

1                                   IN THE CIRCUIT COURT OF THE STATE OF OREGON  
2                                   FOR MULTNOMAH COUNTY

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4 <b>DAVID KOENIG</b>	11 Case No.: 23CV15424
5                   Plaintiff	12 <b>PLAINTIFF’S RESPONSE TO</b>
6                   vs	13 <b>DEFENDANTS’ SPECIAL</b>
7 <b>EVANS CLINCHY</b>	14 <b>MOTION TO STRIKE</b>
8 <b>JENNIFER CLINCHY</b> and	15
9 <b>BRIANNA (LOLA) McKISSEN</b>	16
10                   Defendants	17

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19                                   **INTRODUCTION**

20           All three defendants have made anti-SLAPP motions to dismiss charges against them.  
21 This response addresses all of the issues in all of their motions except those in the category of  
22 bad faith litigation conduct. Only the Clinchys have accused me of bad faith litigation conduct in  
23 their motion, so those particular issues will be addressed in a supplemental response to the  
24 Clinchys’ motions to strike only.

25                                   **BACKGROUND**

26           I have been playing competitive board games in tournaments for 34 years. I began  
27 playing tournament chess in 1989 when I was 12 years old, and throughout my middle school  
28 and high school years I was usually ranked in the top ten players in the country in my age group.  
29 Starting when I was in high school, I have also taught chess to children as young as kindergarten,  
30 retired adults, and every age in between, as part of afterschool programs and summer camps as

1 well as in private and group lessons. When I later began competing in Scrabble tournaments, I  
2 expanded my lessons to include Scrabble as well as chess. I have loved both of these games for  
3 almost all of my life, and I have loved sharing that passion with others.

4 I became a FIDE Master of chess, which puts me in the top 3% or so of chess players in  
5 the world, but for at least a decade it has only been my second best game. In over 20 years of  
6 competing in tournament Scrabble, I have become one of the best players in the world. I have  
7 achieved rankings in the top 5 in both the USA and the UK, and top 20 globally. I am also the  
8 first American to earn the Grandmaster title from the Association of British Scrabble Players  
9 (ABSP). I finished in the top 11 in the World Scrabble Championship in all four years from 2016  
10 to 2019, until Scrabble tournaments went on hiatus because of the pandemic. It has been my  
11 biggest life goal for many years to become World Scrabble Champion.

12 Tournament Scrabble is a small world, much smaller than chess. Once a player rises high  
13 up in the rankings, one challenge is that it is hard to get games with people who can give you a  
14 good match. There are only a few handfuls of people in the USA who are worthwhile sparring  
15 partners for me, and over the two decades I have played the game, many of us have become  
16 friends and formed social circles that have gathered frequently to play games and have traveled  
17 to tournaments together.

18 Evans Clinchy is another top American Scrabble player who is very close to me in  
19 ranking and playing strength, and we were part of many of the same social circles since we first  
20 met in 2008 up until late 2016. Our mutual friends were a veritable who's who of many of  
21 America's top Scrabble players. Evans and I were both among a group of Scrabble players who  
22 shared housing at the 2013 World Scrabble Championship in Prague. Among our roommates was

1 Dave Wiegand, a multi-time US National Champion, as well as Chris Lipe, who is currently the  
2 President of the World English-language Scrabble Players Association. (WESPA)

3 Evans has disliked me for far longer than either he or I have known the other two  
4 defendants. At first we were friends, but sometime around 2011 or 2012 his opinion of me  
5 changed. Since Evans and Jennifer began dating in late 2016/early 2017, he has been disparaging  
6 me behind my back to other Scrabble players and behaving in underhanded and unethical ways  
7 to reduce my opportunities to play in tournaments and even to get casual games with many of the  
8 other top Scrabble players who used to be our mutual friends. From the beginning, Jennifer  
9 joined him in behaving in underhanded and unethical ways to cut off my opportunities to play  
10 Scrabble. However, Jennifer's personal dislike of me and participation in the disparagement of  
11 me, for the most part, did not begin until significantly later. I believe that there were two primary  
12 motivations for Jennifer's animosity: (1) To create a cover story for Evans's outsize anger and  
13 vindictiveness toward me. (2) Retaliation for both the personal embarrassment and the damage to  
14 their new brand CoCo that was done by the July 2020 publication of my first two blog posts on  
15 splenetic.net, The Crucible and The Fallout.

16 The Clinchys' crusade against me escalated to new levels in early 2022 because of how  
17 Lola became involved in this story. Although the Clinchys' personal animosity toward me  
18 stretched back significantly earlier, there was never any thought of me being a risk for violence  
19 prior to 2022. However, once Lola put this idea in their heads, the Clinchys decided to rewrite  
20 history, not only telling lies about me and my relationship with them during the time they were  
21 mistreating me, but also going all the way back to my dating relationship with Jennifer from  
22 2014 to 2016.

1 Prior to 2022 the disparagement of me and techniques by which the Clinchys interfered  
2 with my ability to compete at Scrabble were mostly done behind my back and in secret. In the  
3 spring of 2022 all three defendants put false accusations against me in writing, which led to a  
4 chain reaction of events in the Scrabble world that got me completely banned from playing  
5 tournaments in North America and which also interferes with my ability to compete  
6 internationally.

7 The Clinchys' bullying behavior and the ways in which they had damaged my friendships  
8 with many other people in the community had already done a great deal of psychological damage  
9 to me prior to 2022. I had already only worked sporadically since late 2019 and not at all since  
10 mid-2021, in no small part because of the anxiety and stress that they had been causing in my  
11 life. The ways that McKissen and numerous people in the leadership of various Scrabble  
12 organizations joined their campaign to drive me out of the game have drastically accelerated the  
13 psychological and physical toll on me since early 2022. I got a long overdue diagnosis of PTSD  
14 in April 2023. In the last two years I spent many months screaming my lungs out while I was  
15 alone in my home or car, to the point of significant vocal cord inflammation that left me on  
16 multiple occasions unable to speak for days at a time and necessitated voice therapy.

#### 17 **DOCUMENTS DEMONSTRATING DEFAMATION**

18 At the core of this motion is the question of whether there is sufficient evidence to take  
19 these claims to trial. Before addressing anything else, we should identify the defamatory  
20 documents and the documents that prove that they are defamatory.

21 On April 14th, 2022 plaintiff received statements written by all three defendants (Exhibits  
22 1-3) as attachments to emails from Steven Pellinen of WGPO and Judy Cole of NASPA.  
23 Throughout this document the phrases "NASPA incident report" or just "incident report" refers



1 to that email from NASPA and the NASPA disciplinary process that began that day. Additionally,  
2 defendant J. Clinchy included as her attachment B (Exhibit 4) an undated letter from defendant  
3 McKissen that defendant J. Clinchy alleged in her statement was sent on March 1st, 2022.

4 On September 6th, 2022, plaintiff submitted his response to the incident report, which  
5 thoroughly demonstrated the falseness of all accusations and the defamatory nature of all of the  
6 accusing documents. (Exhibit 5, with corroborating screenshots in Exhibit 6) On September 23,  
7 2022, NASPA banned plaintiff for three years anyway. (Exhibit 7)

8 On November 15, 2022, NASPA emailed plaintiff the September 9th, 2022 letters of  
9 defendants J. Clinchy and McKissen, (Exhibits 8 and 9) which included a large amount of  
10 additional defamatory material.

11 On May 26, 2023 plaintiff sent an appeal to NASPA, (Exhibit 10) which thoroughly  
12 demonstrated the falseness of all accusations and the defamatory nature of the September 9th  
13 documents, as well as the unethical behavior of the Scrabble associations toward me. NASPA  
14 continues to delay hearing the appeal.

15 The best summary of the impact these defamatory statements caused plaintiff with the  
16 Scrabble associations is in the splenetic.net blog post The Scapegoat. (Exhibit 11) Plaintiff  
17 requests that the court keep in mind that although the Scrabble associations are a third party in  
18 this suit, understanding the extent of the associations' mistreatment of him is necessary to  
19 properly evaluate the damages that the defendants have done to plaintiff.

20 The Scapegoat (as well as the following blog post, The Conspiracy) was not written with  
21 any intention of advancing or hindering plaintiff's legal case in Multnomah County. The contents  
22 were all written and at first given to the leaders of Scrabble associations in order to advance his

1 quasi-legal case in the “Scrabble courts,” a case which has been going on for a year longer than  
2 the legal case.

3 Plaintiff only decided to publish those documents on splenetic.net, not to hold the  
4 defendants in this legal case accountable, but to hold the leaders of the Scrabble associations  
5 accountable for their corrupt behavior toward plaintiff.

### 6 STATUTE OF LIMITATIONS ISSUES

7 All of the defendants have addressed statute of limitations issues in their motions to  
8 strike, though they are different issues. The Clinchys’ motions claim that the initial round of  
9 defamatory documents were published in March 2022. Although, McKissen’s statement has a  
10 date of March 3rd, 2022, J. Clinchy’s has a date of March 24, 2022, and E. Clinchy’s is undated,  
11 (Exhibits 1-3) none of these statements were published in any public way that I am aware of.  
12 They were handled behind closed doors by the leadership of NASPA, WGPO, and CoCo, and the  
13 first time that I ever had access to them was when they were emailed to me on April 14th, 2022.  
14 Hence the filing date of the initial complaint to the court on April 14th, 2023 is within the statute  
15 of limitations.

16 McKissen’s motion argues that the complaint was not delivered to defendant properly.  
17 My understanding of the argument is that defendant McKissen did receive the initial complaint  
18 and the two amended complaints in time but that there were procedural flaws in how they were  
19 delivered. Any procedural flaws were the fault of my inexperienced former attorney, Mr. Mohan,  
20 and neither he nor I had any knowledge of them until McKissen’s attorney Ms. Vaughn first  
21 contacted us on June 21st, 2023. I make no excuses for any procedural flaws and apologize to the  
22 court, to defendant McKissen, and to Ms. Vaughn for whatever errors were made. Since taking

1 over my case *pro se* I have not yet had time to correct whatever gaps were in this area, but I hope  
2 that these purely procedural issues will not get in the way of this case getting a fair hearing.

3 Ms. McKissen also wrote another statement on September 9, 2022 which echoed many of  
4 the ideas in her earlier statements and which added new defamatory material. Since we are still  
5 well within the statute of limitations for this latter statement, these issues should not be sufficient  
6 reason to dismiss the claims against defendant McKissen.

### 7 **LACK OF APPLICABILITY OF ANTI-SLAPP**

8 All of the defendants have argued that their defamatory writings about me should be  
9 protected as free speech. Defendant McKissen’s motion states “Anti-SLAPP laws were enacted  
10 to protect free speech from the chilling effect of lawsuits just like this one, that aim to bully  
11 individuals into silence.”<sup>1</sup> Framing their writing as an exercise in free speech is specious  
12 reasoning that disregards the facts. None of the defendants published their defamatory statements  
13 in any kind of public forum. Their writings were specifically designed, intended, and used for  
14 behind the scenes consumption by complicit leaders of Scrabble organizations to oust me from  
15 tournaments worldwide while keeping what they were doing out of the public purview as much  
16 as possible.

17 In fact, the *first paragraph* that the CoCo conduct team wrote to me about the matter  
18 attempted to intimidate me into silence and prevent the public proliferation of their accusations:  
19 “These attachments are provided to you ‘for your eyes only’ (including your own attorney, if  
20 any) and are NOT to be published or publicly distributed in any manner.” (Exhibit 12)

21 Defendant McKissen’s motion alleges that “she understood, and indeed, intended for her  
22 statement to be made public, as is evidenced from its plain language.”<sup>2</sup> This is the opposite of the

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24 <sup>1</sup> DEFENDANT MCKISSEN’S SPECIAL MOTION TO STRIKE, p.4, l.8-9

23 <sup>2</sup> DEFENDANT MCKISSEN’S SPECIAL MOTION TO STRIKE, p.6, l.19-20

1 truth. First of all, the name of the file with Lola’s statement in both of the April 14th, 2022  
2 emails I received from Steven Pellinen and Judy Cole was “LolaToWooglesAndWGPO.pdf”  
3 (Exhibit 13) As I analyzed in my response to the incident report (Exhibit 5: Bates #156-157):

4 *However, it is telling that the statement is addressed to the Woogles team and to WGPO,*  
5 *and not to NASPA, which was the sanctioning organization of the only tournament we*  
6 *were both at, the 2022 New Orleans event. My best guess is that she did not intend to*  
7 *submit this as part of an incident report, in which I would have an opportunity to read it*  
8 *and disprove the massive amount of falsehood in it. I think **she intended the statement***  
9 ***for behind-the-scenes consumption by people on the Woogles team and in WGPO in***  
10 *hopes that they would take other action to keep me away from those spheres. However,*  
11 *Evans and Jennifer then submitted it as part of this incident report.*

12 My analysis is supported by the opening sentence of defendant McKissen’s follow-up  
13 statement: “The statements that Steve [Pellinen] included in his complaint were not written for  
14 this audience.” (Exhibit 9: Bates #244)

15 Furthermore, defendant McKissen’s previous statement from the April 14th, 2022 emails  
16 included these lines at the end of page 4: “[defendant McKissen’s] point of view, that if the truth  
17 about what [plaintiff Koenig] is and said got out, I would be the only possible source of that  
18 information, and I was terrified I’d become the center of Dave’s conspiracy theories. They  
19 agreed to do whatever I needed to feel safe and NOT tell everyone what happened.” (Exhibit 2:  
20 Bates #16)

21 Defendant McKissen’s March 1st, 2022 letter to defendant J. Clinchy, which she wrote  
22 before her other statements and which is what inspired the incident report against me in the first  
23 place, mentions the [July 2022 WGPO/CoCo] Word Cup in the second sentence, (Exhibit 4:

1 Bates #30) giving a big hint that a major motivation for this communication was to prevent me  
2 from attending that tournament, as I theorized in my first email response to NASPA about the  
3 incident report. (Exhibit 14)

4 Finally, the defendants have criticized me for publishing my most recent splenetic.net  
5 post The Conspiracy, although the entirety of the contents are simply the accusations of the  
6 defendants that were passed along to me from the Scrabble associations and the entirety of the  
7 communications that I have had with those Scrabble associations. The NASPA Executive  
8 Committee, WESPA Executive Committee, and ABSP Committee were already in possession of  
9 virtually everything in that blog post.<sup>3</sup> All that I did by publishing The Conspiracy was to  
10 democratize the information, so that the rest of the Scrabble tournament playing public could see  
11 the same things the leaders of their organizations were looking at.

12 I hope it is clear by now that the defendants wanted anything but for the truth of their  
13 secretive communications with complicit Scrabble leaders to be shown to the world, and that  
14 they were the ones who attempted to bully me into silence. For them to claim that this lawsuit is  
15 chilling their free speech is laughable. I would much rather be having this entire Scrabble  
16 political battle in a completely transparent way with the public able to view all of their  
17 statements, my statements, and the Scrabble associations' statements. To quote defendant  
18 MicKissen's motion on this topic, "such hypocrisy should not be sanctioned."<sup>4</sup>

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22 <sup>3</sup> I had intended for the defendants to already be in possession of all of those documents through  
23 responses to requests for production. The only reason that there were some gaps was that my former  
24 attorney Marc Mohan had failed to pass along some documents, which I corrected when I served them  
25 the PLAINTIFF'S THIRD SUPPLEMENTAL RESPONSE TO DEFENDANT EVANS CLINCHY'S  
26 REQUESTS FOR PRODUCTION on August 8th, 2023. More detail about Mr. Mohan's failure to serve the  
27 documents is in the DECLARATION OF DAVID KOENIG filed on August 10, 2023.

21 <sup>4</sup> DEFENDANT MCKISSEN'S SPECIAL MOTION TO STRIKE, p.4 l.2

## DEFAMATION

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2 Defendants have alleged that the entire case for defamation rests on only two statements  
3 and that these statements are merely matters of opinion. There were far more than two  
4 defamatory statements, and those statements were matters of fact, not opinion. Plaintiff admits  
5 that his former attorney Mr. Mohan did not do a thorough enough job of indicating the  
6 defamatory statements in his initial responses to requests for production, so plaintiff has served  
7 on August 14th, 2023 a fourth supplemental request for production that addresses exactly this  
8 issue. (Exhibit 15)

9

10 Furthermore, all three defendants have committed a mix of defamation *per se* and  
11 defamation by implication in their statements to the Scrabble associations. Some obvious  
12 examples of defamation *per se* from defendant E. Clinchy are: Plaintiff is “a man who abuses  
13 women,” and who “has spent hours and hours discussing his intent to kill me.” Examples from  
14 defendant J. Clinchy: “David Koenig has: 1. Coerced me to have sex with him after I repeatedly  
15 told him No.; 2. Harassed, threatened, and stalked multiple women.” Examples from defendant  
16 McKissen: Plaintiff “forced me to listen to all of the ways and how badly he wanted the deaths of  
17 Jennifer and Evans for over a hundred hours,” and plaintiff “was stalking” “this other married  
18 girl.”

