to be the stars of their own horror movie but it’s all real. And so, that’s kind of where it came from and what was my motivation from the beginning[.]<sup>2</sup>

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<sup>2</sup>

“An Interview with ‘Monster Inside’ Director Andrew Renzi”, Horror Fuel, available at: <https://www.youtube.com/watch?v=R5N58gTqOZE&t=950s> (last accessed April 3, 2024).

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25. Renzi further stated in a separate interview, “I loved the idea of trying to break convention a little bit and try to sneak into the genre space by way of a documentary [...] I recognized that what better way to try to make one of the first horror documentaries by way of a story about people who want to live their own real-life horror film.”<sup>3</sup>

26. After Renzi’s company – Defendant North of Now – entered a “multi-year deal” with the production company Boardwalk Pictures in mid-2023, Jordan Wynn, president of Boardwalk Pictures, said, “Renzi is pushing the boundaries of what a documentary can be.”<sup>4</sup>

27. Renzi further stated<sup>5</sup> in an interview about the Documentary:

The horror genre has been dominated by found footage that's fake. You know what I mean? It's like... how can we create the idea of found footage and present it as though it's a documentary? But we know it's not real. The obvious one is 'Blair Witch,' which took the world by storm, and it had the feel of a documentary, but it wasn't. You think about stories of exorcisms and you think about you know there's definitely space for this in the documentary world. And I love the idea of people being able to tune into content during this kind of Halloween season, but not have to just rely on a writer that's telling them what to like. They can actually see something that might be actually happening in the world. [...] But I'm hoping that this one kind of stands in its own space and can be its own thing and start to have people inspired to tell stories that are in that genre world... but are documentaries and nonfiction.

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<sup>3</sup>

Delores, B., “‘Monster Inside’ Director Andrew Renzi dives deep into McKamey Manor”, available at:

<https://bsidesbadlands.com/monster-inside-director-andrew-renzi-mckamey-manor-interview/>

(last accessed April 3, 2024). <sup>4</sup>

Pinto, J., “Boardwalk Pictures agrees multi-year deal with Andrew Renzi’s North of Now”, C21 Media, available at: <https://www.c21media.net/news/boardwalk-pictures-agrees-multi-year-deal-with-andrew-renzish-north-of-now/> (last accessed April 3, 2024). <sup>5</sup>

*See* fn. 3.

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28. Renzi stated in that same interview that he “met” Mr. McKamey before production of the Documentary began and described the conversation as “incredibly fascinating” and instrumental in his decision to pursue the project.

29. Renzi further attempted throughout the production to persuade Mr. McKamey to participate in the Documentary.



30. Renzi called Mr. McKamey and spoke to him several times on the phone for this purpose. Renzi also sent multiple text messages to Mr. McKamey for this purpose.

31. Mr. McKamey has, in fact, voluntarily participated in other creative projects, even documentaries, in the past but chose not to participate in this Documentary, which Defendants admit.

32. Defendants stated in the Documentary credits, “The filmmakers communicated with [Mr. McKamey] on numerous occasions [...] But he ultimately chose not to participate in the documentary.”

33. On June 2, 2023, Stan Hsue and Allison Corn – “co-presidents” for “Lion TV US” credited as “Executive Producers” in the Documentary credits – contacted Mr. McKamey by email, stating:

We’re the co-presidents of Lion TV US and we wanted to reach out since, as you know, we’re producing a film for Hulu documenting the phenomenon of McKamey Manor as well as the controversy surrounding it. As we’ve discussed, we very much want to include your perspective in the film. The production has reached out several times, without success, but we are asking a final time in the hopes that you might reconsider.

Based on our interviews with McKamey Manor visitors or close associates of McKamey Manor, we are inviting you to comment on the following perspectives:

- McKamey Manor rose up to become one of the best known and most popular destinations for extreme haunt fans.
- McKamey Manor has caused physical and psychological harm to some of its visitors.

- McKamey Manor has violated the trust of some of its visitors, including failing to stop the tour after consent was revoked and placing visitors in unsafe conditions.
- Some visitors’ interest in McKamey Manor is fueled by falsehoods and manipulative tactics.

- You've had some inappropriate interactions with some McKamey Manor visitors and fans, including the pursuit of personal or romantic relationships.
- Some of your personal relationships have exhibited signs of manipulation and abuse.

There is of course much more to the film than this, but we wanted to highlight these specific points and invite you to respond.

We would appreciate a response by June 9. If we don't hear from you by then, we will assume that you are still declining to comment and will so indicate in the film.

34. Mr. McKamey did not respond to this request. The primary relevance of this request is that it was made. In other words, this request demonstrates, along with many other facts, Defendants' sustained purposeful avilment into Tennessee.

35. The Documentary's closing sequence includes the statement, "Russ also did not respond to a list of principal claims made by participants in this film about McKamey Manor and his role in it."

36. Defendants refer to Mr. McKamey as a "celebrity" in the Documentary.

37. Regardless of his notoriety, Mr. McKamey possesses common law and statutory rights to his voice, photograph, and likeness.

38. On this topic, Renzi later stated, "Obviously there [were] legal concerns about how much of certain things we were allowed to use because he didn't participate in the film [...] Obviously, he posted a lot of these things publicly on the internet so it changes the approach."

39. It is not clear why Defendants believe they can use Mr. McKamey's protected voice and likeness without his permission because they obtained both from content he posted "publicly on the internet."

40. The Documentary is credited with a runtime of 87 minutes.

41. Mr. McKamey's photograph or likeness appears approximately 56 times in the Documentary's 87 minutes. Meaning, Defendants Hulu and North of Now appropriate Mr. McKamey's likeness approximately every 1.6 minutes throughout the duration of the Documentary.

42. Mr. McKamey's voice is featured in the Documentary just as often as his likeness. Much of Defendants' use of his likeness occurred contemporaneously with the use of his voice, but not in every instance.

43. The Documentary further included video and audio recordings taken of Mr. McKamey while he was at his workplace in Tennessee without his knowledge. This footage unambiguously showed where Mr. McKamey worked.

#### **The Documentary: Promotion**

44. In an email to the Documentary participants, Defendant North of Now stated, through Renzi, "[T]he movie is dropping on Hulu on Oct 12 and the promo campaigns will all begin next week full steam ahead which includes one of the wildest trailers you'll EVER see."

45. The Documentary's Official Trailer<sup>6</sup> is two minutes and thirty seven seconds long.

46. Mr. McKamey's likeness appears approximately 13 times in the Documentary trailer, which is approximately every 12 seconds. Defendants also use Mr. McKamey's voice in the Documentary trailer.

“Monster Inside | Official Trailer | Hulu”, Hulu Youtube Channel, available at: <https://www.youtube.com/watch?v=vYexezLbQDE> (last accessed April 3, 2024)

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47. The Documentary trailer includes the sub-caption, “”This Halloween, take a deep dive into one of America’s most extreme destinations of horror [...] Stream #MonsterInsideHulu on October 12, only on Hulu.” These statements are repeated at the conclusion of the trailer itself.