18

19 All three defendants have also used insinuation as a further means of assassinating the  
20 plaintiff’s character. The most egregious insinuations have been by defendant J. Clinchy who  
21 (1) wrote her incident report statement (Exhibit 3) in a way that causes a reasonable reader to  
22 infer that plaintiff stalked defendant McKissen by following her to Portland, Oregon,  
even though plaintiff moved there long before defendant McKissen, and

1 (2) included her 2018 letter to Jason Idalski (Exhibit 8: Bates 237; defendant’s highlighting)  
2 and a paragraph about it (Exhibit 8: Bates #233; plaintiff’s highlighting) in her follow-up  
3 statement to insinuate that she had reported in 2018 that I had sexually abused her, even  
4 though the letter is not about me at all.

5 Defendant McKissen insinuated that my temporarily moving in with her in Salt Lake City  
6 was coercive and that she was trying to placate me: e.g., “staying on the monster’s good side,”  
7 “he does not move the fuck on,” (Exhibit 2: Bates #14) even though she texted me in a very  
8 romantic way for more than a month before I moved to Salt Lake City, and practically begged  
9 me to come, including by telling me that the move had the endorsement of her friends and  
10 family. These insinuations led one reader to ask “ Is she alleging something analogous to  
11 Stockholm Syndrome?” (Exhibit 16)

12 Defendant E. Clinchy insinuated that he and defendant J. Clinchy were directors of their  
13 online club when they were not, to make it seem like I had violated their arbitrary and vindictive  
14 rule that I could only play in events of their organization that they did not direct. On the surface,  
15 this may not seem defamatory, but this came after WESPA President Chris Lipe, had publicly  
16 defended the Clinchys’ exclusionary behavior of me on the basis that I still had the opportunity  
17 to play in events of their organization that were directed by other people. (Exhibits 17-18)

18 In summary, there is a great deal of defamatory material in all of the defendants’  
19 statements, and a reductionary analysis of which particular sentences include defamatory  
20 material misses defamation that happened in between the lines.

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22

23

1                                   **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

2                   Defendants made two arguments against the claim of Intentional Infliction of Emotional  
3 Distress. The first argument was “One incident is generally not actionable—there must be  
4 repeated conduct.”<sup>5</sup>

5                   In the case of the Clinchys, there have been many incidents of intentional infliction of  
6 emotional distress since 2017. Many are described in great detail in the splenetic.net blog  
7 postings and my September 6th, 2022 response to the incident report. A pre-publication reader of  
8 the first two blog posts, The Crucible and The Fallout, summarized thus: “If you think there was  
9 a whisper campaign to blacklist you, I can offer some confirmation that there probably was.”  
10 (Exhibit 19)

11                  In the case of defendant McKissen, she wrote three documents defaming me, dated  
12 March 1st, 2022, March 3rd, 2022, and September 9, 2022.

13                  Closely related to this last point is the other argument made against the Intentional  
14 Infliction of Emotional Distress claim, which applies only to defendant McKissen. Her motion  
15 claims that plaintiff “does not believe Ms. McKissen acted intentionally or maliciously”<sup>6</sup> based  
16 on a quotation from my September 6th, 2022 response to NASPA’s incident report.

17                  I wrote the lines she quoted in response to the incident report and before defendant  
18 McKissen doubled down on defaming me with her September 9th, 2022 statement. I updated my  
19 views when I saw the later statement. To be more precise, when I read her statement from the  
20 incident report, I considered two possible interpretations to be possible: (1) defendant McKissen  
21 was intentionally and maliciously trying to drive me out of Scrabble, or (2) defendant McKissen

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23 <sup>5</sup> DEFENDANT MCKISSEN’S SPECIAL MOTION TO STRIKE, p.14, l.22-23

22 <sup>6</sup>DEFENDANT MCKISSEN’S SPECIAL MOTION TO STRIKE, p.15, l.7



1 had misinterpreted our interactions so badly—perhaps at least partly due to her own self-admitted  
2 craziness (Exhibit 6: Bates #224)—that she thought she had to lie for her own protection.

3       If the second interpretation was correct, I assumed that my thorough explanation of what  
4 had really happened from my point of view at the January 2022 New Orleans tournament  
5 (Exhibit 5: Bates #160-163) and my explanation that her seeing me on the Woogles Discord  
6 group in February 2022 had nothing to do with her (Exhibit 5: Bates #163-164), which was well  
7 corroborated (Exhibit 6: #189-190), would have been enough for defendant McKissen to stop  
8 burying herself deeper in lies and instead to admit her mistake by retracting her statement.

9       Once defendant McKissen opted not to relent but instead to double down, despite the  
10 massive evidence that had already been presented that she was lying, I no longer considered the  
11 second interpretation plausible. I can now only interpret her defamation of me as an intentional  
12 and malicious act, especially in her September 9th, 2022 statement.

### 13                   **INTENTIONAL INTERFERENCE WITH ECONOMIC RELATIONS**

14       Defendant McKissen’s motion states, “plaintiff cannot present substantial evidence that  
15 he earned any economic advantage from the Scrabble tournaments.” On August 11th, 2023, I  
16 filed PLAINTIFF’S DECLARATION OF ESTIMATED SCRABBLE PRIZE WINNINGS,  
17 which demonstrates that I have earned at least \$21,602 in prize winnings in my 20 year Scrabble  
18 career, and that \$1500-\$2000 per year is a reasonable estimate for my winnings in the last several  
19 years, if defendants had not interfered with my ability to compete in tournaments.

20       I am not going to argue that this is a lot of money. Especially in more recent years as I  
21 have played overseas a lot, the costs of travel and other expenses have often been as large or  
22 greater than the winnings. However, it is still the case that a significant portion of my travel costs  
23 have been offset by the Scrabble winnings, and that some overseas trips have paid for



1 potentially damaged my relationship with WESPA, which sanctions tournaments worldwide, and  
2 the degree to which they have both poisoned WGPO to me and used false stories about me to  
3 help WGPO and CoCo poach tournaments from NASPA also interferes with my ability to make  
4 money from Scrabble.

### 5 **1. The Frying Pan Story**

6 In her statement in the incident report, defendant J. Clinchy alleged:

7 *On March 2, 2022, Lola spoke with me by phone. She recounted that Dave had*  
8 *consistently told her that he wanted to kill my husband by hitting him in the head with a*  
9 *cast iron frying pan. (Exhibit 3: Bates #24)*

10 Nowhere in any of defendant McKissen's statements does she mention anything about a  
11 frying pan. Without any record of that phone conversation, who is to say whether this story was  
12 told to defendant J. Clinchy exactly as she alleges, whether defendant J. Clinchy embellished it,  
13 or whether both defendants collaborated in constructing it?

14 I do not remember a conversation with defendant McKissen that matches this description.  
15 I know that we talked about our cast iron frying pans several times, usually in the context of  
16 cooking with them and how to clean them properly. I do not remember saying it, but I can  
17 believe in a moment of anger that I might have said something about wanting to smack some  
18 sense into defendant E. Clinchy with a frying pan, but that is a far cry from using it as a murder  
19 weapon. If I did say anything along those lines, I doubt I said it more than once.

20 The fact that this embellished or fabricated story originated from a dialog between the  
21 two defendants rather than a writing by one of them increases the likelihood that it was a product  
22 of conspiracy.

### 23 **2. The CoCo/WGPO connection, Steven Pellinen, and Michael Tang**

1 As mentioned above, defendant McKissen’s mention of the Word Cup in her March 1st,  
2 2022 letter to defendant J. Clinchy (Exhibit 4: Bates #30) suggests that the defendants’  
3 motivation for filing the incident report was at least partially to preemptively stop me from  
4 registering for the July 2022 Word Cup, a tournament that had originally been planned by  
5 WGPO and that CoCo had latched onto as a co-organizer. (Exhibit 10: Bates #397) Furthermore,  
6 the person who spearheaded the entire incident report against me, Steven Pellinen, was acting as  
7 both President of WGPO and a Board Member of CoCo, as he himself wrote at the top of his  
8 April 14th letter to me attached to the incident report. (Exhibit 20)

9 On August 8th, 2022, before I had submitted a defense to the NASPA incident report but  
10 after both CoCo and WGPO had suspended me for five years, Singaporean tournament director  
11 Michael Tang made the announcement that the 2024 Alchemist Cup (essentially the World Cup  
12 of Scrabble) would not allow American players who were banned by two out of three national  
13 associations, counting NASPA, WGPO, and CoCo as national associations, (Exhibit 21) a rule  
14 that targeted me and no one else in the world. Neither WGPO nor CoCo had WESPA recognition  
15 and had ever been involved in international qualifying before. Who or what motivated Michael  
16 Tang to do this? It seems likely that someone communicated with him who at least had an  
17 interest in supporting one or both of WGPO and CoCo, and/or in excommunicating me.

### 18 **3. The New Orleans tournament and Lila Kay Crotty**

19 Prior to me submitting my September 6th, 2022 response to the NASPA incident report,  
20 the organizers of the New Orleans Scrabble tournament, which had been sanctioned by NASPA  
21 for over a decade, announced that the January 2023 edition would instead be sanctioned by  
22 WGPO and CoCo. The New Orleans tournament has historically been one of the strongest

1 tournaments in the USA aside from our National Championship, and losing it is a significant  
2 blow to NASPA.

3         How much did the story about what was going on with my disciplinary case play a role,  
4 particularly because I had been the tournament victor in 2022, the only accusations in the  
5 incident report that took place at a Scrabble tournament happened specifically at the New  
6 Orleans tournament, and the main organizer of the New Orleans tournament, Lila Kay Crotty, is  
7 on the NASPA Advisory Board<sup>8</sup> that suspended me in 2022?

8         I do not know Lila Kay Crotty well, but I can confirm that she greeted me warmly the  
9 first time I attended the New Orleans tournament in 2013 and coldly in more recent years after  
10 2017. This makes sense, since Jennifer revealed in her statement in the incident report that she  
11 “shared Dave’s email threats with the directors of the [2017] New Orleans tournament.” (Exhibit  
12 3: Bates #22)

13         I wrote more in the “Political Background” section of my May 26, 2023 appeal to  
14 NASPA (Exhibit 10: Bates #396-400) explaining how my reputation and ability to compete in  
15 Scrabble tournaments has gotten entangled with the power politics between NASPA, WGPO,  
16 and CoCo. The fact that so many people in WGPO rushed to judgment of me before I wrote my  
17 defense and that NASPA has been so secretive about the rationale for my suspension suggest to  
18 me that there may be people in both organizations who have conspired with the defendants to  
19 push me out, beyond Steven Pellinen, whom we already know about. The fact that Sue Tremblay,  
20 who has been sympathetic to my plight, was kept out of the loop, contrary to usual procedure,  
21 also raises alarm bells. (Exhibit 10: Bates #395)

#### 22         **4. The CoCo/WESPA connection and Chris Lipe**

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23 <sup>8</sup> Lila Kay Crotty has been on the NASPA Advisory Board since 2018, was reelected recently even though  
24 she defected her New Orleans tournament to WGPO/CoCo, and is still in a term to serve until 2025.  
25 (Exhibit 22)

1 Evans Clinchy was the Best Man of Chris Lipe, the President of WESPA, at his July 17,  
2 2018 wedding in Aruba. That wedding is the last time that the Clinchys and I were ever in the  
3 same place. (Exhibit 5: Bates #147)

4 After I published The Crucible and The Fallout, Chris Lipe wrote on several social media  
5 posts, both mine and other people's, to criticize me for publishing the blog to deflect accusations  
6 of impropriety against the Clinchys. (Exhibits 17-18) Cesar del Solar, in the addendum to his  
7 statement of support in my response to the incident report, also mentioned the relationship  
8 between defendant E. Clinchy and Lipe and how it is different than that between E. Clinchy and  
9 the rest of the WESPA Executive Committee. (Exhibit 23: Bates #334)

10 My current status with WESPA is that they are refusing to hear an appeal of my case with  
11 NASPA as long as NASPA delays hearing my appeal. (Exhibit 24) ABSP has said that this will  
12 prevent me from playing in WESPA rated tournaments even outside of North America, which  
13 excludes me from most of the larger international tournaments around the globe. (Exhibit 25)  
14 This means that the defendants have interfered with my ability to play in Scrabble tournaments  
15 and to make money from them even outside of North America.

16 Considering that Lipe is my current contact person at WESPA for my appeal; that he has  
17 played in the majority of tournaments that the Clinchys have kept me out of; that his wife Randi  
18 Goldberg has been organizing tournaments for CoCo; and that Lipe's public statements about my  
19 relationship with CoCo have sometimes suggested that he might have a conflict of interest with  
20 regards to WESPA and CoCo, there is at least circumstantial reason to believe that Lipe may be  
21 in possession of communication relevant to this case that neither plaintiff nor the court yet have  
22 access to.

23

1 **VIOLATIONS OF THE NASPA CODE OF CONDUCT**

2 The Clinchys’ motions say, “the [NASPA] Advisory Board determined that at least three  
3 of the plaintiff’s actions were in violation of Section 2 of the Association’s Code of Conduct.  
4 Notably, the Advisory Board decided that plaintiff had violated the Code of Conduct based  
5 largely through plaintiff’s own submissions.”<sup>9</sup>

6 This is what NASPA said to me in their email giving me a three year ban, (Exhibit 26)  
7 but it is not plausible. NASPA did not give me or WESPA any specifics on what the supposed  
8 three violations were, even when WESPA complained to them about this issue, according to  
9 non-voting WESPA board member Eric Kinderman. (Exhibit 27) They refused to give any more  
10 justification of their rationale, and at this point they seem to have put my appeal into an infinite  
11 holding pattern.(Exhibits 28-29) Furthermore, last I heard from my former attorney Mr. Mohan,  
12 NASPA was refusing to comply with the subpoena that Mr. Fuller ordered on them.

13 **MY REPUTATION IN THE MEDIA**

14 Defendant McKissen has alleged that I have an “already-tanked reputation” because of a  
15 2008 article in *New Jersey Monthly*. All three defendants have used this fifteen year old article as  
16 their only media evidence that I have a bad reputation. The other article that the defendants  
17 included in their evidence, the *Sports Illustrated* story by Alex Prewitt, does not mention me.

18 I have been mentioned in the media for reasons related to Scrabble many other times, and  
19 none of them have said anything negative about me. Exhibit 30 shows three articles in which I  
20 am mentioned or quoted as a Scrabble expert, from Reader’s Digest in 2022, Slate in 2010, and  
21 Slate in 2014. Here is a [news video clip](#) from the NBC affiliate in Orlando, Florida in which I  
22 was interviewed during the 2012 National Scrabble Championship and spoke about the integrity  
23 and honesty of the players.

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24 <sup>9</sup> EVANS CLINCHY’S SPECIAL MOTION TO STRIKE, p.4 l.8-12

1 The *New Jersey Monthly* article is very old and is such a minor issue that it is almost not  
2 worth responding to. If you take the time to read it, you will see that there is very little in the  
3 article to support the anonymous quote that I was “the most despised player in Scrabble.” The  
4 author was a journalism student who was trying to stir the pot and get his article noticed by  
5 making me sound much more controversial than I was. In 2008, I also was far from famous  
6 enough in the Scrabble world to be the “the most (anything).”

7 The phrase in the article, “Koenig’s arrogance, a character flaw to which he freely  
8 admits,” is a misrepresentation of what I said to the reporter. It was the single line of the article  
9 that bothered me most when it came out, and the memory has stuck with me 15 years later. I  
10 admitted to the writer that I had sometimes behaved arrogantly, not that it was a character flaw. I  
11 was also 30 years old at the time and am 45 now.

12 The article also came out around the time I met Evans, and it did not stop us from  
13 becoming friends for the first few years that we knew each other. Both Jennifer and Lola knew  
14 about the article when we started dating, and it did not get in the way of either of them having a  
15 romantic relationship with me. The extent to which they have harped on this irrelevant article  
16 when they all knew very well for a long time that its prominent sound bite was not a fair  
17 reflection of me, in their motions to strike and even in Jennifer’s requests for admission, is one  
18 more way that they are doing everything they can to assassinate my character.