48. The purpose of the trailer is clearly to advertise two products: (1) the Documentary; and (2) a Hulu subscription.

49. As seen below, the Documentary trailer currently has 415,000 views on Defendant Hulu’s Youtube Channel, which has 2.34 million subscribers:



50. Upon information and belief, Defendant Hulu grew its subscriber base from 48.5 million in Q4 2023 to 49.7 million in Q1 2024. The minimum amount for which Defendant Hulu offers subscriptions to users to access Hulu content is \$7.99 per month. The highest tier price is \$19.99 per month.

51. For Hulu users who purchase a subscription that includes advertisements, there are three advertisement breaks while viewing the Documentary. Each advertisement break is 90 seconds long. Each advertisement break features a rotating group of three thirty-second advertisements for different products including, but not limited to, other Hulu products.

52. Defendant Hulu's unauthorized use of Mr. McKamey's likeness and voice in the trailer violates the Personal Rights Protection Act, for which Defendant Hulu is liable to Mr. McKamey for "any profits that are attributable to such use" pursuant to T.C.A. ¶ 47-25-1106(d)(1).

53. Defendant Hulu is in exclusive possession of the monetization data for the Documentary trailer on its Youtube channel. Defendant Hulu is in exclusive possession of data showing how many people viewed the Documentary and how many people viewed the Documentary immediately after purchasing a monthly subscription. Defendant Hulu is in exclusive possession of the advertising revenue derived from views of the Documentary. Defendant Hulu is in exclusive possession of the views of its own content which was promoted through an advertisement during the Documentary. Defendant Hulu is in exclusive possession of the advertising revenue it received from views of content also containing advertisement breaks which viewers visited based on advertisements appearing in the Documentary. Therefore, fulsome

discovery or an accounting will be necessary to ascertain the profits and damages owed to Mr. McKamey under T.C.A. ¶ 47-25-1106(d)(1) and 18 U.S.C. § 2707(c).

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54. On October 10, 2023, Defendants North of Now published the trailer to their website:



55. Defendants North of Now also published the Documentary trailer to their Vimeo account.

56. Defendants North of Now also published the Documentary trailer to their

Instagram account:

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57. Because Defendants North of Now are in exclusive possession of the information related to the profits paid to them by Defendant Hulu for production of the Documentary involving their violation of Mr. McKamey's rights under federal and state law, fulsome discovery

or an accounting will be necessary to ascertain damages owed to Mr. McKamey by Defendant North of Now under T.C.A. ¶ 47-25-1106(d)(1) and 18 U.S.C. § 2707(c).

58. The Documentary trailer appears ubiquitously across the internet in blogs, articles, social media posts, and similar sharing.

59. Defendants North of Now stated, through Renzi, in an email to the Documentary participants:

The Disney/Hulu team couldnt [sic] be happier with what we all created together, it's a film that they feel could pave the way for an entire genre that has not yet been explored, the true horror documentary. They are so happy, they are even putting billboards up on Sunset blvd [sic] for your accomplishments and your bravery. And trust me when we say, that is a rare move for a network to do for a doc, let alone a doc that has carved out its own genre!

60. Any "accomplishment" of the Documentary was obtained by way of egregious invasions of Mr. McKamey's privacy and abuse of his publicity rights for which Defendants must compensate him and, further, be ordered to pay substantial punitive damages.

**The Documentary: Hacking**

61. Defendant Yerace was one of approximately nine participating interviewees in the Documentary. In the Documentary, he contributed commentary on his experience as a former guest of McKamey Manor who had participated in a tour and his relevant conduct thereafter.

62. Being a "guest" of the McKamey Manor means to take the tour – in other words, to be a participant for whom the specific immersive experience is designed.



63. Defendant Yerace stated in the Documentary, “I wanted to do something. But I didn’t know what kind of trouble I was gonna get into for getting into somebody’s emails.”

64. In response to Director Andrew Renzi’s question, “Did you feel there was enough there to feel vindicated about what you were doing?”, Yerace stated, “Definitely [...] It’s gonna be worth it in the end.”

65. In the Documentary, Yerace explained the following retaliatory steps he took due to the “embarrassment” he felt after his McKamey Manor experience:

So, I started a Facebook page called McKamey Manor Exposed. I wanted it to be a place where people could actually come, say what they needed to say without having to worry about threats. The biggest thing we found though, was we actually got into Russ’s emails. Russ has a very old email service and that’s where he messed up. The company that Russ has for the email has a phone number. So, I called them, and I was like, ‘Hey, yeah, I forgot my password.’ So, they says, ‘Okay, what’s your name?’ ‘Russ McKamey.’ He’s like, ‘Okay, when’s the last time you were on your email?’ And I was like, you know, I’m gonna make a good guess. I’ll say, ‘Oh, it was yesterday.’ She’s like, ‘Yep, alright, that’s correct.’ I changed the password for my [sic] email address, and then I locked him out. We hit the jackpot.

From his email, we found that he wasn’t paying taxes on his barn [...] “Russ: I talked to my lawyer today.” I got Russ here with his tax problems.

This is from Russ’s son: “You absolutely disgust me.”

This guy’s really obsessed and, like, really going after his girlfriend.