#### 19 **DARRELL DAY INCIDENT**

20 Plaintiff has already explained many times in his response to NASPA’s incident report  
21 and his appeal to NASPA, that the Darrell Day incident is not relevant to the defendants, and  
22 they only keep bringing it up to assassinate his character. The Clinchys did not mention it in their  
23 motion to strike, but defendant McKissen did, in order to justify that her “fear is reasonable.”<sup>10</sup>

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24 <sup>10</sup> DEFENDANT MCKISSEN’S SPECIAL MOTION TO STRIKE, p. 7, l.3



1 Plaintiff is not defending his behavior toward Darrell Day. He has accepted NASPA's  
2 disciplinary decision and publicly stated that he will not make the same mistake again. However,  
3 plaintiff is skeptical of defendant McKissen's claims that the Darrell Day story is the real source  
4 of her concerns about the plaintiff for a number of reasons.

5 Defendant McKissen helped plaintiff write his defense to NASPA about the Darrell Day  
6 incident before they ever moved in together. After it happened, plaintiff and defendant McKissen  
7 lived together for five weeks in Salt Lake City and then two weeks in Seattle, and plaintiff and  
8 defendant continued very friendly relations for more than a month after that.

9 Defendant McKissen's letter to Jennifer on March 1st, 2022 (Exhibit 4) does not mention  
10 Darrell Day at all. Her incident report statement only mentions him once in a parenthetical, and  
11 does not even claim that I talked about him in person when we were living together. (Exhibit 2:  
12 Bates #15) His name was only mentioned in passing as a basis for comparison with other angry  
13 things I said when we were alone.

14 It was only *after* I triggered defendant McKissen's memory about our communications by  
15 including other texts and emails that we sent each other regarding Darrell Day in my September  
16 6th, 2022 response to the NASPA incident report, that she *then* decided to give the first draft of  
17 my email to NASPA and to include in her September 9th statement entirely fabricated stories  
18 about conversations we never had about Darrell Day. (Exhibit 9: Bates #246)

19 This suddenly becoming a big issue when it was not in her earlier writings about me is a  
20 clear a sign to me that her intent in the September 9th statement was to maliciously assassinate  
21 my character and throw everything at NASPA that she thought could possibly get me banned,  
22 even things that were not on her mind and that she did not remember when she wrote her earlier  
23 statements.

1 **BAD FAITH LITIGATION CONDUCT**

2 As explained in the introduction, this topic is addressed in a supplemental response to the  
3 motion. However, let me reiterate just one of the findings in that response here: To date plaintiff  
4 has served 460 pages of responsive documents to defendants in responses to requests for  
5 production, and defendants have served 0 pages of responsive documents to plaintiff in responses  
6 to requests for production.

7 **CONCLUSION**

8 Plaintiff has already presented much evidence and argumentation to demonstrate a  
9 possibility of prevailing on all claims. Further discovery from both the defendants and third  
10 parties increases the likelihood of plaintiff prevailing on all claims.

11 Plaintiff apologizes for all procedural issues which caused the initial complaint and  
12 amended complaints to be delivered improperly. Since beginning to represent *pro se*, plaintiff has  
13 made it a priority to catch up on gaps in discovery that Mr. Fuller wanted to be addressed and to  
14 respond fully to the anti-SLAPP motions, but the next priority will be addressing the procedural  
15 issues.

16 Statute of limitations issues should not prevent this case from being heard, especially  
17 because defendants continued to defame plaintiff on September 9th, 2022.

18 Anti-SLAPP motions are a bad fit for this case, because the defamation committed by the  
19 defendants was not in a public forum, but instead behind closed doors with the intention of  
20 influencing the few people in leadership of Scrabble associations, and it is the defendants who  
21 are trying to chill free speech about the topic in public forums—NOT the plaintiff.

22 Other background topics that defendants brought up have also been addressed, and none  
23 of those stand out as issues that should prevent the hearing of this case.

1 August 15, 2023.

2

/s/ David Koenig

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[Redacted]

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[Redacted]

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Plaintiff, representing *pro se*

**PROOF OF SERVICE**

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I certify that I caused this document to be served via e-mail on:

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% Atty: Ashley L. Vaughn  
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August 15, 2023.

/s/ David Koenig

A large black rectangular redaction box covering the signature and name of the plaintiff.

Plaintiff, representing *pro se*

To all leaders of the Scrabble community:

I would like to set the record straight about something. I understand that there's a narrative out there in the Scrabble community that I have somehow turned other players against David Koenig - that because of some deep-seated anger or hatred that I feel, I've led some sort of campaign of ostracism to keep him out of the Scrabble community.

That narrative is false. I would like to unequivocally state for the record what I have done to DK consistently over the last five years:

Nothing.

The truth is, I have tried very hard to avoid doing anything at all to antagonize DK. I've grappled for the last five years with the fact that he deliberately and maliciously sought to harass and threaten my once-partner, now-wife, Jennifer - behavior that he's openly admitted to in writing, in fact. But rather than malign him for this behavior, publicly or privately, I have held back for five years. I've avoided attacking his character; I've avoided exposing his misdeeds to the world. I've avoided weighing in on the petty squabbles on Facebook about who was unfair to whom. I made a conscious choice years ago not to dignify any of it with an answer. I've never cared about winning this argument; all I've ever wanted is for my wife and myself to be left alone.

The most hostile thing I've done to DK, if you could even call it that, is remain silent. I made a decision in early 2017 that I would no longer exchange pleasantries or shake hands with DK when I saw him at Scrabble tournaments. My reasoning for this was simple, and it's the exact same reasoning that I apply to Sam Kantimathi - I reserve pleasantries and handshakes only for people I respect, and I have no respect for a man who abuses women. There is zero doubt in my mind that DK is that.

My hope all along has been, if I just ignored DK for long enough, he would eventually lose interest and go away. This has not turned out well.

- In 2018, he attempted to register for a house tournament that Jennifer and I were hosting. Jennifer refused his entry, citing his history of harassment and threats. I remained silent.
- In 2019, he threatened to go public with his grievances against Jennifer and me, sending messages through intermediaries such as Steve Pellinen. I remained silent.
- In 2020, he actually did go public with his grievances, publishing a 24,000-word rant that was filled with distortions and lies about my actions and my character. I remained silent.
- In 2021, when Scrabble was virtual due to the pandemic, he tried to play in our online Scrabble club, even though he knows he is not welcome to play Scrabble events that we direct. Three other co-directors of that club (not Jennifer or myself) unanimously came together to ban him. I remained silent.
- In 2022, I learned that he has spent hours and hours discussing his intent to kill me, including specific details about the weapon he'd use and the method he'd employ.

I refuse to be silent any longer.

My hope was that staying quiet would defuse the situation - that eventually, this would all just fizzle out. To my horror, the opposite has happened. The situation has escalated to the point where this man is now openly discussing how to murder me in cold blood. And all this time, what I've done to provoke this is... nothing.

The truth is, I have worked hard to avoid provocation. At every opportunity, I've shied away. I regularly ignore emails and texts from friends who mention DK - I don't want to talk about him. When I hear his name mentioned in an in-person setting, I leave the room. All I've ever done is stay out of this conflict. And for that, I'm repaid with the knowledge that he may kill me.

I'm not alone, either. I've been around this man for 14 years now, and I've seen countless examples of him turning nasty, threatening, or downright horrifying in confrontations with other Scrabble players. I'm still shocked to this day by the vile threats he issued to Darrell Day in 2020.

I am not interested in hearing his explanation for any of this. I already know that he'll respond with a combination of lies, distortions, and excuses.

I'm not interested in an apology, either. I already know it wouldn't be sincere - the rant he published in 2020 revealed that the last apology he sent Jennifer was a lie and he wasn't actually sorry.

If this man continues to be allowed anywhere near Scrabble, he is a clear threat not only to my wife and to myself, but to everyone else in the game as well.

After all, he's expressed his urge to shoot up a Scrabble tournament. What more needs to be said?

Respectfully, I am asking for his banishment for life from our community. I truly believe that is the only way to deal with this threat once and for all.

Thank you for your consideration.

Evans Clinchy

**STATEMENT BY BRIANNA McKISSEN**

March 3, 2022

When I realized this that I can't feel safe here until everyone knows the whole story of what happened with Koenig, and that this conversation needed to happen soon, I knew I needed to first tell the other involved parties and get their permission. I have that permission now. In writing everything down for Jennifer Clinchy, who I had never brought this up with, I also realized that writing everything down was the only way I could tell you guys the whole story, without breaking down and stopping, skipping around erratically, or smoothing it over and pretending it's not that bad when I detect you guys getting scared or uncomfortable. This is extremely difficult for me.

In 2019, I broke up with my fiance after 7 years. I had known Dave online for about 10 years. He'd started sending me private messages and flirting with me when I was still married, and I had always assumed all of the mutual friends he listed were actually friends of his while he hovered and flirted. We'd met once in person, in 2018 at a trivia night with my then boyfriend and other friends when he moved to Seattle. When my relationship ended, he started back up with the flirting immediately, we face timed and got to know each other during the months leading into 2020, then he asked if he could come visit me in Utah. I ended up cancelling that. I thought that sounded very uncomfortable and a bit creepy, so we made plans to go to San Juan instead, get a suite with separate beds for the beginning and figure it out from there.

We arrived in Puerto Rico on March 12, 2020. This seemed really safe at the time. I wasn't counting on: a global pandemic, him being an actual psychopath, or how I would react to that. I was abused pretty severely as a young child by a similar type of person, and that very first day in Puerto Rico we were having a bottle of wine after

**Exhibit 2**

dinner and he lost his temper and went into a long rant about how Jennifer and Evans, who I had only vaguely heard of, were trying to ruin his life. It was horrifying. I don't know if any of you have seen him angry, but he was completely out of control. When he's like this he is yelling loudly, does not care who can hear him, his eyes go all dark and bulgy and unfocused and he shakes violently. It ends with "I'm writing a book proving it, and what I really want is for her to be so humiliated that she kills herself."

I don't know if you can understand why I reacted the way I did, but I really want you to, so I will keep typing. As a six year old, I could not escape or in any way stop what was happening to me. What I learned to do, was do a really good job of **staying on the monster's good side**, to the extent that I believed I was responsible for keeping them from getting angry. If I set them off, very bad things would happen to me. It was literally the only way I had to stay alive, and it worked. I got better, and was better for a long time. That didn't help me not snap right back in that state, it in fact made me vulnerable to people like him. Normal girls just run.

The trip was strange and punctuated by the world shutting down, and us being stuck together in a hotel with no open restaurants, etc. I assumed this would be the end of it all. Other than the obsessive need to help him calm the fuck down, I found I really didn't like him much in person. He showed zero interest in me as a human being, and was annoyingly self-centered and controlling. I honestly don't think he cared much for me either, other than this person makes me look good and doesn't run away while I flip out and say evil, crazy things.

When we get home to our respective apartments and a sudden unending lockdown, **he does not move the fuck on**. He continues to call me to cry and whine and

## Exhibit 2



rant, and I am incredibly anxious about the world and everything, and continue to text him. I become increasingly sure it's my job to help him stop being this way. We're both already exposed to each other, so we decide he'll drive down and stay with me in Salt Lake.

The next 8 weeks were a surreal nightmare. In the beginning, in the daytime, he was the charming person I thought I was going on that trip with, but every night when he got tired he would turn into a whole other person, who I'd describe in my journal as Mr. Hyde, the shaking, shouting one, and I'd have to lie there listening for hours and hours while he shouted about how much this woman and her husband deserved to die and how he would want to carry that out. Sometimes the people who needed to die were the people who must have told lies about him last time he noticed that people don't like him, in DC. Sometimes it was his mother. Once it was a whole random tournament of Scrabblers he wanted to shoot down, because they didn't stop the Clinchys from lying about him or excluding him. I inquired if the people he considered his best friends were included, when they certainly weren't responsible, but he said they also deserved to die for not stopping Jenn and Evans. At one point, every single person who voted for Trump deserved death. Publicly and viciously, no matter why they decided to do that. [This part is not dissimilar to the Facebook threat against **Darrel Day**, which I think you're all familiar with.] He was never in control of himself during any of this, and would even yell this way at himself in the shower. He's incredibly delusional, and there's no arguing with any of it, but I kept believing I could make him see where the gaps were in his logic. He's supposed to be an exceptionally logical person.

I have listened to at least a hundred hours of insane murder fantasies at top volume right next to me. I could not make it stop, and I am not okay.

In the very last argument, he was insisting with absolute certainty that his moral judgment is infallible, which seals his place as the scariest person I've ever met. I won't let it go this time, because I NEED him to understand he does not have a right to torment others because of how he feels, but he can not get around it. He finally declares he is not in love with me.

This seemed like a really lucky break. I could just go, he could assume I was heartbroken, and he would just gradually forget I exist. I am still pretty sure he's going to kill someone someday, and all I could do was make sure it wasn't me. I was still looking at the whole thing as a story about this bad guy, Dave, and his victim, Jennifer. Like I was a bystander that, at best, had just witnessed something horrible, or at worst, was responsible for not stopping him.

Two years have gone by of me telling him to leave me alone, and that I do not want to be friends with him. He finds a new way to get access to me over and over again. Every few months, I think it's over and he contacts me again.

I told Conrad when we let CoCo club ban Dave, because I was afraid I would be blamed for not fixing it and making them let him play. He panicked and we had to bring Jesse in to help him see my point of view, that if the truth about what he is and said got out, I would be the only possible source of that information, and I was terrified I'd become the center of Dave's conspiracy theories. They agreed to do whatever I needed to feel safe and NOT tell everyone what happened.

## Exhibit 2

In New Orleans, I was pretty anxious, particularly because only those two Scrabblers understood any of this. Conrad wouldn't be on site, and Jesse Day had to cancel due to Covid at the last minute. On the first day, I started to relax significantly when I realized Dave wasn't acknowledging my existence at all. Unfortunately, I was coming back into the hotel after lunch and held the door open for someone coming up the stairs behind me. It was him, and he said "Oh! I didn't recognize you with that hair."

This sounded promising, like he must not be concerned about me at all, if he doesn't remember what I look like. But after that he started hovering wherever I was talking to friends, like we were friends and he was waiting for me. Or trying to convince people we were still friends? I couldn't tell what in the hell he was doing other than making me scared. On Sunday, I won a game too fast and headed out to the hallway to watch the Twitch stream. He followed me out, made a little small talk, and then launched into a rant, accusing me of all kinds of things, it was the same rage with the shaking and bulging eyes, but he was keeping his volume low.

I am now responsible for the way people avoid him, because I've been playing CoCo tournaments, because I've supposedly been spreading the lies that this other married girl after/during me that he was stalking was supposedly spreading, for turning Conrad against him when he was sure they were such great friends after he posted his blog about Jenn, that I'm responsible for Woogles allowing CoCo club to exist, for letting them ban him from it, and so on.

I told him that I believe Conrad is protecting me, I tell him that I do think he's an actual psychopath, that I'm terrified of him, that I owe him absolutely nothing, and I asked him again to leave me alone.

## Exhibit 2

At this point, his posture changed completely. He relaxed and sat back. I feel like he smiled, but who knows through a mask. “So you know. I feel more betrayed by you than by anything Jennifer and Evans did.” Which is the most terrifying thing he could possibly say to me. This is the threat. And I know it doesn’t sound like a threat out of context. And he knows that. And that’s why it was necessary that you hear all the back story.

I’ll say that again, so you understand it as I heard it and as I feel certain he intended it. It is very carefully worded: he forced me to listen to all of the ways and how badly he wanted the deaths of Jennifer and Evans for over a hundred hours. And then he told me to my face, that he now thinks that what I have done is worse.

I realized that I’ve been afraid for my life for 2 years, over and over certain I’m going to die at his hands, and have been dissociating for most of the time you’ve known me, telling myself this is a story about a psychopath, Dave, and his victim, Jennifer, and that it wasn’t about me. It would just go away if I ignored it long enough.

It will not. I immediately made an appointment with a trauma counselor from the airport, told Jesse and Conrad what happened, told you guys I need a break, and talked to Cesar. But I feel like I wasn’t clear, and he didn’t understand me, which is part of why I’ve written this all down and need to tell you all together. I’m still looking into a restraining order, but it’s very complicated and scary and involves a hearing WITH him every six months.

Which leads us to where we are today.

A couple weeks after I talked to César, Conrad, and Jesse, Dave is suddenly being added to the Friends of Woogles channel and submitting pull requests. I think that's resolved for now, but I have zero confidence it won't happen again. He WILL try to get you to make me let him have access to me. He WILL try to make it look like we're on good terms and it'll be fine, as he did last time. He's been doing it for years.

I need you to know what to do. If you don't feel willing, I cannot feel safe here and I need to know that now.

I am not asking that you believe that he is delusional and unhinged, that he's a psychopath, or that he will ever actually physically harm me, Jennifer, Evans, or anyone else. I'm not a psychologist, and I can't see the future.