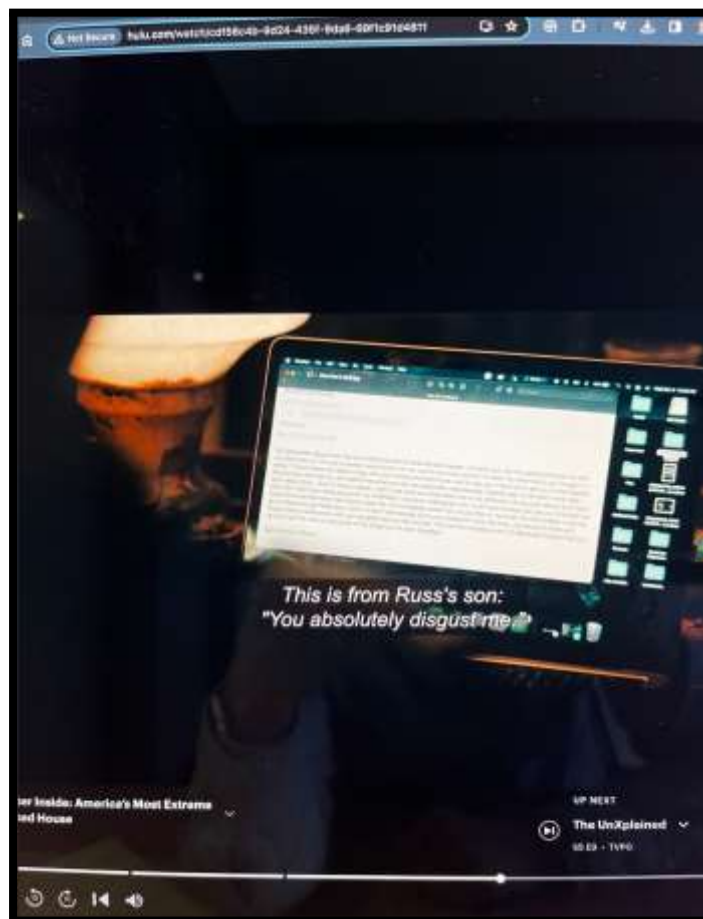
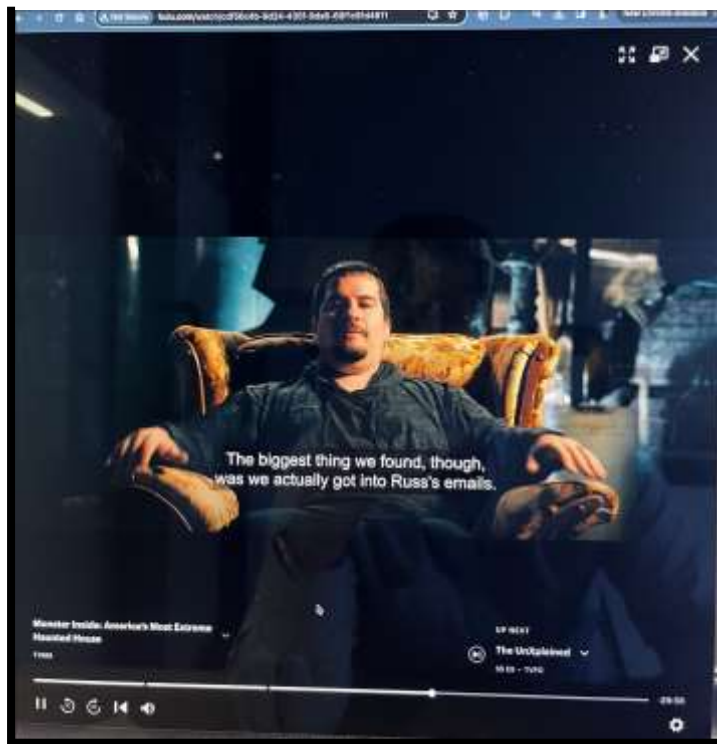
[...]

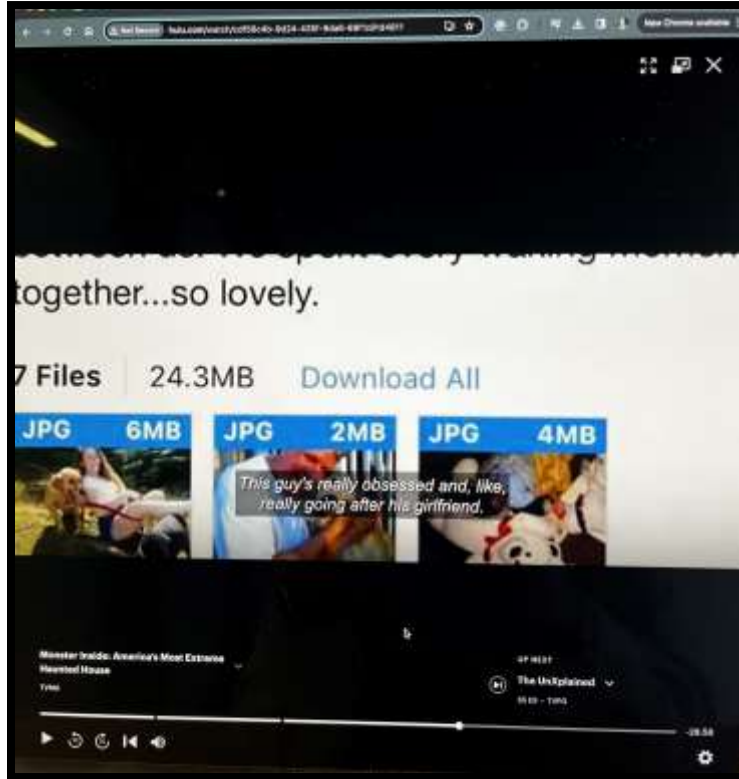
So I took those emails, I took screenshots, and I showed those. Here’s the proof right here. This is, like, something you’re never gonna see anywhere else. I put everything on my Facebook page[.]

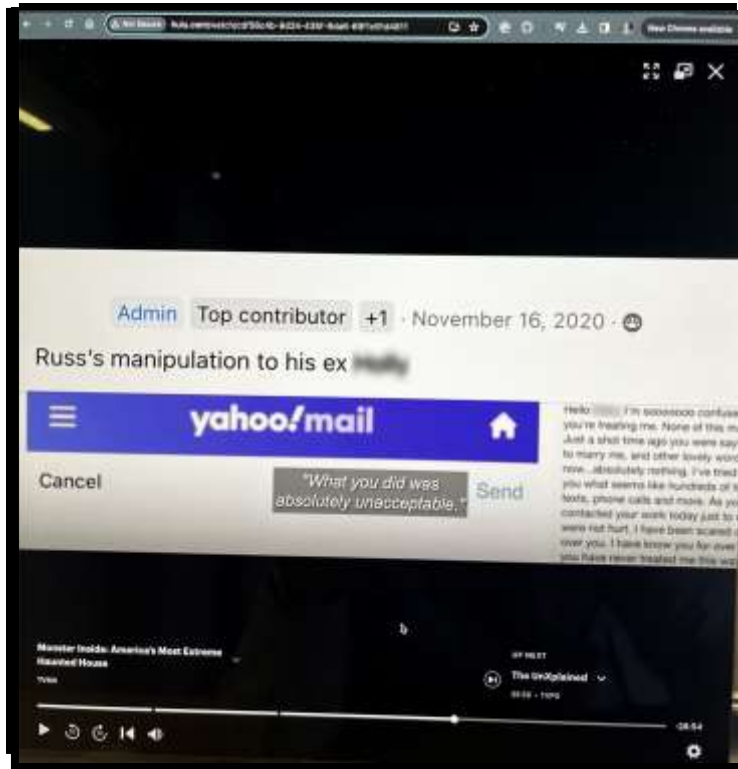
66. The following are still captures of the Documentary – with closed captioning while Defendant Yerace gives this description of his hacking Mr. McKamey’s email account and his

exploits therefrom including the actual emails themselves which are displayed and enlarged in the  
Documentary:

[see next page]







67. The email from Mr. McKamey's son is further displayed to show that his son also said, "I do not want anything to do with you from here on."

68. The Documentary publishes many more images and content of Mr. McKamey's private emails than those exhibited herein.

69. By impersonating Mr. McKamey to the "company" that was Mr. McKamey's "email service", Defendant Yerace obtained unauthorized access into Mr. McKamey's email account and further accessed the email service providers server where the electronic communications were stored. Thereby, Defendant Yerace unlawfully accessed a facility under the Stored Communications Act.

70. Mr. McKamey's email service provider at the time was Yahoo mail under Yahoo, Inc. Yahoo's website "About Us" page states, "Our media, technology and business platforms



connect hundreds of millions of people around the world with the things they love [...] With apps and sites like Yahoo Sports, Yahoo Finance, Yahoo Fantasy, Yahoo Mail and more and a powerful, open platform that connects brands and publishers to passionate fans, we're all about putting an exclamation point on what you're into."

71. In the Documentary, Defendant Yerace further admitted that he "changed the password" to Mr. McKamey's personal email account thereby preventing Mr. McKamey's authorized access to his stored communications.

72. To recap, Defendant Yerace admitted in the Documentary in great detail how he hacked into Mr. McKamey's personal email account. In the Documentary, Yerace further describes in detail the content of several of Mr. McKamey's most highly personal emails including communications with between Mr. McKamey and his lawyer concerning tax issues, Mr. McKamey's communications with former domestic partners, and communications between Mr. McKamey and his son. The selection by Defendants North of Now and Defendant Hulu of these particular, highly sensitive and intimate emails to include in the Documentary demonstrates their intent to humiliate Mr. McKamey.

73. No reasonable person would feel that obtaining such information from Mr. McKamey in such a manner is not an outrageous and highly offensive intrusion of privacy regardless of whether or not the information was then subsequently published to anyone.

74. Defendants, however, did not stop at simply obtaining the information.

Defendants proceeded to publish this highly sensitive and private information to over 48 million<sup>7</sup>

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Stoll, J., "Number of Hulu's paying subscribers in the United States from 1st quarter 2019 to 1st quarter 2024", Statista, available at:

<https://www.statista.com/statistics/258014/number-of-hulus-paying-subscribers/> (last accessed April 3, 2024).

Case 1:24-cv-00037 Document 1 Filed 04/08/24 Page 20 of 43 PageID #: 20 people. This outrageous misconduct by Defendants Hulu, North of Now, and Yerace is truly staggering by any reasonable standard of digital privacy.

75. As the Yerace hacking sequence concludes, the Documentary displays a social media page with the statement, “We all knew Russ was sick, but now there’s proof.”

76. Defendant Hulu and Defendant North of Now are not only liable for their violations of law with respect to the emails actually displayed in the Documentary but also for every hacked email – “over 60”<sup>8</sup> – which they received from Yerace who later stated, “[T]hey asked me for pics and videos as well as wanted to interview me [...] I let them copy my entire back up library of videos and pics from our group for them to use whatever they wanted out of it.”

77. The “group” to which Yerace is referring is his closed, private “McKamey Manor Exposed” Facebook group wherein Defendant Yerace has made the following post: [see

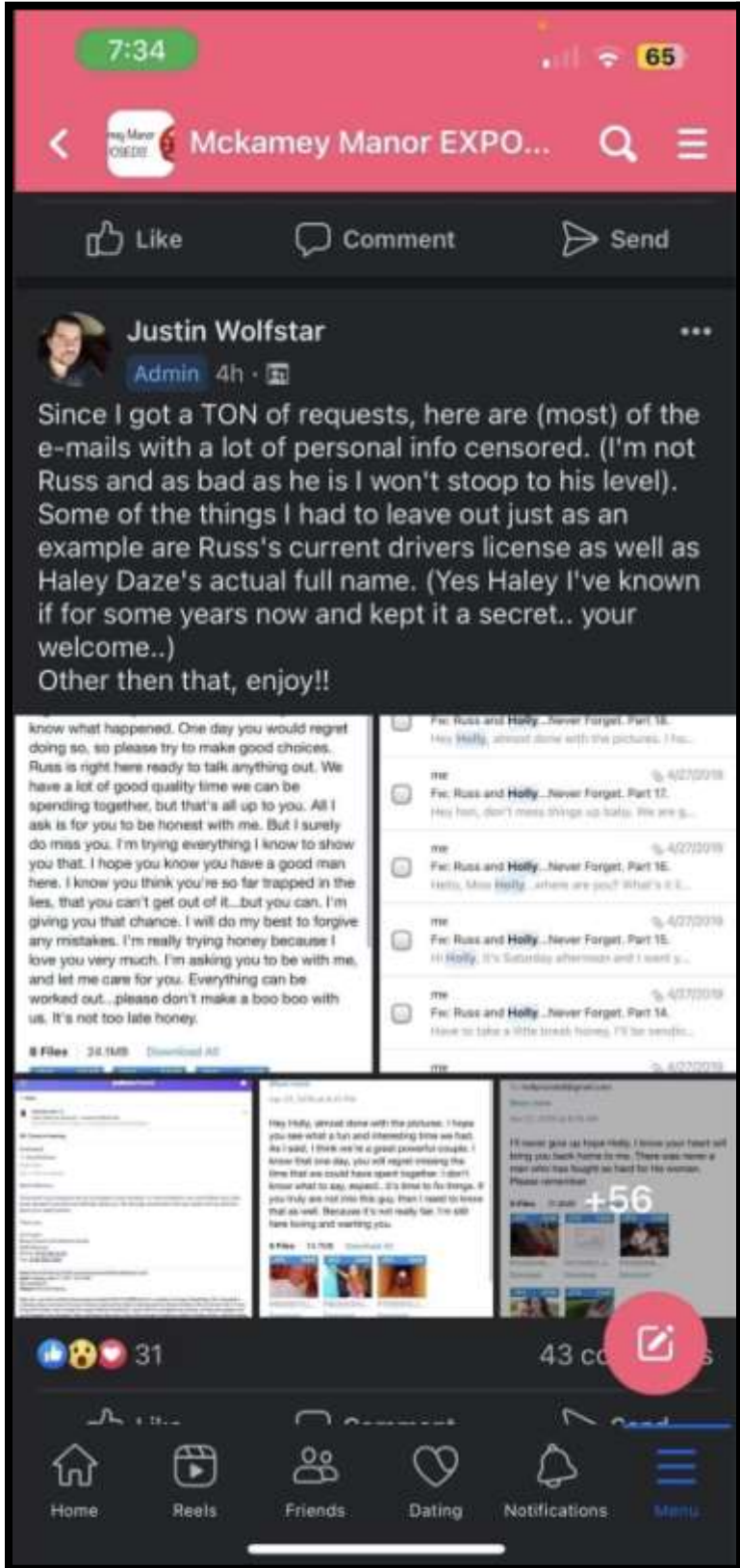
next page]



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Yerace also admitted this as will be discussed *infra*.



78. Defendant Yerace's Facebook profile name is "Justin Wolfstar."

79. Although Defendant Yerace appears to have actually hacked into Mr. McKamey's email and first published Mr. McKamey's emails sometime in 2020, Mr. McKamey was completely unaware that Defendant Yerace was responsible until Defendants published their Documentary on October 12, 2023.

80. Mr. McKamey was aware that he had been blocked out of his email account sometime in 2020. He remained unable to access his account for weeks. Mr. McKamey finally had a skilled friend help him regain access to his email. This friend succeeded in regaining access to Mr. McKamey's email account for him but could not confirm who was responsible for blocking him out of his account.