If you consider me a friend, what I need you to believe is that -I- believe it. He is the scariest person I've ever met, and that includes my childhood abuser, who did not have the means to terrorize adults or get away with it.

If he reaches out, I do not care if you tell him you think I'm nuts, as long as that ends with "but she IS afraid of you, and it's NOT happening, man." PLEASE do not help him get access to me.

If you don't consider me a friend, but care about Woogles, I need you to understand that I cannot be working on this project in any way if he's associated with it. I believe this last try is an attempt to undermine my credibility and prove that I must not ACTUALLY be being terrorized if I continue to act civilly. But I'm pretty done acting civilly.

Woogles is extremely important to me. When I say I think it's how I can try to save the world, it is not hyperbole. I believe it. However, I know what we've built, the impact it's had already, and I know what we have done here cannot be undone. Moreover, I know what I contributed personally and I know this would not exist if I hadn't been part of it. Those of you who were here for the initial building and planning know this too. I will continue to work on the mission no matter what, but will be very, very sad if I cannot do that with you guys anymore. I can walk away to feel safe. I can also walk away if you think the potential drama and attention is hurting Woogles and the mission. Please let me know what you decide. I will send you each a link to the document I am reading from.

I'm remarkably okay with looking crazy. I'm not okay with being afraid forever. Thank you all for listening.

**STATEMENT BY JENNIFER CLINCHY**

March 24, 2022

To the Leaders of Scrabble Organizations:

As a player, director, and member of the North American Scrabble community, I write to report information about a player whom I believe to pose a threat to the public safety of our community. Specifically, I write to report that David Koenig (Dave) has engaged in the following behavior:

1. Coerced me to have sex with him after I repeatedly told him No.
2. Harassed, threatened, and stalked multiple women.
3. Orally expressed homicidal intent, including a desire to kill my husband and commit a mass shooting at a Scrabble tournament.
4. Published a written threat to commit explicit acts of physical violence.
5. Written and published a 164-page manifesto that intentionally discloses private information and documents his own acts of harassment.

What follows is a summary of Dave's relevant conduct in each of these areas. Attached is documentation to support the information provided in this report.

**I am separately reporting this information to the police. I have submitted this information under penalty of perjury, knowing that I could be disbarred as an attorney and lose my job if I knowingly make a false statement here.**

Some of the events in this report date back more than six years. I am reporting this information now because I recently learned that Dave has explicitly stated that he wants me dead, wants to kill my husband, and wants to shoot up a Scrabble tournament. I am particularly concerned about the safety risk to all members of the Scrabble community if Dave commits a mass shooting at a tournament.

I have not risked reporting Dave until now because I feared that reporting him would enrage and provoke him into committing an act of violence against me. Now that he is threatening the lives of other people, I believe I am obligated to report this information.

**1. Sexual Coercion**

I first met Dave at a Scrabble tournament in 2013 or 2014. From 2014 through 2016, I casually dated Dave while I resided in Washington, D.C. and he resided in Falls Church, VA. Though this was not a committed relationship and he was not my boyfriend, he was controlling. He strongly discouraged me from having relationships with other men in the Scrabble community.

For two years, we had an intermittent, on-and-off consensual sexual relationship. On more than one occasion, however, he coerced me to have sex with him after I had explicitly told him that I did not want to have sex.

On one occasion that I remember vividly, I repeatedly and unambiguously told him that I did not want to have sex because I knew it would hurt. He responded by trying to pull my clothing off and fondle me. He didn't stop his advances despite me repeatedly saying I didn't want to have sex. After fighting his advances for thirty minutes, I got exhausted of telling him No and concluded that he would not stop until he got what he wanted. I stopped saying No and lay down defeated while he penetrated me. It hurt. I dissociated from my body and lay like a dead fish staring blankly up at the ceiling until he was done.

## **2. Harassment and Stalking**

I attempted to end my informal relationship with Dave on at least five occasions, the last attempt being in person in September 2016. About two months later, Dave started suspecting that I was dating another Scrabble player, and began to email and text me harassing messages. At that point, I had not seen him in months and we had not had any sexual relations for even longer. I was therefore baffled to learn that he regarded us as being in a relationship that required a breakup conversation before he would permit me to move on and date someone new.

On December 19, 2016, Dave sent me an email demanding that I meet with him (alone) in person. I was afraid of Dave's temper and what he might do if I met him in person. I had witnessed his anger before and endured him yelling at me many times during the time when we dated. In his email, he wrote, "I am not going to be angry or yell or argue or try to convince you to do things otherwise." Despite this promise, the speech Dave intended to give me in person—reprinted in full in his manifesto—is unmistakably angry and demeaning.

Because I did not accede to his demands, Dave then escalated his threats. Specifically, he threatened that he would publicly embarrass and humiliate me at an upcoming event in January 2017 if I did not give in to his demands. I found his communications disturbing and blocked his emails, phone calls, and text messages. I later learned when he published his manifesto that he continued sending harassing text messages to me after I blocked him, including a message on Christmas Day, 2016, stating, "I have been very upset and angry and sometimes filled with hatred because you have not taken down the Facebook profile picture of you on my balcony as I asked you to."

When I did face Dave in January 2017, I was terrified. I had shared Dave's email threats with the directors of the New Orleans tournament in advance because I was scared about what he might do. I was physically shaking with fear throughout my game against him. He writes in his manifesto that he delighted in watching me suffer in front of him. Immediately after the game, I walked into the hallway outside the playing room and started sobbing in a corner. This was the first time my now-husband saw me cry.



In September 2017, I moved across the country, in part to get far away from Dave. I relocated from Washington, D.C. to Tacoma, WA. Approximately six months later, Dave moved to Seattle, WA, taking up residence less than an hour's drive from my new home. Prior to moving to Seattle, Dave had lived in Virginia for many years. At the time that he moved, he had joint custody of a minor child who also lived in Virginia, which made his move seem all the more strange and alarming to me.

For the next few years, Dave communicated threats to me via third parties that he would make me regret it if I did not agree to talk to him and give him closure about our relationship. An example is the message I received from Steve Pellinen on December 16, 2019 (Attachment A). I received this message more than three and a half years after I had last been in anything resembling a relationship with Dave. By that point, I hoped that Dave had moved on. Instead, Dave's threats and harassment further escalated into his publication of a 164-page manifesto in July 2020. In his manifesto, described in more detail later in this report, Dave details his harassment of me, including his continuous attempts to contact me after I had blocked his communications.

Stalking is "A pattern of behavior directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress."

For years, I have experienced intense emotional distress and feared that Dave will try to hurt or kill me or my husband. I have specifically sought out therapists with specialized training in trauma counseling. I have spent hundreds of hours and thousands of dollars in therapy trying to overcome my fear of Dave. Three different therapists have each independently diagnosed me with Post-Traumatic Stress Disorder. I experience insomnia, nightmares of Dave attacking me, and flashbacks from the time I spent with him. When I see someone who looks like him, I at times become paralyzed by tonic immobility (freezing) and am unable to move.

To protect myself, I have invested substantial money in upgrading my home's security system. I subscribed to a video security surveillance service and replaced an exterior door in our home. I installed a peephole in our front door. Upon learning that Dave wants me and my husband dead and wants to shoot up a tournament, I immediately removed the street addresses for CoCo Scrabble tournaments posted online because I am afraid that Dave will try to physically attack me or other attendees at those events. I quit all social media and refrain as much as possible from posting any personal information or photos of myself online because I fear that Dave or a person sympathetic to his grievances will identify me and commit an act of violence. I knowingly sacrificed income by delaying the launch of a website for my small business because I knew I'd have to publish my name and photo online.

Separate from my own personal experience with Dave, I recently learned that he has harassed and stalked another woman within the Scrabble community. Her name is Lola McKissen. Lola told me that she dated Dave from approximately March through July of 2020. Lola stated in a recent letter to me that after her relationship with Dave ended, "it's been 2 years of me telling

him to leave me alone, and that I do not want to be friends with him. He tries again every couple months.”

In 2020 or 2021, Dave moved to Portland, OR, where Lola also lives. In January 2022, Dave confronted and threatened Lola in person at a Scrabble tournament in New Orleans, LA; more information about his threat to Lola appears in her letter (Attachment B). In her letter, Lola states that she fears Dave will kill her. Like me, she is also in trauma counseling as a result of her fear of Dave.

### **3. Homicidal Statements**

On March 1, 2022, Lola electronically sent me a letter. In her letter, she describes Dave as “unstable” and recounts how he would become angry and fly into a rage. She recounts that when she dated Dave in spring 2020:

“We lived together for 8 horrific weeks. Every night when he got tired he would turn into a whole other person and I’d have to lie there listening for hours and hours while he shouted about how much you and Evans deserved to die and how he would want to carry that out. Sometimes the people who needed to die were the people who must have told lies about him last time he noticed that people don’t like him, in DC. Sometimes it was his mother. Once it was a whole random tournament of Scrabblers he wanted to shoot down, because they didn’t stop you from lying about him or excluding him. At one point, every single person who voted for Trump deserved death. He was never in control of himself during any of this, and would even yell this way at himself in the shower.”

Lola summarizes, “I have listened to at least a hundred hours of insane murder fantasies, and I am not okay.” She concludes by noting, “I’m pretty sure he’s going to kill someone someday.”

Dave’s expressed desire to shoot down a tournament of Scrabble players is particularly concerning given that large Scrabble tournaments have hundreds of people in attendance. These mass events often take place in large, open hotel ballrooms with no security. A mass shooting of the kind that Dave has envisioned would be relatively simple to execute and difficult to prevent.

**On March 2, 2022, Lola spoke with me by phone. She recounted that Dave had consistently told her that he wanted to kill my husband by hitting him in the head with a cast iron frying pan.**

When I noted that Dave had at least not taken active steps to kill me or my husband, she disagreed. Lola had contemporaneous conversations with Dave when he published his manifesto in July 2020. She relayed that Dave’s intent and expectation in publishing his manifesto was that he would so thoroughly humiliate me that I would kill myself.

Harassment is a crime. Among the conduct qualifying as harassment is to “maliciously do any act which is intended to substantially harm the person threatened with respect to his or her

physical or mental health or safety.” Harassers who post threatening messages online, or whose harassment resulted in their target’s suicide, have been convicted of felony harassment and imprisoned for years.

#### **4. Written Threat to Commit Violence**

Dave’s expressions of homicidal ideation are not his only threats of violence. Prior to publication of his manifesto in July 2020, Dave published several explicit posts on Facebook in which he threatened violence against another Scrabble player, Darrell Day. Among his many threats of violence are the following posts, which he publicly posted on Facebook:

“Darrell Day I hope we meet again. I have no desire for intelligent or thoughtful conversation. I just want to beat the living shit out of you.”

“If I bashed your fucking skull in, it would probably improve your brain, and your appearance.”

“After I bash your skull in and leave you bleeding on the ground, I'm gonna diarrhea in your fucking mouth and chop your balls off and stuff them in there too for good measure. And then take pictures and send them to your kids.”

Dave has admitted to authoring this post. He received a formal disciplinary warning from a national Scrabble association for threatening another member of the Scrabble community.

#### **5. Manifesto Disclosing Private Information and Documenting Harassment**

On July 15, 2020, Dave published online a 164-page manifesto (Attachment E) in which he disclosed my private information and documented his own acts of harassment. The manifesto details his perception of events that occurred primarily from 2015 through 2017. He also describes how he believes others have wronged him by causing him to become ostracized.

Dave published his manifesto as a two-part blog series, available online at <https://splenetic.net/>. Around the time when he published his manifesto, he wrote on his personal Facebook page, “I recognize that I am incredibly privileged. I had the financial resources to take a year off of work and better than average writing skills to help me tell my story effectively.”

##### *a. Disclosure of Private Information*

The information that Dave published in his manifesto includes direct reproductions of numerous private communications that I had shared with him under a full and reasonable expectation of privacy. In a Facebook post in July 2020, Dave provided the following justification for his decision to publish my private text messages in his manifesto:

“Several people have given feedback about me including text messages with Jennifer in the appendices. I have heard this feedback, and I thought deeply before I did it. You may feel differently, but let me say a few things about why I felt it was necessary.

The text messages corroborate many things in my story, including my mother's surgery, my flu and mouth sore outbreak, my inability to get games with anyone but Vince. The email exchange with Jennifer also corroborates my sexual dysfunction. I felt it was necessary to give contemporaneous evidence to show that I was not exaggerating any of this for sympathy. November 2016 was truly the worst month of my life, independently from anything happening with Jennifer. In comparison, there is very little personal detail about her contained in those messages.”

Contrary to his description of the information as containing “very little personal detail” about me, the messages that Dave published contain personal information about my location, employment, finances, mental health, political views, alcohol consumption, family, and sex life. He published all of this information without my knowledge or consent. Some people choose to disclose private information about themselves online; I do not. I am a private person who chooses not to use social media or publish personal information about myself, which makes his publication of my personal information all the more distressing.

*b. Harassment*

In his manifesto, Dave documents his own harassment of me. After emailing me on December 16, 2016, promising to not be angry or yell at me, here is how he describes his actual state of mind and his attempts to continue harassing me after I blocked his communications:

“I still wanted to tell her off for what she had done. I wanted to have that one last breakup conversation to create closure, but this time I didn't need to hear anything from her. I just wanted to communicate how unkind she had been in ghosting me and not taking the picture down, and I believed that I could say things in just the right way that would make her cry in front of me. This time I wanted to talk in person, because I wanted to see those tears on her face, and I knew that if we talked on the phone, she would just hang up on me. I also knew that if I asked her again for a meeting, she was highly likely to just continue ghosting me. So I decided I had to give her an incentive to make the meeting happen. I sent her one more email on January 5th, and I copied it to both of her email accounts, just in case she had blocked the one I used previously.”

In the email he sent me on January 5, 2017, he escalates his threats, writing:

“I think it would be best to have this conversation in private, but I no longer have any compunctions about holding back in front of other Scrabble players we know. So if you do not meet with me before New Orleans, I will say what I need to say to you directly to your face across the Scrabble board in the tournament room with all the other players

able to hear. I am almost certain that if that happens you will regret not having had this conversation in private.”

In his Facebook posts promoting publication of his manifesto, Dave writes:

“By the time I had gotten to the New Orleans tournament [in mid-January 2017], I was already in a much calmer place.”

Here is how his manifesto describes that “much calmer place,” as I sat across from him shaking with fear:

“I delighted in watching Jennifer suffer in front of me. She punished herself for her behavior in a better way than I ever could have. I saw it as karmic justice for how much pain she had caused me in the last couple months. But at the same time, I did not do it to her. She did it to herself. She did it by coming to a tournament where she already knew I was going to be, by insisting on not communicating with me prior to the tournament, by avoiding a conversation that would have made things better, by building up so much tension in her own head that just being there with me was such a terrible experience, even though I wasn’t doing anything.”

Back on Facebook, Dave responds to a commenter’s criticism that he is still dismissing his own “truly disturbing behavior,” writing:

“I’m not making light of it. I don’t deny that I handled things poorly and scared Jennifer.”

In one of his last posts about the manifesto in July 2020, Dave summarizes publication of his manifesto as follows:

“I do have toxic aspects of my personality and anger issues ... I exposed to the world the worst emails and text messages I sent at the worst moment in my life. I’m willing to be held accountable for them. I hope you’ll also recognize the bravery and the desire for self-improvement that was inherent in putting them out there.”

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### **Attachments**

- A. Message from Steve Pellinen, dated December 16, 2019
- B. Letter to me from Lola McKissen, transmitted electronically on March 1, 2022
- C. Facebook post published by Dave, threatening Darrell Day, published in 2020
- D. Facebook posts published by Dave acknowledging authorship of his manifesto and defending his decision to publish private information, published in July 2020
- E. Full text of Dave’s manifesto, also available online at <https://splenetic.net/>

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I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

EXECUTED ON: March 24, 2022

A handwritten signature in blue ink that reads "Jennifer Clinchy". The signature is written in a cursive, flowing style.

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JENNIFER CLINCHY

# ATTACHMENT B

Dear Jennifer,

I have been avoiding talking to you because so much of what happened to me is about you. I can't explain the threat **to the Word Cup directors** or anyone else without bringing you into it, and I can't bear to have you hear it second hand. I am filled with dread at having to be the bearer of this news, but he's been trying to get at me through Woogles and I'm out of time to at least explain it to them, so I must now explain it to you.