81. Mr. McKamey is not a member of the private Facebook group where Yerace repeatedly posted the emails.

82. Accordingly, Mr. McKamey did not learn that it was Defendant Yerace who hacked into his email account until on or about October 12, 2023 after release of the Documentary wherein Defendant Yerace boasted he had done so and – astonishingly – about which Defendants Hulu and North of Now suggested he should feel "vindicated."

83. Defendant Yerace stated in a live video broadcasted into his closed Facebook group:

I did talk to the Attorney General, and I was told that I could not make a statement because of what I said in the Hulu documentary. I admitted to hacking Russ and getting all kinds of information from hacking Russ, and they cannot use information wherein I admitted that I hacked this stuff off Russ illegally, they cannot use illegal information [...] that's why they didn't take my statement [...] It's literally because I quoted that I hacked Russ and they cannot use any of my statement because of the information and where I got it from [...] and that's the whole reason I don't have a statement with the AG because of what I said on the Hulu documentary.

84. Defendant Yerace posted in his closed Facebook group, “I looked it up and it said they can’t charge you for just admitting to a crime [...] They need proof you actually did it [...] That and it was so many years ago[.]”

85. Defendant Yerace further stated in his closed Facebook group, “The moment I get ANY KIND of legal ANYTHING Russ is going to wish he never even heard the name Wolf [...] You want to deal with me court? [sic] [laughing emoji] YOU REALLY DON’T WANT TO DO THIS!!!”

86. Defendant Yerace further stated in his closed Facebook group, “Russ is having a melt down [sic] over his e-mails [...] He’s trying to get legal help with what I said on the movie as well as me sharing screen shots that have been out for over 2 years now (Statute of limitations).”

87. Although it is unsurprising that Defendant Yerace – who is not a lawyer – does not understand the discovery rule, his admissions and statements clearly indicate the kind of intentional behavior which punitive damages are designed to address.

88. Defendant Yerace further stated in a live video:

But yes they are real. I’m not gonna fake 60, over 60 emails and just post them for you guys, I mean, that’d be crazy. We’re all about telling the truth here. We don’t do any lies, even if we’re wrong, we’ll tell ya. If there’s something we’re mistaken about, we’ll let you know. But yea, the emails are real. I may or may not have gotten into his email, um, you know, that’s what was there. The people that he emailed can tell you that they’re real. If you guys ever talk to Holly again, um, Susan, whoever else he emailed there, they will simply tell you, “Yea, it’s real. Everything’s real.”

89. The post by Defendant Yerace to his closed, private Facebook group, discussed in

Paragraph 77, included the actual “60 emails” he had obtained from Mr. McKamey’s. Defendant Yerace’s post in Paragraph 68 includes four thumbnails and additional “56” collective thumbnails. Clicking on this post in its live version allows access to all 60 emails included in the

post. Any person who is a member of Defendant Yerace’s closed, private Facebook group – McKamey Manor EXPOSED!!! – can view every email he posted. The group currently has over 54,600 members.

90. The 60 emails Defendant Yerace selected from Mr. McKamey’s account and posted to Defendant Yerace’s Facebook group include the several emails exhibited in the Documentary and many more. The selection was intended to maximize the embarrassment of Mr. McKamey. These emails are still available to any group member. To avoid further invasion of Mr. McKamey’s privacy, the emails will not be re-exhibited here. The emails, however, include, but are not limited to:

- Emails between Mr. McKamey and his attorney regarding the Twenty Second Judicial District Attorney’s investigation of Mr. McKamey;
- Emails between Mr. McKamey and his attorney regarding other sensitive legal matters;
- Emails between Mr. McKamey and a criminal investigator for the Twenty Second Judicial District Attorney’s Office;
- Emails regarding Mr. McKamey’s banking and financial information;
- Emails between Mr. McKamey and the State Fire Marshal’s office regarding inspections on Mr. McKamey’s property;
- Intimate emails between Mr. McKamey and his former domestic partners;
- Emails Mr. McKamey sent a dating service; and

- Emails between Mr. McKamey and his son;

91. Many of the emails have multiple photo attachments – the thumbnails of which are all clearly and easily visible. The majority of these photos are of Mr. McKamey and his former girlfriend. Several of these photos are highly intimate photos of Mr. McKamey’s former girlfriend.

92. Defendants’ obtaining and publishing Mr. McKamey’s personal emails has caused him severe and continuous emotional distress for which he has sought medical treatment through the Department of Veterans’ Affairs. Any reasonable person would experience similar distress under these circumstances.

93. The resulting fallout of Defendants’ outrageous misconduct towards Mr.

McKamey has specifically caused him to seriously and repeatedly contemplate suicide.

94. The personal turmoil and publicity caused by Defendants’ misconduct forced Mr. McKamey to quit his job, not least because Defendant Hulu included in the Documentary footage taken of Mr. McKamey in his workplace without his knowledge.

95. Defendants’ outrageous misconduct also directly resulted in an investigation by the Tennessee Attorney General’s Office. On October 31, 2023, the Tennessee Attorney General Jonathan Skrmetti sent Mr. McKamey a letter announcing his investigation and specifically referenced the “Hulu 2023 documentary about McKamey Manor” and included numerous quotes from the Documentary. Mr. McKamey has incurred significant expenses and costs in defending himself in that investigation.

96. Regarding this development, Defendants North of Now, through Renzi, stated:

It definitely came as a shock that there was actually law enforcement taking notice. I didn't go into the film with that explicit intention, if I'm being honest — but I know for a fact that the people who felt victimized by McKamey Manor did and have long wanted to see this happen, but have never had the resources or the outlets to get anyone's attention. I can't deny that it's felt especially good seeing how much this means to people like Melissa, Brandon and Gabi. It's also been rewarding because my goal from the start was to try to create a real separation from true crime and show something that is horrific [the way] a horror film would. The Attorney General is taking notice, so maybe the way my team made the film, as a horror film, has sparked a more visceral reaction in people than if

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[Case 1:24-cv-00037](#) [Document 1](#) [Filed 04/08/24](#) [Page 26 of 43](#) [PageID #: 26](#) we'd followed a more straightforward true crime template. The fun of directing documentaries is that there's really only one rule: Don't make anything up that has to do with the story. It's gotta be honest. Outside of that, we can use every cinematic technique available to every other filmmaker to make the doc in the most impactful way. It makes me happy to know that our role as filmmakers, and how we chose to lean into the genre world with this, has served the real story and the people who deserved to have their voices heard in the loudest possible way.

97. While acknowledging the causal link between their Documentary and Mr. McKamey's legal troubles – and associated expenses – Defendants explicitly acknowledge generating public interest was not their “intention.” Rather, their intention was clearly to create a new genre of film.

98. Defendants' invasions of Mr. McKamey's privacy, violation of his publicity rights, and intentional infliction of emotional distress upon him through the Documentary are inextricable from “the way [Defendants Hulu and North of Now] made the film.”

99. Defendants being “happy” – *See* ¶ 59 and ¶ 96 – about the severely detrimental impact their misconduct has had on Mr. McKamey will be instrumental in the punitive damages they pay him.

## V. CLAIMS FOR RELIEF

### COUNT ONE: Violation of the “Computer Fraud and Abuse Act” – 18 U.S.C. § 1030

**(Against Defendant Yerace)**

100. Paragraphs 1 through 99 are incorporated by reference as if fully restated herein.

101. Under federal law, anyone who intentionally accesses a computer without authorization and obtains financial information or obtains any information from a protected computer affecting interstate commerce where loss or damage resulted violates the Computer Fraud and Abuse Act.

102. Through deceiving Mr. McKamey's email service provider, Defendant Yerace admitted to hacking into Mr. McKamey's email account without authorization which is a data storage facility working in conduction with Mr. McKamey's personal computer.

103. Because Mr. McKamey's email account was used to communicate with individuals residing in other states – which is evident even in the “60 emails” obtained by Defendant Yerace which he later published to Facebook – the computer affected interstate commerce.

104. Included in the information obtained by Defendant Yerace's computer fraud included banking and financial information of Mr. McKamey.

105. Defendant Yerace's computer fraud resulted in actual damage to Mr. McKamey including, but not limited to, the impairment to the integrity and availability of his email communication system including the storage system. The interruption in service lasted for weeks.

106. Upon discovery of the identity and nature of Defendant Yerace's computer fraud, further actual damages resulted, including, but not limited to, loss of his employment, significant



expense in defending a related Attorney General investigation, severe mental and emotional distress for which he has sought treatment, and suicidality.

107. Therefore, Mr. McKamey is entitled to compensatory damages.

**COUNT TWO: Violation of “Stored Communications Act” – 18 U.S.C. § 2707**

**(Against Defendant Yerace)**

108. Paragraphs 1 through 107 are incorporated by reference as if fully restated herein.

109. Under federal law, the intentional, unauthorized access of communications stored by electronic communications services – like Yahoo, in this case – to obtain information or

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authorized access to stored electronic communications is a violation of the Stored

Communications Act.

110. By impersonating Mr. McKamey to Mr. McKamey’s email service provider, Yahoo, Defendant Yerace intentionally obtained unauthorized access to a Yahoo email server, which is a facility through which electronic communication service is provided.

111. Defendant Yerace then obtained “60 emails” from Mr. McKamey’s email account.

112. Defendant Yerace then “changed the password” so Mr. McKamey could not regain access, which lasted for several weeks until Mr. McKamey was able to regain entry after considerable effort.

113. The immediate resulting actual damage to Mr. McKamey included being locked out of his personal email for several weeks and the extreme invasion of his privacy. Upon his discovery of the identity and nature of the hacking by Defendant Yerace through the Documentary, the resulting actual damage included, but was not limited to, loss of his employment, significant

expense in defending a related Attorney General investigation, severe mental and emotional distress for which he has sought treatment, and suicidality.

114. Therefore, Mr. McKamey is entitled to compensatory damages in an amount to be established at trial.

115. Regardless of any actual damage, Mr. McKamey is entitled to punitive damages – due to the indisputably intentional and reprehensible nature of Defendant Yerace’s unlawful misconduct – in an amount to be established at trial.

**COUNT THREE: Violation of “Stored Communications Act” – 18 U.S.C. § 2707**

**(Against all Defendants)**

116. Paragraphs 1 through 115 are incorporated by reference as if fully restated herein.

117. Under federal law, any person or entity who intentionally discloses the contents of any electronic communication having reason to know that the information was obtained in violation of the Electronic Communications Privacy Act<sup>9</sup> has violated the Stored Communications Act.

118. As detailed in Count Two, Defendant Yerace obtained Mr. McKamey’s emails in clear and blatant violation of the Electronic Communications Privacy Act, which Defendants’ Hulu and North of Now knew at the time they obtained the information from Defendant Yerace.

119. Defendant Yerace stated that he let Defendants’ Hulu and North of Now “copy my entire back up library of videos and pics from our group for them to use whatever they wanted out of it.”

120. Defendants Hulu and North of Now then interviewed Yerace in the Documentary and published to over 48 million Hulu users the verbatim, recited excerpts from Mr. McKamey's hacked emails.

121. Defendants Hulu and North of Now further disclosed several of the most personal emails themselves by exhibiting them in the Documentary with enlargement for better viewing.

122. None of the Defendants had authorization to obtain or disclose Mr. McKamey's personal emails.

123. As a result, Mr. McKamey suffered the actual damages of loss of his employment, significant expense in defending a related Attorney General investigation, severe mental and emotional distress for which he has sought treatment, and suicidality.

124. Because Defendants Hulu and North of Now profited substantially from their unauthorized disclosures of Mr. McKamey's emails obtained in violation of the Stored Communications Act, all such profits are compensable to him under 18 U.S.C. § 2707(c).

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<sup>9</sup>

The ECPA embodies both the Wiretap Act and Stored Communications Act.

125. Due to the obvious and reprehensible intentionality of Defendants' unauthorized disclosures, Mr. McKamey is further entitled to punitive damages in an amount to be determined at trial.

**COUNT FOUR: Invasion of Privacy – Intrusion Upon Seclusion**

**(Against all Defendants)**

126. Paragraphs 1 through 125 are incorporated by reference as if fully restated herein.

127. Under Tennessee common law, one who intentionally intrudes, physically or otherwise, upon the solitude, seclusion, or private affairs and concerns of another is subject to liability to the other for invasion of privacy if the intrusion would be highly offensive to a reasonable person.

128. This version of invasion of privacy does not require publication of any information obtained via unlawful intrusion.

129. By admittedly obtaining access to Mr. McKamey's private emails through "illegal" means, Defendant Yerace has unlawfully intruded upon Mr. McKamey's private affairs.

130. By obtaining and reviewing copies of the hacked emails from Defendant Yerace, Defendants Hulu and North of Now have unlawfully intruded upon Mr. McKamey's private affairs.

131. Defendants' intrusion by viewing emails between Mr. McKamey and his lawyer, intimate emails between Mr. McKamey and his former domestic partners, emails between Mr. McKamey and his son, and emails regarding Mr. McKamey's banking and financial information, and all other such emails would be highly offensive to any reasonable person.

132. Therefore, all Defendants are liable to Mr. McKamey for compensatory damages in an amount to be established at trial.

133. Because Defendants' invasion of Mr. McKamey's privacy was intentional, Defendants are further liable to him for punitive damages in an amount to be established at trial.

**COUNT FIVE: Invasion of Privacy – Unreasonable Publicity to Private Life**

**(Against all Defendants)**

134. Paragraphs 1 through 133 are incorporated by reference as if fully restated herein.

135. Under Tennessee law, one who gives publicity to a matter concerning the private life of another is subject to liability to the other for invasion of his privacy, if the matter publicized is of a kind that would be highly offensive to a reasonable person and is not of legitimate concern to the public.

136. Contrasted with intrusion upon seclusion, this version of invasion privacy focuses on the publication of the information.

137. The contents of Mr. McKamey's private emails to his lawyer, former domestic partners, son, and others discussed in the Documentary are of no legitimate concern to the public.