I don't know how unstable Koenig was while you were dating, but by the time I did, he was very not okay. I had known him online for about 10 years, assuming all of the mutual friends he listed were actually friends of his while he hovered, and we'd met once in person, at a trivia night with my boyfriend and other friends when he moved to Seattle. When my relationship ended, he asked if he could come visit me in Utah. I thought that sounded uncomfortable and we made plans to go to San Juan instead, get a suite with separate rooms for the beginning and figure it out from there.

We arrived on March 12, 2020. This seemed really safe at the time. I wasn't counting on: a global pandemic, him being an actual psychopath, or how I would react to that. I was abused pretty severely as a young child by a similar type of person, and that very first day in Puerto Rico I went immediately into freeze and fawn to try to play nice and not become his target. If you don't have experience with this kind of thing, I'm not sure I can explain myself, other than disassociating and trying to get on his good news is the way my brain learned to keep me alive as a child.

I'm certain you've seen the anger. I can't imagine that part is new. He flew into a rage late that night about how you and Evans have ruined his life telling lies about him, and

## Exhibit 4

he told me he was writing a “book” to prove it in hopes that you would be so humiliated you’d kill yourself.

The trip was strange and punctuated by the world shutting down. I assumed this would be the end of it all. When we get home to our respective apartments and a sudden unending lockdown, he continues to call me to cry and whine and rant and we decide he should drive down to SLC so we can bubble together.

We lived together for 8 horrific weeks. Every night when he got tired he would turn into a whole other person and I’d have to lie there listening for hours and hours while he shouted about how much you and Evans deserved to die and how he would want to carry that out. Sometimes the people who needed to die were the people who must have told lies about him last time he noticed that people don’t like him, in DC. Sometimes it was his mother. Once it was a whole random tournament of Scrabblers he wanted to shoot down, because they didn’t stop you from lying about him or excluding him. At one point, every single person who voted for Trump deserved death. He was never in control of himself during any of this, and would even yell this way at himself in the shower. It’s incredibly delusional, and there’s no arguing with any of it, but I kept hoping I could make him see where the gaps were in his logic.

I have listened to at least a hundred hours of insane murder fantasies, and I am not okay.

In the very last argument, he was insisting with absolute certainty that his moral judgment is infallible, which seals his place as the scariest person I’ve ever met. He also declares at the end of this that he’s not in love with me.

## Exhibit 4



This seemed like I could just go, he could assume I was heartbroken, and he would just gradually forget I exist. I'm pretty sure he's going to kill someone someday, and all I could do was make sure it wasn't me. I was still looking at the whole thing as a story about this bad guy, Dave, and his victim, Jennifer. Like I was a bystander that, at best, had just witnessed something horrible, or at worst, was responsible for not stopping him.

It's been 2 years of me telling him to leave me alone, and that I do not want to be friends with him. He tries again every couple months.

In New Orleans, I was pretty anxious, particularly because only two Scrabblers understood any of this: Conrad wouldn't be on site, and Jesse Day had to cancel last minute. On the first day, I started to relax when I realized he wasn't acknowledging my existence at all. I was coming back into the hotel after lunch and held the door open for someone coming up the stairs behind me. Dave says "Oh! I didn't recognize you with that hair."

After that he hovered wherever I was talking to friends, like we were friends and he was waiting for me. On Sunday, I finished a game too fast and headed out to the hallway to watch the Twitch stream. He followed me out, made a little small talk, and then launched into a rant, accusing me of all kinds of things, shaking with rage but keeping his volume low.

I am now responsible for the way people treat him, for playing CoCo tournaments, for spreading the lies that this other girl after/during me that he was stalking was supposedly spreading [as always, no clues are provided for what the lies could possibly

## Exhibit 4

be], for turning Conrad against him when they were great friends after he posted his blog about you, for Woogles allowing CoCo club to exist and to prevent him for playing.

I told him that I think he's an actual psychopath, that I'm terrified of him, that I owe him absolutely nothing, and I ask him again to leave me alone.

At this point, he relaxed, sat back, and said "So you know. I feel more betrayed by you than by anything Jennifer and Evans did." Which is the most terrifying thing he could possibly say to me. This is the threat. And I know it doesn't sound like a threat out of context. And so does he. He looks ecstatic on the Twitch vod, returning to the games. I realized that I've been afraid for my life for 2 years, and have been dissociating.

As I told you, I am seeing a trauma counselor. I am still filled with guilt and shame: that I shouldn't have been stupid enough to go out with him in the first place, that I should have been able to talk him out of publishing his blog, that I should have been able to talk some sense into him, that I should have been able to figure out how to get out of that faster.

I talked to César about this after I got home, so he could understand why I was taking a break from Woogles and didn't feel safe there because of their friendship, to try to give him a chance to be a friend to me. Somehow two weeks later, César tried to add him as a volunteer to all of our Discord channels and such. Conrad got extremely pissed, and César backed off, claiming he hadn't understood me, but it isn't really resolved yet, in my mind. I don't think trusting Jesse to keep making César do the right thing is quite good enough safety-wise, and I still don't think César sees my point of view at all.

## Exhibit 4

Woogles is extremely important to me, and I need them all to understand I absolutely cannot have ANY interaction with him, so I need to tell them all this whole story, but I knew I needed you to be informed of everything first. I will walk away if they don't understand, what I've built and done cannot be undone.

I now believe that, like when I was a little girl, I'm only safe when I stop keeping the bad guy's secrets. I believe people like this get away with tormenting others because they know they believe they can frame everything to make the victims look hysterical, and they do a pretty good job of convincing the victims of that. I'm remarkably okay with looking crazy. I'm not okay with being afraid forever.

I am so sorry for any pain this is causing you,

Lola

Exhibit 4

## Introduction

The story that was laid out in the incident report submitted against me in April 2022 is completely false. I will demonstrate not only that there is no merit to the accusations but also that all three of Evans, Jennifer, and Lola knowingly and intentionally submitted false information<sup>1</sup> with the express purpose of defaming my character, drumming up as much hatred in the Scrabble community for me as possible, and permanently banning me from the game.

The spark that ignited this course of action was Lola's perception of our interactions at the January 2022 tournament in New Orleans. Her description of what happened at that tournament is out of line with reality and includes claims that I said things that were the exact opposite of what I said. Furthermore, she included in her statement a completely false history of our relationship, which I have thorough material evidence to prove.

Lola also gave a false story of our private conversations while we lived together in Spring 2020 to Evans and Jennifer in order to further their agenda of building a false case that I have been harassing them, when the true story is that they have been harassing me for the last six years. Evans and Jennifer then piled on their own untruths in their statements to echo what Lola wrote and make an even bigger character assassination.

Evans and Jennifer were already harassing and bullying me and doing many unethical things in the Scrabble world for three and a half years, from 2017 to July 2020, when I published the blog at splenetic.net revealing their wrongdoing. After I published the blog I was done with the story. I did not think about or interact with Evans or Jennifer at all for the next two years, until they again escalated against me by submitting this character assassination in April 2022.

Lola and I had also stopped dating by mid-2020, and we had a minimal amount of interaction over the next couple years, including no contact whatsoever between August 2021 and the January 2022 New Orleans tournament. Our interaction at the New Orleans tournament was altogether no more than 15 minutes over the course of the three day tournament.

Between July 2020 and April 2022 the only people in this story who were weighing on my mind in any way were Chris Lipe, Geoff Thevenot, Peter Armstrong, Becky Dyer, Dave Wiegand, Conrad Bassett-Bouchard, and Jesse Day.

Because of their own narcissism and/or intentional deception, Evans, Jennifer, and Lola have read what little they know about my actions as being about them, when they were not at all.

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<sup>1</sup> Specifically, Jennifer lied about dates in regards to my relationships with both her and Lola, to make it seem like Jennifer had lost interest in me sooner than she had, and to paint a false picture that I had followed Lola to Portland, Oregon, when I really moved there a year earlier than Lola. Evans lied about disparaging me and about who directed their online Scrabble club on Woogles to paint a false picture that I had violated their arbitrary and vindictive rules. Lola lied about almost everything in her statement. Here I am only referring to things they said or insinuated that are provably false, and not to other false things they stated with zero supporting evidence, such as Jennifer's coercion claim.

I will not simply go on the defensive, rebutting their false story but allowing it to remain the primary narrative. The Scrabble world needs to know the real story of what has happened from 2017 to 2022, the story that they are doing everything possible to distract you from and get you to disbelieve by sabotaging my character.

The rest of this document is structured as (A) an overview, (B) a statement about who I really am, (C) the full story of my interactions with Evans's, Jennifer's, and Lola's circles from 2017 to 2022, (D) a corroborated summary of what really happened in my relationship with Lola, (E) a point-by-point rebuttal of Evans's statement, and (F) a point-by-point rebuttal of Jennifer's statement.

For clarity, I deferred discussion of my 2020 relationship with Lola and our interactions at the 2022 New Orleans tournament until the end of part (C). I tried to give just enough context about the relationship for the reader to understand what happened at the tournament. The more complete telling and corroboration of the relationship with Lola, which thoroughly refutes her statement, comes in part (D).

All corroborating screenshots are in a separate document.

## (A) Overview

Evans Clinchy, who was already predisposed not to like me for years previously, has hated me ever since early 2017, precipitated by communications that I sent to Jennifer Lee (now Jennifer Clinchy) in the month before the 2017 New Orleans Scrabble tournament. I have fully admitted to those communications and made them public to the world, and I accept full accountability for them. If he chooses to hate me for the rest of his life, I have earned that, and I have no problem with it.

However, he and Jennifer have turned a personal grudge into a Scrabble political matter over the last six years, using their grudge as a justification for repeatedly breaking the rules of NASPA for literally every tournament they directed under its banner from 2017 to 2019 in ways that unlevelled the playing field, not only by excluding me and other players they did not like, but also by arbitrarily favoring their friends in their registration processes. Literally everyone who signed up for their tournaments using their secret pre-registration process was complicit in breaking the rules, including WESPA President Chris Lipe.

There are a small number of CSW Scrabble players in North America, although among them are many of the continent's best players. Furthermore, there are few tournaments which include many of those top players, and since 2017 the events run by Evans and Jennifer have been a substantial percentage of those tournaments. Because of how our Scrabble rating systems work, players who have more opportunities to play in events like these have a significant advantage when it comes to getting into the top tiers of the rating system or maintaining such positions, which helps with qualifying for major international events such as the Alchemist Cup.

## Exhibit 5

Evans and Jennifer broke the rules with the specific intention of keeping me out of tournaments, and I am not the only one who was disadvantaged by their tactics. Other top CSW players who were not part of their “in group,” such as Jason Keller, also had fewer opportunities to earn sufficient qualifying ratings for events such as the Alchemist Cup. In short, Evans and Jennifer—and all of their friends who used their secret pre-registrations—cheated.

Then Evans and Jennifer created a renegade association, poaching players, directors, and events from NASPA's small CSW scene. They have continued unprofessional, unethical, and bullying tactics, and by making themselves leaders of this organization they are avoiding accountability to anyone.

Since early 2017, Evans has repeatedly disparaged me to many members of the Scrabble community, while they also have done many underhanded things in a preemptive attempt to keep me out of their tournaments and to frame me for harassment. The irony of this is that I have had no desire to play in their tournaments and was making no attempt to do so. They are living under a paranoid and narcissistic delusion that I am presenting any sort of problem for them and that I want to be in their lives in any way, while I am doing my best to ignore them, work around them, and get what CSW Scrabble games I can against the rest of the best players, both in North America and around the world.

I approached the situation as an investigative reporter. I dealt with them to the bare minimum necessary in the handful of times we played at tournaments in 2017 and 2018. I used my connections and relationships with the rest of the Scrabble community to collect evidence of what was happening. I blew the whistle on them by publishing the splenetic.net blog in July 2020, and I have received a great deal of blowback from them and their friends in the two years since that time, blowback which included doubling down on building an entirely false case that I have harassed them.

You can rightly criticize the wording of my communications to Jennifer in December 2016 to January 2017. I still believe that they were well-intentioned attempts to create a dissolution of tension before we met at the New Orleans tournament room, a dissolution that would have avoided the last six and a half years of agony for all of us, and I also accept that they were ineffective and had terribly unfortunate unintended consequences of pushing Evans over the edge and contributing to bad behavior by him and Jennifer ever since then. They are also the only thing I have done wrong in this entire story.

Evans and Jennifer have also dragged my April 2020 Facebook interaction with Darrell Day into this case as an attempt to drive up hatred toward me and get you to believe the outlandish story they try to weave about me. The situation with Darrell Day is irrelevant to this story,<sup>2</sup> and furthermore it is one which NASPA has already had a hearing about. I have accepted NASPA's ruling with no complaints, and I learned my lesson from the event. It is the only time in my life that I have expressed violent thoughts about a person toward that person, and it is something that I will not do again.

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<sup>2</sup> except for the ways in which it influenced Lola's change in attitude toward me, which I will explain later

I have had essentially no personal interaction with Evans and Jennifer since the end of 2016. The very limited number of times that we were in the same place and spoke at all have been fully documented at splenetic.net. Also documented there were all written communications we have had in the time period, with the only exception being a few organizational emails for Seattle area CSW Scrabble get-togethers that the two of them were simply cc'ed on.<sup>3</sup> Not only that, but I have had zero interaction or communication with Evans or Jennifer since the publication of the splenetic.net blog in July 2020. In fact, the ceasing of communication with them goes back significantly earlier than that. The last time I ever emailed them personally was September 17, 2018, in response to Jennifer's email banning me from the Hood River tournament. The last time I ever copied them on an email was March 26, 2019, and the last time we ever were in the same place was July 17, 2018, at the wedding of Chris Lipe and Randi Goldberg in Aruba.

Since the publication of the blog, the only way that my life has even tangentially intersected theirs was when I played in a handful of online Scrabble club sessions on the Woogles platform at the club with their organization's name in January and February 2021. I never played with or interacted with Evans or Jennifer at those sessions; the two of them were not even present at most of the sessions I was at. I was talkative in the club chatroom at some of those sessions, and my chats were entirely about the joy of words. I only mentioned Evans once, in response to a question from director Becky Dyer. That was enough for them to decide to ban me from their online club into perpetuity. I never responded to their communication about the banning and never went back to the online club.

Since the ban from their online club on February 26, 2021, there is literally no story of anything between us. Everything that they have done since then, and that they claim has happened since then, is simply a product of their gossiping about and badmouthing me together with their friends and building a story in their own heads.

I am far more sympathetic to Lola, and it is extremely sad that she has gotten caught up in this mess. I have done absolutely nothing wrong toward Lola, and I have never had any ill will or anger toward her for a moment of my life. However, she has badly misunderstood the situation between her and me and has decided completely unnecessarily to submit an easily disprovable assassination of my character as part of this report. I am charitably interpreting that her point of view was that it was necessary to lie about me because she really felt in danger, rather than interpreting her actions as a malicious attempt to destroy my life. However, it does not change the fact that her testimony is entirely false, which I will show with no hard feelings to her. It is my sincere hope that she will recognize the truth of my recounting of our history and recant her statement, as I have a massive amount of material evidence to prove what I say. I have some optimism that unlike Evans and Jennifer she has enough maturity to admit that she was wrong and to do the right thing.

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<sup>3</sup> Walker Willingham sent most of these emails, but I occasionally filled in for him.

I would like to take a little time to talk about who I really am, and what I have really been doing in the Scrabble world for the last six years.

## (B) Who I Am

I have been playing in Scrabble tournaments for two decades after thirteen years of competitive chess. Competitive board games have been a large part of my life for three quarters of it.

I have excelled not only in chess and Scrabble but also in mathematics and computer programming, all fields which require a large amount of objectivity and unbiased thinking. I was also a math teacher for many years, and one of my passions was teaching my students how to use statistics and data analysis to overcome their biases and see the world more objectively. One of my biggest political concerns is the fight for free and fair elections, defeating gerrymandering and other forms of electoral corruption and malfeasance that undermine our ability to choose our leaders fairly.

I have zero history of violent behavior in my life. I have never been in a fight with another human being. I have never punched or kicked or otherwise hit someone, with the exception of sparring sessions in Tae Kwon Do classes that I took when I was under ten years old. I have never even held a gun, let alone fired or owned one, and I do not ever plan to.

The only weapons that I would use on this community or any other are truth-bombs. I believe in holding our political leaders accountable for their behavior and speaking the uncomfortable truths.

I have never been anything but a positive social force in person at any Scrabble tournament I have ever attended, and I have always been well-behaved in every tournament room. Furthermore, since I played at the 2011 World Championships, I have been an advocate of unifying our tournament play in North America with the rest of the world by getting our continent to play with the CSW lexicon as the rest of the world does. I worked behind the scenes with John Chew in advance of the 2012 US National Championship to ensure a good and fair registration system for our first CSW event at Nationals and to increase the likelihood of the event happening, which it did. At the tournament, I took photos of every one of my opponents and shared stories about all of them on social media in celebration of the most international event that had ever happened at US Nationals.