138. Publication of the contents of Mr. McKamey's private emails would be highly offensive to any reasonable person regardless of how they were obtained. The circumstances under which Mr. McKamey's personal emails were obtained by Defendants in this case, however, are egregiously and unquestionably offensive.

139. By posting Mr. McKamey's private emails multiple times from 2020 to present in his closed, private Facebook group with over 54,000 members, Defendant Yerace repeatedly gave unreasonable publicity to Mr. McKamey's private life.

140. By publishing Mr. McKamey's private emails in the Documentary to over 48 million users – and promoting it to many more – Defendants Hulu and North of Now gave unreasonable publicity to Mr. McKamey's private life.

141. For these utterly unlawful and unwarranted publications, Defendants are liable to Mr. McKamey for compensatory damages in an amount to be established at trial.

142. Because this outrageous invasion of Mr. McKamey's privacy was intentional on the part of all Defendants, they are further liable to him for punitive damages in an amount to be established at trial.

**COUNT SIX: Invasion of Privacy – Appropriation of Name and Likeness**

**(Against Defendant Hulu and Defendants North of Now)**

143. Paragraphs 1 through 142 are incorporated by reference as if fully restated herein.

144. Under Tennessee common law and the Tennessee Constitution, a celebrity's right of publicity is protected as intangible personal property which has economic value.

145. Celebrities have the exclusive right to control the commercial exploitation of this property right which includes their name and likeness.

146. In the Documentary, Defendants Hulu and North of Now expressly admit that Mr. McKamey is a "celebrity."

147. In the Documentary, Defendants Hulu and North of Now admit that Mr. McKamey informed them he would not participate in the Documentary.

148. Defendants Hulu and North of Now nevertheless used Mr. McKamey's likeness every 1.6 minutes of the 87-minute Documentary without Mr. McKamey's permission.

149. Defendants Hulu and North of Now nevertheless used Mr. McKamey's likeness every 12 seconds of the 157-second long trailer for the Documentary without Mr. McKamey's permission.

150. Mr. McKamey's name appears ubiquitously through the Documentary and the trailer.

151. Defendants Hulu and North of Now profited from their unlawful exploitation of Mr. McKamey's protected publicity rights.

152. Therefore, Defendants Hulu and North of Now are liable to Mr. McKamey for compensatory damages in an amount to be determined at trial.

153. Because Defendants admit they did not have Mr. McKamey's permission to use his likeness, their use was intentionally in violation of his publicity rights making appropriate an award of punitive damages in an amount to be established at trial.

**COUNT SEVEN: Violation of Personal Rights Protection Act – T.C.A. § 47-25-1101 et seq.**

**(Against Defendant Hulu and Defendant North of Now)**

154. Paragraphs 1 through 153 are incorporated by reference as if fully restated herein.

155. Under Tennessee law, any person who knowingly uses another individual's name, photograph, voice or likeness in any medium, in any manner directed to any person other than such individual, as an item of commerce for purposes of advertising products, merchandise, goods, or services without the individual's prior consent shall be liable for violation of the Personal Rights Protection Act of 1984.

156. Celebrity is irrelevant to this protection.

157. In the Documentary, Defendants Hulu and North of Now admit they did not have consent from Mr. McKamey to use his protected likeness.

158. Nevertheless, Defendants Hulu and North of Now used Mr. McKamey's likeness every 12 seconds of the 157-second long trailer for the Documentary.

159. Mr. McKamey's name and voice also appear repeatedly throughout the

Documentary trailer.

160. The only purpose of the Documentary trailer is to advertise both the Documentary and a monthly subscription to Hulu.

161. The trailer has been viewed – at minimum – over 415,000 times.

162. The trailer appears ubiquitously across the internet.

163. There is no applicable fair use exemption for Defendants unauthorized use of Mr. McKamey's protected likeness. Defendants' desired to make a new kind of film featuring "people who wanted to be the stars of their own horror film, effectively, that's basically what this boils down to." Thus, Defendants unauthorized use of Mr. McKamey's protected personal rights had no legitimate connection with any news or public affairs.

164. Defendants Hulu and North of Now are each liable to Mr. McKamey for "any profits that are attributable to such use" by them of his protected likeness under T.C.A. § 47-25-1106.

165. Accordingly, Defendants Hulu and North of Now are liable to Mr. McKamey for compensatory damages in an amount equal to their profits from the unauthorized use of his protected likeness.

166. Because Defendants Hulu and North of Now admitted that Mr. McKamey informed them he would not participate in the Documentary, their unauthorized use of his protected personal rights was clearly intentional and justifies substantial punitive damages in an amount to be established at trial.

167. Because Defendants Hulu and North of now are in exclusive possession of all information related to their profits from the unauthorized use, an equitable accounting must be ordered if Defendants do not comply with Mr. McKamey's discovery requests.



**(T.C.A. 39-14-602)**

**(Against all Defendants)**

168. Paragraph 1 through 167 are incorporated by reference as if fully restated herein.

169. Under Tennessee law, intentionally causing disruption to the property operation of any computer or computer program or making unauthorized copies of information therein is a violation of the Tennessee Personal and Commercial Computer Act.

170. Knowingly using any proceeds resulting from a violation of the Tennessee Personal and Commercial Computer Act is an independent violation of the Act.

171. In obtaining access to Mr. McKamey’s personal email account by impersonating Mr. McKamey, changing the password to block him from the account, and making copies of “60 emails”, Defendant Yerace obviously violated the Act.

172. By receiving and using the emails obtained from Defendant Yerace’s unlawful conduct, Defendants Hulu and North of Now also violated the Act.

173. As a result of these violations, Mr. McKamey suffered actual damages including, but not limited to, loss of his employment, significant expense in defending a related Attorney General investigation, severe mental and emotional distress for which he has sought treatment, and suicidality.

174. Due to the clear intentional nature of Defendants’ misconduct, Mr. McKamey is further entitled to punitive damages in an amount to be established at trial.

**(Against all Defendants)**

175. Paragraphs 1 through 174 are incorporated by reference as if fully restated herein.

176. Under Tennessee law, one whose conduct is so intentional or reckless as to not be tolerated by a civilized society and causes serious mental injury to another is liable to that person for intentional infliction of emotional distress.

177. In obtaining, viewing, and publishing to over 48 million people Mr. McKamey's personal emails which were hacked from his personal email account, Defendants' intentional conduct is far beyond that which is to be tolerated by any civilized society.

178. Such conduct has caused Mr. McKamey to seek medical treatment for mental and emotional injury including, but not limited to, repeatedly contemplating suicide and living under highly public, excruciating stress.

179. Therefore, Defendants Yerace, Hulu, and North of Now are liable to Mr. McKamey for compensatory damages in an amount to be established at trial.

180. Because Defendants' clearly acted intentionally, they are further liable to Mr. McKamey for punitive damages in an amount to be established at trial.

**COUNT TEN: Conspiracy**

**(Against all Defendants)**

181. Paragraphs 1 through 180 are incorporated by reference as if fully restated herein.

182. Under Tennessee law, those participating in a common design with common intent and knowledge thereof to accomplish by concerted action an unlawful purpose by unlawful means and commit an overt act in furtherance thereof resulting in injury to another are liable to that other for conspiracy.