When leading Singaporean player Weibin Toh moved to Washington DC, I picked him up at the airport and brought him to his domicile even though we had never met in person before. We became fast friends and I introduced him into our small DC CSW community.

I have played Scrabble on four continents, including representing the USA at multiple World Championships, at the Can-Am Championship, and at the King's Cup in Bangkok, and through the game I have befriended people all over the world.



I have been immensely successful in tournaments, including often being ranked in the top 5 or 10 players in North America and earning the Grandmaster title from the Association of British Scrabble Players. Since I became a top ranked player, when I have played tournament Scrabble anywhere in the world with any group other than the close friends of Evans and Jennifer, I have been treated graciously and enthusiastically by the tournament organizers and by the locals at the event. Organizers have told me that my name on the registration list has increased the prestige of their events and helped draw in other players. In fact, organizer Peggy Fehily said just that at my most recent tournament, the 2022 Continental Scrabble Championship in Berlin.

I know my worth, and I only want to play Scrabble not just where I am allowed but where I am valued. I have zero interest in trying to fight my way into any subset of the community that does not value me. Just the opposite, the cost of disrespect to me is you losing my support and advocacy for your tournaments.

In addition to supporting many tournament directors and events, I have been influential in pulling many North American Scrabble players into the CSW fold over the years. Among those have been Scott Appel, Guy Ingram, Barry Keith, Jennifer Clinchy, and Lola McKissen.

For a few years I ran an unofficial CSW club in the DC area, and I also pulled together the CSW players in the Seattle area for casual Scrabble get-togethers when I made business trips there between 2014 and 2017, before I was living in the area. I met Bharath Balakrishnan at a tournament in Chicagoland in 2017, and when I learned he was in Seattle, I introduced him to the other CSW players there, which led to him becoming part of that community.

Many of the people in Evans's and Jennifer's circles over the last several years are people with whom I had longtime friendships, predating Evans and Jennifer running any Scrabble events, and Jennifer even being in our Scrabble scene. When Evans and Jennifer started disparaging me, I tried to give these mutual friends the benefit of the doubt and continue good relationships and Scrabble get-togethers with them, though it became more awkward over the last few years. One of the primary reasons I wrote the splenic.net blog was to try to clear my name and the air with these people. I perhaps naively assumed that when they saw the truth of the story, they would recognize that I had done nothing wrong and would want to play Scrabble with me.

When a number of those people doubled down by criticizing or otherwise disrespecting me on account of anything to do with the story between Evans and Jennifer and me, I started instituting a one-strike-you're-out policy. If people were going to act as if I did anything wrong beyond two poorly worded texts and two poorly worded emails between December 2016 and January 2017 or as if I was anything other than the victim of bullying since that time, I wasn't going to waste my time seeking their approval.

I worked around this whole situation as best as I could by traveling far and wide to get as many CSW Scrabble games against strong players as I could. While I have been living in the Pacific Northwest since 2018, this has included flying to tournaments in San Francisco, CA; Chicagoland, IL; Austin, TX; New Orleans, LA; Albany, NY; Montclair, NJ; Niagara Falls, ON;

Kingston, ON; Bordeaux, France; Berlin, Germany; Edinburgh, Scotland; Milton Keynes, England; Torquay, England; Warrington, England; Bristol, England; Kuala Lumpur, Malaysia; and Bangkok, Thailand. I have been extremely blessed that for much of this time I have had lucrative and flexible enough jobs that have afforded me the resources to be able to do so much travel and get many tournament games around the world.

But it has been exhausting, in terms of energy, time, and finances, that I have often had to get on a plane for nine or more hours simply to be able to play the game I love. It has also been saddening and frustrating that it has been so difficult to get local games because of the ways that Evans and Jennifer have poisoned the well, even though the Pacific Northwest has one of the strongest concentrations of high ranked CSW players in North America, including Dave Wiegand, Peter Armstrong, Conrad Bassett-Bouchard in Portland; Chris Grubb in Seattle; and Jesse Matthews and Dean Saldanha in Vancouver.

I have never wanted to play in a single tournament with directors who treat me terribly. All that I have ever wanted in the Pacific Northwest Scrabble scene is to be able to play casual games with many of the great players in the area, if they are willing to treat me respectfully and not act as if I am a bad person because two people in their community are mistreating me.

The treatment I have received from this community (and from a few people who live further away but are also closely connected with Evans and Jennifer) after I published the splenetic.net blog stands in stark contrast to what I have received from just about every other corner of the Scrabble universe. They have made me lose all desire to play Scrabble or be friends with any of these people. They have been complicit in bullying, and now I have no desire other than showing how terribly this subset of the Scrabble community has treated me, in hopes of warning everyone else that these bullies are an absolute poison for the larger world of competitive Scrabble.

I believe that the ways I shine a light on this are for the betterment of the rest of the Scrabble world, regardless of what happens to me.

## (C) The Full Story

When I saw Evans and Jennifer sign up for the January 2017 New Orleans tournament, I suspected they were dating, and I emailed Jennifer on December 19, 2016, asking for a discussion before the tournament, in an attempt to avoid the awkward situation of us seeing each other for the first time in several months across the board at the Scrabble tournament with the tension of our personal relationships looming. She ignored my email, and I became angry and sad. I sent two text messages over the next week, asking for a reply to the email, and she continued not to respond. I sent one more email on January 5th, 2017, asserting that if she did not meet with me beforehand, I would speak my mind while we were sitting across the board.

That was eight days before the tournament. I then calmed myself and found peace and closure on my own. I did not contact her again prior to us sitting down to play in the second round, and before the game the only thing I said to her was “Let’s play Scrabble.”

Jennifer was visibly upset when I played her, and so was Evans when we played a day later. Evans refused to shake my hand or talk to me, and he rudely jumped up and down shouting “YES!” in the middle of the tournament room after winning a challenge.

I recognize that my communications, which ended more than a week before the tournament, contributed to their emotional reactions in the tournament room. I accept full responsibility for that. I did not misbehave in any way in the tournament room, and I did not do anything to exacerbate the situation.

For the next six years, I have done nothing untoward to Evans and Jennifer. I saw them only rarely at Scrabble tournaments in 2017 and 2018, and I did not interact with them any more than was necessary to play our Scrabble games. Meanwhile, Evans frequently disparaged me to other Scrabble players, which I have ample evidence to show.<sup>4</sup> Evans and Jennifer also started organizing tournaments, first a one-off in Tennessee in August 2017 and then numerous one-days and holiday weekend events in the Pacific Northwest beginning in September 2017. I already wrote in the overview about how they broke NASPA rules for every tournament they ran since August 2017, and how it impacted me and other players. I did not, however, say or do anything about this until July 2020.

I moved to Seattle in April 2018, for a position at a company I had been working at since 2013. I had been making business trips there since 2014 and had already organized Scrabble get-togethers with Walker Willingham, Judy Romann, Chris Grubb, Bharath Balakrishnan, and Jesse Matthews when I had been in the area. In the month before I moved, I learned from both Chris Grubb and Walker Willingham that Evans had been badmouthing me to the Seattle area players and that he and Jennifer had specifically told the other players not to invite me to casual Scrabble get-togethers.<sup>5</sup>

I explained the entire back-story to Walker, who had been sending out emails to organize events. I even showed him the emails which had upset Jennifer a year and a half earlier. He agreed with me that this was not a reasonable grounds to exclude anyone. Walker decided to invite everyone via email to the next Seattle Scrabble get-together, and Evans immediately responded to him, “Was this a slip up?”, browbeating him for copying me on the email. Walker attempted to make peace and stand up for inclusivity in our small Seattle area CSW Scrabble community, and Evans and Jennifer chose to stop responding and coming to the get-togethers entirely. Walker and I shared email duties on sending out invites for get-togethers, and we continued copying Evans and Jennifer on those emails for a while, but we eventually removed them from the cc-list because of unresponsiveness.

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<sup>4</sup> Figures 32-35. A more complete list of evidence that Evans has disparaged me is in section (E).

<sup>5</sup> <https://splenetic.net/the-fallout/#figure7> is from my relevant conversation with Chris Grubb. There is also more detail in the blog about my discussions with Walker Willingham about this.

At one of the get-togethers in Spring 2018, Judy Romann told me that she had asked Jennifer in the restroom a few weeks earlier what the problem was with playing Scrabble with me. Jennifer told her that she did not have a problem with me, but Evans did. This corresponded with my experience whenever we crossed paths at tournaments between March 2017 and May 2018.<sup>6</sup> Things were always civil between me and Jennifer, and we played Scrabble with no problems. However, Evans always refused to speak to me, refused to make eye contact, and showed a massive amount of anger in his body language. He would also look away, turn his head down, or leave the room as soon as he saw me in a tournament room.

The last time I was ever in the same place as Evans and Jennifer was the wedding of Chris Lipe and Randi Goldberg in Aruba in July 2018. A couple days before the wedding I introduced my date Emily, who was not a Scrabble player, to a group of Scrabble players who were playing a boardgame in the lobby of the resort. Evans was present, and Jennifer was not. Evans insulted my date by refusing to stand up or even look in her direction or say hello. He simply muttered his name in a barely audible voice when it was his turn to make an introduction. I had no interaction with Evans on the trip.

At the wedding reception, I did not attempt to interact with Jennifer or Evans at all. I stayed at the bar area, and at the dance floor, and at a table on the opposite side from where Jennifer was sitting. At a moment when my date left to go to the bathroom, Jennifer walked across the reception toward me and attempted to start a conversation with me. I was uncomfortable with this and simply gave a one line reply before she left. *This was the last time we ever interacted in person, and we have never been in the same place since that day, July 18, 2018.*

Jennifer was later elected to the NASPA Advisory Board and attempted to change NASPA rules to give her and Evans more leverage to keep people out of tournaments.

In September 2018, I sent Evans an entry fee via Paypal for the 2019 Hood River tournament, the only time I have ever submitted an entry to one of their tournaments. I also sent him a three sentence courteous email notifying him. Later that same day, Evans refunded my entry and Jennifer sent an email back to me.

In the email she gave as a rationale that my January 5th, 2017 email included “a written threat from you that you would take action to intentionally cause me emotional distress at a Scrabble tournament in the playing room.” I understood and accepted that she saw it that way, but she was wrong about my intention. I was not trying to cause her emotional distress; I was attempting to alleviate my own emotional distress. Furthermore, my preference, as I had made clear in that email, and the one from three weeks earlier, was to have a discussion outside of the tournament room, specifically to avoid embarrassment.

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<sup>6</sup> The Portland one-day in May 2018 was the last time we were all at the same tournament and the last time I ever played a Scrabble game with either of them.

Ironically, she also accused me of disparaging her. I had been doing no such thing, but her partner had been disparaging me for nearly two years.

On September 17, 2018, I replied with a brief email apologizing for my specific offending words in the January 5th, 2017 email. I respected their decision not to allow me to enter the tournament, and I specifically said I would not escalate to NASPA. I did not ask for a response nor anything else from them. The entirety of this email correspondence is in the blog at [splenetic.net](http://splenetic.net), along with a longer draft of the response email that is contemporaneous evidence that my intention in signing up for the tournament all along was simply to open a line of communication and allow them to address their grievance with me. (Figures 37-38)

I never attempted to sign up for another tournament of theirs again. The apology email is the last time I personally communicated to them in any way.

In July 2019, nearly a year after being denied entry to Hood River, I began to write the story of the trauma I had already been experiencing for the last few years. Most of it was written in Spring 2020. The first draft was for my own therapeutic purposes, just to get out what was bothering me so much. However, I knew from the beginning that I needed to tell the mutual friends of Evans, Jennifer, and me some of my story, in hopes of salvaging my relationships with them.

I had not committed to publishing anything to the world at that time. I thought I might just send the story to a particular circle of friends. However, Evans and Jennifer took several more *political actions* within our Scrabble community over the next year that convinced me that the entire Scrabble world needed to hear my story.

At the end of 2019, Evans and Jennifer left NASPA and created a renegade association. They enlisted friends in other parts of the country to run tournaments under their new banner. I have consistently advocated for unity in our Scrabble world and criticized WGPO for forming nearly a decade earlier. A third organization was a bigger step in the wrong direction. Furthermore, Evans and Jennifer were attempting to put themselves in a position where they did not have to answer to anyone. They could continue unethical and vindictive practices against other Scrabble players unabated.

I also suspected, based on the rumor mill, that they intended to foist all of the tournaments using the CSW dictionary in North America away from NASPA, and to get recognition from WESPA as another official association for North America. If they got their way, I would potentially have no tournaments to play on my entire continent. This was the reason that I decided that I needed to go public. This was no longer just a personal vendetta, but something that impacted the entirety of North American competitive Scrabble.

While I was preparing the blog, Evans and Jennifer escalated even further against me and gave me another justification for going public. Shortly after the 2020 Alchemist Cup was canceled due to the pandemic, they stepped in and ran an online tournament they called the Virtual World

## Exhibit 5

Cup. I had already assured myself qualification for the 2020 Alchemist Cup. Evans and Jennifer used a different qualification system for the Virtual World Cup, but by their formula I also should have qualified for team USA at that event. However, they intentionally bypassed me and selected Dave Wiegand for the team, even though he had a lower qualifying rating than I.

My last direct communication to them had been an unqualified apology (Figure 37) more than a year and a half earlier, and now they were depriving me of opportunities to play against many of the world's best players at what was—in the eyes of most competitive Scrabblers—a prestigious international Scrabble event. Evans's and Jennifer's grudge was no longer just a personal vendetta, but something that impacted the entirety of international competitive Scrabble.

I did not attack or criticize them in any personal ways in the entire blog. I told what happened leading up to and at the 2017 New Orleans tournament in the most charitable and fair way that I could. The criticisms that I leveled against them were entirely political in nature, for repeated and intentional actions that they took continuously for a period of three and a half years, (from 2017 to mid-2020 when I published the blog.) These actions harmed my reputation and deprived me—and not only me—of equal access to Scrabble games with many of the world's best players. Meanwhile, the only things that I had done wrong were two emails and two text messages that were too harshly worded in a three week period between December 19, 2016 and January 5, 2017.

Most readers of my blog had the right takeaways from my story. The positive feedback far outnumbered the negative feedback, and even though I didn't write about the Virtual World Cup, others connected the dots and drew the proper conclusions about it. (Figure 1) Almost all of the criticism I received was from friends of Evans and Jennifer, simply because they did not want to see their friends and themselves as being the bad guys, in defiance of where all of the facts pointed.

I had a phone call in July 2020 with Conrad Bassett-Bouchard, shortly after I published the blog. He was sympathetic and civil, telling me that I would always be welcome at his tournaments. Furthermore, he confided in me that he was soon moving to Portland, Oregon, close to where Dave Wiegand and Peter Armstrong were living. He even encouraged me to move to the same area so that we could all play Scrabble together. This was the last conversation we had.

However, I soon got word that Conrad was behaving differently behind my back, also attempting to sabotage my reputation and to support unethical things that Evans, Jennifer, and friends were doing to exclude me.

At the end of October 2020, I moved from Seattle to Portland, Oregon, (long before Lola did.) My primary motivations were not related to Scrabble. I have a close personal friend here who was my neighbor on the East Coast, and we are neighbors again. This was during the pre-vaccine time of the pandemic, and the weather was still bad for many months, so I did not rush to get in-person Scrabble games.

In late 2020, I played Scrabble on Woogles in Laurie Cohen's Wednesday club and Mike Johnson's Thursday club. My strongest competition was from Brian Bowman, Geoff Thevenot, Peter Armstrong, and Becky Dyer.

In January 2021, I had a schedule change and was looking for more games at other times. I started playing at the Woogles club affiliated with Evans's and Jennifer's association. I did not want to support their association, but none of these games were part of official rated tournaments. It was just casual online play. The reason I went to their club was to get games specifically with Geoff Thevenot, Peter Armstrong, and Becky Dyer, who were some of my best competitors available and the directors of the club.

I played as an evener at the end of one Tuesday session and then in two or three full Saturday sessions with no problems. The directors welcomed me cordially, paired me, and put my results on their organization's website after each session. I talked in the chatroom only about the joy of words. Evans and Jennifer were not at these sessions.

On February 23, 2021, I played a full Tuesday session at their Woogles club for the only time. Before the first round, director Becky Dyer said the count of players was off. I checked the listing of players in the room and did not see Evans's or Jennifer's name. Jennifer did not come until later, but someone else in the chatroom suggested that Evans was there. I made a one line comment, "I do not see Evans. Is he blocking me?" Becky said that she did not see Evans either, but soon thereafter another player confirmed that he was there. (The website was still in its alpha stages, so it is possible that whatever blocking or chat opt-out mechanism was in place was not fully working yet.) I played the entire night uneventfully. The rest of my chat was just about the joy of words.