183. By obtaining and viewing Mr. McKamey's private emails by hacking his account, Defendants Hulu, North of Now, and Yerace participated with common intent and knowledge through concerted action by unlawful means to intrude upon Mr. McKamey's seclusion and violated the Tennessee Personal and Commercial Computer Act, which caused him substantial damages.

184. By publishing Mr. McKamey's private emails after hacking his account, Defendants Hulu, North of Now, and Yerace participated with common intent and knowledge through concerted action by unlawful means to cause unreasonable publicity and violate the Tennessee Personal and Commercial Computer Act which caused him substantial damages.

185. By obtaining, viewing, and publishing Mr. McKamey's private emails after hacking his account, Defendants Hulu, North of Now, and Yerace participated with common intent and knowledge through concerted action by unlawful means to inflict intentional emotional distress on Mr. McKmaey causing him to suffer severe embarrassment, humiliation, and fear.

186. Therefore, all Defendants are liable to Mr. McKamey for conspiring to intrude upon his seclusion, give unreasonable publicity to his private affairs, violate the Tennessee Personal and Commercial Computer Act and inflict intentional emotional distress on him.

187. By admitting that Mr. McKamey is a celebrity and using his likeness without permission, Defendants Hulu and North of Now participated with common intent and knowledge through concerted action by unlawful means to misappropriate his likeness.

188. By admitting that Mr. McKamey did not participate in the Documentary and nevertheless using his protected likeness in the trailer for the Documentary, Defendants Hulu and

Now participated with common intent and knowledge through concerted action by unlawful means to violate the Tennessee Personal Rights Protection Act.

189. Defendants over acts in furtherance of their conspiracy are thoroughly detailed herein.

190. The injuries to Mr. McKamey resulting from Defendants' conspiracy are also thoroughly detailed herein.

191. Therefore, Defendants are liable to Mr. McKamey for conspiracy and compensatory and punitive damages in an amount to be established at trial.

**COUNT ELEVEN: Equitable Accounting**  
**(Against Defendants Hulu and North of Now)**

192. Paragraphs 1 through 191 are incorporated by reference as if fully restated herein.

193. Defendants Hulu and North of Now are in exclusive possession of all information related to their profits from the unauthorized use of Mr. McKamey's likeness and violations of the Personal Rights Protection Act.

194. If Defendants do not comply with Mr. McKamey's discovery requests, he respectfully requests this Honorable Court order an equitable accounting of such profits.

**VI. JURY DEMAND**

Pursuant to Rule 27 of the Federal Rules of Civil Procedure, Mr. McKamey respectfully demands a jury be empaneled to decide all issues so triable in this matter.

**VII. PRAYER FOR RELIEF**

WHEREFORE, all foregoing premises considered, Mr. McKamey respectfully requests the following relief:

1. That this Court exercise jurisdiction over these Parties;

That

2. this Court exercise jurisdiction over the subject matter herein;
3. That this Court determine proper venue to be in the Middle District of Tennessee;
4. That this Court empanel a jury to decide all issues so triable;
5. That Defendants be found liable to Mr. McKamey as to all Claims for Relief;
6. That this Court preliminarily enjoin any applicable Defendant from streaming, distributing, or otherwise providing for consumption the Documentary pursuant to T.C.A.

§

47-25-1106(b) while this action is pending;

7. That this Court permanently enjoin any applicable Defendant from streaming, distributing, or otherwise providing for consumption the Documentary pursuant to T.C.A. § 47-25-1106(a);
8. That this Court permanently enjoin all Defendants from publishing private information obtained from Mr. McKamey including the removal of all currently published private information belonging to Mr. McKamey;
9. That Mr. McKamey be awarded compensatory damages against Defendant Yerace for his violation of the Computer Fraud and Abuse Act in Count One in an amount not to exceed \$100,000;
10. That Mr. McKamey be awarded compensatory damages against Defendant Yerace for his violation of the Stored Communications Act in Count Two and Count Three in an amount not to exceed \$850,000;.
11. That Mr. McKamey be awarded punitive damages against Defendant Yerace for his violations of the Stored Communications Act in Count Two and Count Three in an amount not to exceed \$3.4 million;

That

12. Mr. McKamey be awarded compensatory damages against Defendant Hulu for its violation of the Stored Communications Act in Count Three in an amount equal to their profits to be determined through discovery or accounting;
13. That Mr. McKamey be awarded punitive damages against Defendant Hulu for its violation of the Stored Communications Act in Count Three in an amount to be determined after  
discovery or accounting of their profits;
14. That Mr. McKamey be awarded compensatory damages against Defendants North of Now for their violation of the Stored Communications Act in Count Three in an amount equal to their profits to be determined through discovery or accounting;
15. That Mr. McKamey be awarded punitive damages against Defendant North of Now for their violation of the Stored Communications Act in Count Three in an amount to be determined after discovery or accounting of their profits;
16. That Mr. McKamey be awarded economic compensatory damages against Defendant Yerace for all state law claims in an amount not to exceed \$100,000;
17. That Mr. McKamey be awarded non-economic compensatory damages against Defendant Yerace for all state law claims in an amount not to exceed \$750,000;
18. That Mr. McKamey be awarded punitive damages against Defendant Yerace for all state law claims in an amount not to exceed \$1.7 million;
19. That Mr. McKamey be awarded economic compensatory damages against Defendant Hulu on all state law claims in an amount to be established upon discovery or an equitable accounting;

That

20. That Mr. McKamey be awarded non-economic compensatory damages against Defendant Hulu on all state law claims in an amount not to exceed \$750,000;

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21. Mr. McKamey be awarded punitive damages against Defendant Hulu for all state law claims in an amount to be established upon discovery or an equitable accounting;
22. That Mr. McKamey be awarded economic compensatory damages against Defendants North of Now on all state law claims in an amount to be established upon discovery or an equitable accounting;
23. That Mr. McKamey be awarded non-economic compensatory damages against Defendants North of Now on all state law claims in an amount not to exceed \$750,000;
24. That Mr. McKamey be awarded punitive damages against Defendants North of Now on all state law claims in an amount to be established upon discovery or an equitable accounting;
25. That, upon any failure to cooperate in discovery, this Court order an equitable accounting of the profits of Defendant Hulu and Defendants North of Now derived from their misappropriation of Mr. McKamey's likeness and violations of the Tennessee Protection of Personal Rights Act;
26. That Mr. McKamey be awarded his costs, including reasonable attorney's fees pursuant to

T.C.A. § 47-25-1106(d)(2) and 18 U.S.C. § 2707(c);

27. That Mr. McKamey be awarded prejudgment and postjudgment interest; and
28. That Mr. McKamey be awarded any other relief this Honorable Court finds appropriate.



That

Respectfully submitted,

/s/ Davis F. Griffin

Davis Fordham Griffin, Esq.

TBPR #34555

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Submitted April 8th, 2024.