On Friday, February 26, 2021, I received an email from [info@cocoscrabble.org](mailto:info@cocoscrabble.org) banning me from their online club into perpetuity. (Figure 2) No justification for this banning was given, and no appeal process was offered. The letter implied that I was a harasser and ended with "*Note that directors for the CoCo have discretion to consider all relevant information for decisions of this nature, not just events that happen during club sessions.*" The names at the end of the email were the three directors Becky Dyer, Geoff Thevenot, and Peter Armstrong.

I never responded to the email and never attempted to go to the club again. Cesar verified that I did not do anything untoward in the online club, and he was unhappy with their organization using his Woogles platform for this kind of inappropriate exclusion. He told me later that when he brought this up with the Woogles team, Conrad argued vociferously that Woogles should not do anything to stop this organization from excluding me. Furthermore, Mina emailed Becky Dyer protesting what had been done, and Becky sent back a nasty and unprofessional email, asserting that the decision was confidential and that anyone who questioned it was disparaging their organization. (Becky's email is quoted in full in Figure 2.)

By the end of April 2021, I was vaccinated against COVID-19 and ready to seek out in person Scrabble games again. I did not reach out either to Conrad, because of the ways he had been

behaving behind my back, or to Peter, because his name was on this offensive letter banning me from the online club. Instead, I reached out to Dave Wiegand, the only top CSW Scrabble player in Portland who had not mistreated me, as far as I knew.

We played twice, in May and July 2021. On the first occasion we just played Scrabble and didn't talk about much else. The second time, I brought up with Dave how the other Portland Scrabble players, particularly Conrad, were treating me. Dave was mostly unhappy to talk about it, but I did learn from him that Conrad had decided that he did not want to meet with or play with me at all anymore, not just in tournaments but at casual get-togethers too. I pointed out that this contradicted the last conversation I had with Conrad, and Dave said it was because of something that Conrad had learned about me more recently. Dave claimed not to know what it was. I suspected that Conrad's change in attitude about me was related to his friendship with Lola.

I reached out to Dave two more times looking for games in preparation for the 2022 New Orleans tournament, but he ignored both my November 4th and December 9th texts. When I saw him again over the board at the New Orleans tournament on January 16th, 2022, he at first played dumb as if he hadn't seen my texts. But when I asked him point blank if he was intentionally ignoring my texts, he admitted it. He then criticized me for alienating so many other people and attempted to mock my Scrabble results, saying "what have you ever won?"

Dave's behavior was victim blaming. I had zero interaction of any kind with Conrad since our last friendly conversation in July 2020, when he had encouraged me to come to Portland to play Scrabble with him, but I was blamed for alienating him.

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I must rewind to tell the story of my relationship with Lola. Lola and I had a very friendly relationship from a distance over text messages, phone calls, and video chats starting in late 2019. Our relationship became romantic as we made a trip to Puerto Rico together on March 10th-17th, 2020. For more than a month afterward we were romantic from a distance, until I temporarily moved in with her in Salt Lake City from April 25th to May 29th. Then she traveled back to Seattle with me and lived there starting on May 30. On June 14th we decided the relationship had run its course, and she flew back to Salt Lake City the next day. We remained good friends and continued to socialize frequently over Google Meets with other friends and to have close conversations over text for more than a month after that, up to July 23rd. On July 24th, she decided that she needed to create more distance from me, and she was very direct in communicating that to me over email. We had a civil and kind conversation in which I respected her need for space.

Our relationship and her state of mind about it at the time was nothing like what her statement says. Furthermore, it is strange that she would submit a statement with so many lies, as there is a huge amount in it that I can easily disprove from our text message and email history. **However, it is telling that the statement is addressed to the Woogles team and to WGPO, and not to**



NASPA, which was the sanctioning organization of the only tournament we were both at, the 2022 New Orleans event. My best guess is that she did not intend to submit this as part of an incident report, in which I would have an opportunity to read it and disprove the massive amount of falsehood in it. I think she intended the statement for behind-the-scenes consumption by people on the Woogles team and in WGPO in hopes that they would take other action to keep me away from those spheres. However, Evans and Jennifer then submitted it as part of this incident report.

I am highly sympathetic to Lola's situation. I understand why she felt that she needed to lie. There was a period of time from early 2020 until mid-June when I exposed a lot of my inner trauma to her. I admitted many angry thoughts to her. None of it was directed at her, and none of it was a threat to do anything. It was simply off-the-cuff venting.<sup>7</sup> Lola received the agony of my trauma in a supportive, sympathetic, and loving way, but it was a lot to bear.

She also took an active role in my grieving and healing process by helping me with my writing project that eventually became the splenic.net blog, a project she knew about long before we moved in together. It was our plan all along that when I went to live with her in SLC I would work on my writing while she worked on her day job.

Lola is the only person besides me who read the first draft of the writing, and in so doing she did a large amount of emotional labor and took on a lot of my world view. She was my first editor, helping me figure out what subset of the story I needed to tell my Scrabble community, and making concrete suggestions for how to reshape and reorder parts to communicate it more effectively.

I published the blog a month after we stopped dating, on July 14th and 15th, 2020. We were still on very good terms, and she gave me positive feedback about it soon afterward. On my Facebook posts about it, she made numerous comments that were highly sympathetic and supportive of my situation, and she defused several of the criticisms that detractors wrote.

I do not believe that her opinion about any of this had changed when she said that she needed to create more distance on July 24th. Her reasons were unrelated. However, not long afterward, her opinion about me and the situation with other Scrabble players began to change, though I did not learn about this until almost the end of 2020.

An extremely unfortunate thing happened a week or two after Lola and I agreed to increase distance. A woman from Maryland who was in a Google Meet social group with us heard a rumor from a man named Kenny I had previously socialized with in the Washington DC area.

In December 2014, Kenny had sent me a text message out of the blue threatening violence on me and alleging that I had taken advantage of woman named Sarah, with whom I had been in a

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<sup>7</sup> Furthermore, Evans and Jennifer were rarely ever the objects of my venting. She provided one alleged quote about Evans and one alleged quote about Jennifer, and this was twisted into a completely false allegation about spending hundreds of hours plotting anything. The only thing I plotted was the writing of a blog.

consensual sexual relationship over the period of several months. I immediately forwarded Kenny's message to Sarah. She told him I had done nothing to hurt her and confirmed that with me via email and a phone call. (Figures 3 & 4) Then Kenny changed his story, saying it did not matter that I hadn't done it, because he knew that I had done things to other women. He never named another woman and continued spreading vicious rumors, even though the only woman he ever mentioned explicitly denied the charge. I have had no connection with the man since 2014, but he was still spreading these lies six years later.

Some time right around the end of July or beginning of August 2020, this Maryland woman suddenly blocked me on Facebook and made at least one Facebook post spreading these same lies that Kenny had been saying in 2014. Because this Maryland woman had been part of my Google Meet social group with several Scrabble players, including Lola, Mina Le, and Cesar del Solar, a number of them saw a Facebook post including this hoax story. I thought there was a good chance that Lola saw this and that it might have affected her view of me.

I had been respecting Lola's wishes, and we had no communication from the end of July until December 2020. She blocked me on Facebook at some point in between. In early December, Mina organized a group to do an online reading of a play, and both Lola and I volunteered to participate. Mina and Cesar were concerned because they knew that she had blocked me on Facebook, and during Woogles work Lola had expressed to Cesar being upset about my incident with Darrell Day.

On Mina's recommendation, I emailed Lola on December 11, checking to make sure it was going to be okay for us both to participate in the play reading. Lola got back to me quickly, and we had a civil email exchange. She communicated that her concern was not the 2014 hoax story but screenshots she had seen of my Facebook messages to Darrell Day. (Figure 28)

I had told Lola immediately about the incident report that was filed to NASPA for the comments I made to Darrell Day when I received it on April 17th, 2020. (Figure 22) At the time I was feeling self-righteous in my anger and was tempted to write a response that would have fanned the flames and likely given me a bigger punishment. Lola advised me on how to edit down what I said and be more circumspect. NASPA had not sent me the screenshots of the comments, and neither Lola nor I had seen them at the time. She was only going on my description of the incident and the one that John Karris had sent me from NASPA.

I had forwarded everything I had received from NASPA to Lola back in April 2020. However, when she later saw the screenshots, she was shocked and upset. I believe she felt guilty about helping me with my defense to that incident report, and this perhaps led to her feeling guilty about helping me with the splenetic.net blog too. I think she also might have felt deceived by me, although there was no intentional deceit on my part. I had recounted what had happened as best as I could remember at the time, and I myself never saw the screenshots until *this* incident report was filed almost exactly two years later, in April 2022.

Lola ended her December 11, 2020 email with: (Figure 28)

## Exhibit 5

*I am not really interested in talking on the phone to you at this time. I will however unblock you as to minimize weird confusion in things like us both commenting on a friend's post. I am also okay with you emailing me when you feel it's necessary, like now.*

*We are not enemies, and you don't need to worry about things like the play reading group, or Woogles, or tournaments if that ever is a thing again. We are also not friends.*

We continued the email exchange with a few more messages that were just about communicating that there was no intentional deception on my part when it came to the Darrell Day comments, and we both ended by wishing the other one well. That was the last time we ever emailed each other.

She unblocked me on Facebook as she said she would, and we both participated in Mina's play reading a couple weeks later with no issues. We never at this time or later had any interaction on Facebook, other than making a couple of comments on Mina's posts about the December play reading and one later play reading in February that we also participated in.<sup>8</sup>

Lola then reinitiated communication with me by gifting me a subscription to Will Anderson's Twitch channel on February 12, 2021. I sent her a quick text thanking her for the subscription and saying I didn't know what it did. She first explained what it was, and then it turned into a catch-up conversation between us with eight screenfuls of text. (Figure 29) We told each other about our lives and families, and *she mentioned that she was living in Florida and going to be a digital nomad later that year.*<sup>9</sup> She also told me that she was planning on starting her own Twitch broadcasting the very next day. She saw that I was not already following her, so she gave me her username and told me the time of the broadcast so that I could tune in.

I watched her debut broadcast on February 13, 2021. She was nervous. I participated actively in the chat, always from a perspective of trying to be supportive and calming, but I perceived after a while that my involvement probably made her more anxious, so I did not tune into any more of her broadcasts after that.

As far as I knew, we were on relatively good terms at that point, even though we didn't keep up communicating. The last time I ever texted her was on May 2nd, 2021, because it was looking like I might make a business trip to Salt Lake City. Last I had known she was not living in SLC, but I just figured I would check if she was in the area and interested in meeting up. She did not respond to that text, and I made no attempts to follow up. (Figure 30)

Lola was out of my life and out of my mind for the rest of 2021, except for one time she accidentally came into my purview. On August 4th, 2021, my phone Instagram app recommended to me an account of someone I might know. The account was

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<sup>8</sup> Much later in 2021, Lola seemed to go back and forth between blocking and unblocking me on Facebook, but I have no idea what that was about.

<sup>9</sup> I had moved to Portland in October 2020, and I mentioned I was living there in the conversation.

@thesepeopleinmyyard, and it showed the name Lola McKissen on the screen. I was surprised to see it, because I knew that Lola had already blocked me on Instagram long before, but this was a new account with a single photo. It showed the view from her apartment and mentioned that she was living in Portland, Oregon. I sent a quick message: *"I don't want to be intrusive, but Instagram just recommended this account. You're living in Portland? Welcome to town!"*

A day later she wrote a response:

*Thanks. With my childhood history, I am not really mentally stable enough to have friends with bullying/anger issues. I just get sucked in and overly identify and placate and get stressed out. The last time I tried, you kinda took over my Twitch chat and made that too stressful for me. I understand that your intent was to be supportive and friendly, and my reaction is MY crazy. I really hope you are doing well, and that you can respect and accept that I can not have you in my life (with the understanding we're going to overlap over the years on mutual friends and Scrabble.)*

I hearted her response and wrote back, *"Thank you for what you said. I wish you peace."* She hearted that response, and that was the end of the conversation. (Figure 31) I did not follow the Instagram account and did not look back at it again.<sup>10</sup> Lola and I never had any contact again until we crossed paths at the New Orleans Scrabble tournament in mid-January 2022.

I still think highly of Lola, and I was completely fine with not having her in my life. Going into the New Orleans tournament, I wanted to have one conversation with her, but it was not about her and me at all. It was about Conrad.

I recruited Lola for the Woogles team when we were living together. I knew she was an experienced front-end developer and that Cesar needed someone with those skills for the website. She began work on the team while we were still dating, and I had known that she had become friendly with Conrad while they collaborated on the user interface. I suspected that she was in regular communication with him now that she was living in Portland and that she might have told him something about me, such as the 2014 hoax story, that explained why he did not want to see me. This was far from my highest priority at the tournament, but I figured if a good opportunity for a conversation came along, I would ask.

When I was walking back into the tournament hotel from lunch in the middle of the first day, a woman who was walking in the same direction as me said hello. Lola had changed her hair color and was dressed considerably differently than I had ever seen her before. It took me a few seconds to recognize her. As we walked to the tournament room, we exchanged a few pleasantries, and I asked how her tournament games were going.

We had one extended conversation. It probably happened later on the first day. We were both in the hallway outside the tournament room, and I asked her if we could talk for a bit. She agreed

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<sup>10</sup> until I had to chase down evidence relevant to this incident report

and pointed to some tables that were further down the hallway, away from the tournament room and suggested we go there. So we sat at one of them and talked for about 10 minutes.

I asked about her family. She thanked me for asking and gave me an update. Then I asked her if she had told Conrad about this 2014 hoax story or something else that might have caused him not to like me. She admitted that Conrad was her closest friend since she moved to Portland. She did not think that she had told him that particular story, though she seemed unsure. However, she did think that things she said about me might have been the last straw for him when it came to me.

We talked about the Pacific Northwest CSW Scrabble situation. She made clear that she still thought Evans and Jennifer were doing the wrong thing by excluding me, but when I pointed out that she was playing with their group and implicitly supporting them, she admitted a bit of hypocrisy. She wanted to get games and that's where they were.

I then communicated that when she read the first draft of my blog, her initial reaction of "you did nothing wrong, and I hate them for what they did to you" was highly validating for me. I said the fact that she was now effectively part of their group felt like a betrayal. I specified that it was a "light betrayal," not as bad as I had gotten from other people in Evans's and Jennifer's circles who were not communicating with me at all, and that I respected her for still talking to me and being straight with me.

I was not angry at all when I said this, and I did not raise my voice. I was just sad. My silent thoughts were that Lola was not in favor of my exclusion nor intentionally reinforcing it, but her connection with Conrad was contributing to the problem.

Lola did not respond and just got up and walked away. She did not appear distressed, and she did not hurry. I just gathered that the conversation had gotten too heavy and that she did not want to continue anymore, which was fine. I had already gotten the information I wanted about Conrad, which was the main thing to me.

All of our interactions in the tournament room were brief and uneventful. I believe we spoke three times. Once, when we passed by each other in the tournament room, I just thanked her for the longer conversation we had earlier and said we did not need to talk about it anymore. On two occasions, I asked about her tournament results. One of those was again as we passed each other while walking to our boards. The other was shortly after she had finished a game with Guy Ingram. I had walked up to Guy's side of the board and spent a couple minutes there, mostly talking to Guy and looking at the board, but at one point I turned to Lola and asked how her games in that session had gone. I think Lola and I both said one sentence to each other during the entire time I was talking to Guy.

After those brief interactions there were two other times I saw Lola during the rest of the tournament. Neither of them involved any discussion between us.

The first one was near the end of round 15, the penultimate game on Sunday. I had finished my game and was walking away from the tournament room, toward the front of the hotel and the exits to outside. I was intending to just step outside and get some fresh air between rounds, but I came upon an unexpected situation. The setup in this hallway had changed since the last time I had noticed it. A TV had been set up along the wall to my right, and it was showing the live Twitch broadcast of the dramatic conclusion of Austin Shin's 477-470 comeback victory over Puneet Sharma. Furthermore, both a table and a tree in a pot were set up in the middle of the hallway, in front of the TV and blocking much of the passageway. Lola was standing to the left of the table, looking over it and at the TV on the opposite wall. Dave Wiegand was standing beyond the table, closer to the right wall. He was also intently watching the television.

I wasn't expecting any of this. I accidentally happened upon both of these players and this TV, and like them I quickly got distracted into watching the gripping game on the TV. Because of the awkwardness of the setup with the table and the tree, I ended up standing next to Lola and also watching the TV from over the table for several minutes. We were about arm's length away, but there was no physical contact and no conversation. We both just watched the TV and left a few minutes later.

On the final day of the tournament, I won all of my games and finished in first place. Then I went back out to the hallway to do an interview on the livestream with Will Anderson. After that I returned to the tournament room shortly before the prize ceremony, after most of the players had already filed in. Lola was one of the first people I saw as I entered the room. I was not looking for her. She was sitting in one of the front row seats that was closest to the entrance of the room. There were no available seats near her, and I had no intention of sitting in the area. However, I figured I would walk up to her and make a bit of casual conversation before I moved on and sat somewhere else. Specifically, I was going to mention that I had really liked a TV show that she had recommended to me a couple years earlier.

However, I did not get an opportunity to say anything. After I took two steps in her direction, a woman who was sitting next to her and whom I did not know loudly exclaimed, "I'm bleeding and need to go to the bathroom right now!" as she grabbed Lola by the arm and they made a hasty exit. It was highly awkward and unexpected. It was clear to me that this woman thought I was stalking Lola and that she needed to rescue Lola from me.

I was flabbergasted and immediately walked as far away from there as I could, taking a seat in the back far corner of the room for the prize ceremony. Nothing about my interactions with Lola during the entire tournament seemed to justify such an extreme reaction, and that was the first and only sign I received that anything had gone seriously wrong from her point of view. It was also the last time I saw her.

Contrary to what Lola seems to think, I was not stalking her at the tournament. She was barely on my mind for most of it. I had far bigger things to deal with. I was playing the best Scrabble players in the country and in contention the whole way. It took most of my focus and energy to win the tournament. The first time I saw her, she initiated a short casual conversation with me.

## Exhibit 5

Later, I wanted to have one conversation to get clarity about the Conrad situation, which she was very willing to have and even suggested a location for. I got the information I needed and was done with the subject. Over the three days of the tournament we talked for just a moment uncontroversially in the tournament room three times. Then we had an accidental (and possibly awkward from her point of view) encounter where we both watched TV silently for a few minutes. And the next time I saw her on the following day, the woman next to her was acting like I was stalking her.

The reaction of the other woman suggested that something was amiss from Lola's point of view, and I learned more a month later when I attempted to help Cesar with a Woogles issue.

On January 13, 2022, a few days before the New Orleans tournament, Cesar made a Facebook post asking for additional developer support for some Woogles back-end refactoring work that was in my wheelhouse. I wrote to him that day saying that I could help but that it would have to be after the New Orleans tournament. (Figure 5) I was too busy to get involved for nearly a month, and finally on Monday afternoon, February 7th, 2022, I reached out to Cesar to follow up. Cesar asked me to join a "Friends of Woogles" Discord channel that he used for communicating with people who worked on the codebase. I followed his directions and made just a couple of chats in the channel that were directly to Cesar. He pointed me to the locations of the codebase and the build instructions, and I said I would get to it the next morning. I woke up the next morning to see a message from Cesar: (Figure 5)

*Hi Dave, I don't know if this is going to work. Several people on the core team are too uncomfortable with you contributing to the point that they actually threatened to leave the team. I spoke up for you but it doesn't seem tenable. Let me know if you want to chat about it*

My first response was "I am disgusted." I talked on the phone with both Cesar and Mina later that day. I learned that Lola had told the Woogles team that at the New Orleans tournament I had said that she betrayed me *worse* than anyone else in Scrabble and that I had threatened her. This was the opposite of the truth. I specifically said that it was a "light betrayal" and that it was not as bad as what other people had done to me. I had not threatened her in any way, shape, or form. Furthermore, I learned that Conrad and Jesse Day had threatened to leave the team if I was allowed to participate in supporting the Woogles codebase.

My attempt to help Cesar with the Woogles codebase had nothing to do with Lola. It started with a conversation with Cesar *before* the New Orleans tournament, at a time when I hadn't had any communication with Lola for nearly half a year. Furthermore, I knew that the back-end work that I was volunteering to assist with was totally separate from the front-end codebase that she worked on. I did not think it would involve any interaction with Lola or Conrad at all. I was merely trying to help my friend Cesar in response to his request for assistance.

I had zero knowledge or expectation that volunteering to do this work would put me in a Discord channel with these other people. It was entirely Cesar's idea for me to join the channel, because

## Exhibit 5

he was just trying to treat me in the normal way he treated anyone who worked on the Woogles codebase.

I was disgusted and angry, not at Lola at all, and not really at Conrad, because I knew he was already a lost cause who had repeatedly been poisonous behind my back. I was angry at Jesse Day, because I had always seen him as a reasonable human being who had treated me well. We had a phone call not long after I published the blog in which he called out Evans's and Jennifer's poor treatment of me. Now, he was ready to go on a moral crusade against me and resign his position as manager and spokesperson of the Woogles team without even hearing my side of the story.

Part of me wanted to write an email to Jesse and Conrad right then and chew them out for their behavior. But I perceived that reacting angrily would play into the absurd lies that I was harassing a woman. Cesar had told me that he tried to advocate on my behalf to them, but it was both his impression and Mina's that this group of people were repeatedly poisoning each other's minds about me. Cesar said he was so disturbed by what he heard from them that he lost sleep about it. Cesar and Mina were also concerned that our country and our Scrabble community had gotten so caught up in this #MeToo fervor that there was no way to move forward with me doing Woogles coding work without looking bad.

It was not even that big a deal to me to work on the Woogles code base. I was just offering to help as a favor to Cesar, and the fact that so much of the team was treating me so poorly right off the bat made me unenthusiastic about supporting the project anyway. So I just told Cesar, forget about it, I won't work on Woogles, and I ignored Lola's, Jesse's, and Conrad's behavior.

I had no other contact with anyone in Scrabble related to any of this until I received this incident report with statements from Evans, Jennifer, and Lola in April 2022.

## (D) Summary of Relationship with Lola

*There is a huge amount of text message history between Lola and me. (over 400 screenshots) If you read the whole thing, it clearly shows that nothing she says about the history of our relationship and her attitude toward it at the time is credible. However, a surplus of information is not necessarily the best way to communicate the main ideas. Furthermore, there are parts of our text message history which include private and potentially embarrassing information about unrelated third parties, including both of our sons, and I would feel an obligation to redact such things before releasing a wider swath of our text communication.*

*Instead, I will give the highlights, which establish what our dynamic was really like and which directly refute many falsehoods in her testimony. Anticipating the potential counterargument that I am cherry-picking our text message history to paint the relationship in a way that was different from the big picture, I proclaim that everything I will show is exactly in line with the big picture. If NASPA has any doubt about this, I am willing to do the work of redacting and releasing the entire text message history to demonstrate that there is no deception in my account.*

## Exhibit 5



In early December 2019, Lola and I began talking about the possibility of me visiting Salt Lake City and seeing her, a trip we did not end up scheduling until January 30th-31st 2020. She showed no hesitancy about that possibility and was even proactive in making suggestions about methods of travel and places to stay while I was there. She canceled the trip at the last minute, on January 29, 2020, because she became ill, but she quickly initiated discussions of us making a trip elsewhere together, which resulted in us going to Puerto Rico together from March 10th to 17th. We had a wonderful time together, and afterward our texting became much more romantic. She lobbied hard for me to come to Salt Lake City, including telling me of endorsements of the idea from her family members and friends. We also joked during this period about my proclivity for going on angry rants that she had seen a little bit of while we were together in Puerto Rico.

On April 17th, I contacted her about the incident report regarding the Facebook conversation with Darrell Day, and she helped me compose a calm response which I submitted to NASPA. She was not put off by my anger and was highly sympathetic and supportive.

We lived together in Salt Lake City from April 24th to May 29th. During this time I wrote the vast majority of the first draft of the splenic.net blog, and Lola was my initial reader and editor. I continued to go on late night angry rants while we lived together, and while this undoubtedly weighed psychically on Lola, she never communicated feeling in danger with me. She only communicated sympathy and support. She felt safe and happy enough with me that she decided to drive back to Seattle with me from May 29th to 31st.

We lived together in Seattle from May 31st to June 15th, at which point we decided the relationship had run its course, and she flew back to Salt Lake City. We continued to be on good terms for over a month after that, through July 23rd. During that time period, she continued to participate in many Google Meet get-togethers with me and my friends to play games and socialize, and we continued to engage in many text conversations. When I published the splenic.net blog on July 14th and 15th, she was highly supportive, both by sending me personal compliments about the blog and by writing comments on my Facebook posts that supported my side and disarmed several of the criticisms of detractors.

On July 24th, she emailed me about needing to create more distance, and we had a respectful conversation. I complied with her wishes and only contacted her again almost half a year later on December 11th, on the recommendation of Mina Le, because of a play reading event that Lola and I were both attending. We had another respectful email conversation in a series of December 11th emails, in which she explicitly said that it was not a problem for us to participate in the same events with mutual friends, such as the play readings and Scrabble tournaments, and that it was also no problem for me to contact her if the reason was important.

I didn't initiate conversation after that, but she did, on February 12th, 2021, by gifting me a subscription to Will Anderson's Twitch channel. We then had a lengthy text conversation catching up on each other's lives, *which included her telling me that she was living in Florida*

*while I was already living in Portland, Oregon.* She also asked me to watch her Twitch Scrabble broadcast the next day, which I did on that one occasion but never again.

We both participated in Mina Le organized play readings in December 2020 and February 2021 and exchanged friendly texts about the second one.

I thought we were on improving terms, and I texted her on May 2nd, 2021 about a possible business trip to Salt Lake City to see if she was in the area and wanted to meet. When she did not reply, I never texted her again.

The only later non-in-person communication we had was when I accidentally came across a new Instagram account of hers on August 4th, 2021, which showed that she had moved to Portland. I sent her a two sentence message simply welcoming her to town. She sent a longer response, in which she admitted that my interactions with her during the Twitch broadcast had been supportive and friendly and confessed that they were stressful for her because of her own craziness. I replied with a thank you and wished her peace, and I never contacted her in any way again.

## Timeline and Index of Corroborating Evidence for Relationship With Lola

*Elements in italics in the timeline do not have an associated screenshot, but are simply to make the chronology of the relationship clearer.*

*When I dated Lola she went by the name BriAnna McKissen, and Lola was an infrequently used nickname. It is my understanding that she now mostly goes by Lola, and in writing this document I have defaulted to using that out of respect for what she wants to be called. However, in emails and other written sources, I almost always addressed her as BriAnna or Bri.*

December 11, 2019: Lola first mentions the possibility of me coming to SLC, after we had been texting for two months. (Figure 6)

January 9, 2020: I propose January 30th-31st dates for a visit, which she agrees to. Lola makes several suggestions about things we can do in SLC and discusses transportation options with me. (Figure 7)

January 23rd & 27th, 2020: More texts planning trip, including recommendations from her about hotels. (Figure 8)

January 29th & 30th, 2020: After I had already begun my drive from Seattle to Salt Lake City, she canceled the visit due to illness, and I redirected my travels to Butte, Montana. (Figure 9)

*We also talked on the phone at that time, and she sounded sick. Within the next few days, she suggested on the phone that we both fly somewhere else instead of attempting a road trip.*

## Exhibit 5


February 7th, 2020: She brings up in text message that we should fly somewhere else and we begin to discuss possibilities. (Figure 10)

February 13th, 2020: I propose Puerto Rico, and she texts “*Oooh, I very much like that idea.*” (Figure 11)

February 14th, 2020: She confirms Puerto Rico trip for March 10th-17th and immediately puts in the vacation time at work. (Figure 12)

March 8th-9th, 2020: Amid many romantic texts, she texts me about places to visit in Puerto Rico. (Figure 13)

March 17th, 2020: After we both returned to our own homes from Puerto Rico, she texts, “I should have come to Seattle.” (Figure 14)

March 19th, 2020: I share a picture of me in my kitchen and she writes “ *Wish I were there*” (Figure 15)

March 28th, 2020: We joke about my tendency for making angry rants, while I was stressed that I might have caught COVID. (Figure 16)


April 2nd, 2020: She sends texts trying to coax me to come to Salt Lake City, including a picture of a joke paperback cover entitled, “Come Be My Friend.” (Figure 17)

April 9th, 2020: She tells me her friend Jordan supports me coming to SLC. (Figure 18)

April 10th, 2020: She tells me her friend Joel supports me coming to SLC. (Figure 19)

April 12th, 2020: She tells me her family supports me coming to SLC. I jokingly ask her if her family knows I’m a psychopath, and she says her son knows. (Figure 20)

April 14th, 2020: She sends me a long text saying “You have made me care very deeply about you.” (Figure 21)

April 17th, 2020: She helps me draft my response to the Darrell Day incident report and then says “ *Sending virtual hugs (and sympathetic rage).*” (Figure 22)

April 20th, 2020: She talks about ordering a desk so we would both have workspaces and shows me that she has emptied closet space for me. (Figure 23)

April 22nd, 2020: She sends a romantic text, saying she is looking forward to me being there. (Figure 24)

## Exhibit 5

*April 24th to May 29th, 2020: Lola and I live together in her apartment in SLC.*

*May 30th to June 15th, 2020: After a two day drive from SLC to Seattle together, Lola and I live together in my apartment in Seattle. We stopped dating on June 15th.*

*June 15th to July 23rd, 2020: Each of us living in our separate homes but continuing to be on good terms.*

June 29th, 2020: She texts me about how she was using coffee beans that I had bought her as a gift in Seattle. (Figure 25)

July 2nd, 2020: She compliments me on a Scrabble stream on Twitch. (Figure 26)

July 24th, 2020: She emails me that she needs to make distance. I email her back respectfully and we cease all communication for nearly half a year. (Figure 27)

*October, 2020: I move from Seattle, Washington to Portland, Oregon.*

December 11th, 2020: On Mina Le's suggestion, I email Lola because of an upcoming play reading that we are both participating in. Lola writes back quickly, and we have a short and respectful email exchange in which she says it is not problem for us to be in the play reading group together, and that she will unblock me on Facebook, and that it is okay for me to email her if it's important. (Figure 28)

*December 26, 2020: Lola and I both participate in Mina Le's play reading.*

February 12th, 2021: Lola reinitiates contact by gifting me a subscription to Will Anderson's Twitch channel. I send a text thanking her and asking what it does. She explains, and then we have an extended catch-up conversation about our lives, in which she reveals she is living in Florida, while I am living in Portland, Oregon. She then invites me to watch her Scrabble livestream the following day. (Figure 29)

*February 13th, 2021: I watch Lola's Scrabble livestream for the only time ever.*

February 27th, 2021: Exchange of complimentary texts about second Mina Le play reading that we both attended. (Figure 29, at the end)

May 2nd, 2021: Last text to Lola, about possibly meeting in SLC during a business trip. (Figure 30)

August 4th, 2021: Conversation on her new Instagram account after she moved to Portland. (Figure 31)

## (E) Review of Evans Clinchy's Statement

Evans and Jennifer have been harassing me for six years and doing everything they can to write a false narrative that I have been harassing them. I will now review their statements, not only to demonstrate that their charges hold no water, but also to highlight all of the ways in which they are intentionally deceiving you in order to assassinate my character.

### Evans's point #1: He is not trying to ostracize me, FALSE

Before he levels any charges against me, Evans starts out by denying that he is attacking me and that he has been disparaging me for a long time. He is using the "black is white" rhetorical technique of saying the exact opposite of the truth. At the beginning of his statement he says

*"I understand that there's a narrative out there in the Scrabble community that I have somehow turned other players against David Koenig - that because of some deep-seated anger or hatred that I feel, I've led some sort of campaign of ostracism to keep him out of the Scrabble community. That narrative is false."*

He concludes his statement with the completely contradictory,

*"Respectfully, I am asking for his banishment for life from our community. I truly believe that is the only way to deal with this threat once and for all."*

He is literally saying, "I am not trying to ostracize David Koenig. I am trying to ostracize David Koenig!" And he hopes that he has thrown enough obfuscation and lies in between that you won't notice the blatant hypocrisy.

### Evans's point #2: He is ignoring me and not attacking my character, FALSE

He says *"I have tried very hard to avoid doing anything at all to antagonize DK."* Here is a list of documented and observed ways in which this is a lie:

(1) Many people in the 2017 New Orleans tournament room saw him jump up and down, pump his fist, and childishly shout "YES!" In the middle of the tournament room after he won a challenge against me.

(2) Well in advance of me moving to Seattle in April 2018, both Walker Willingham and Chris Grubb divulged to me that Evans had said hateful things about me and that he actively attempted to interfere with me getting together for casual Scrabble get-togethers with them. I

had been making business trips to Seattle and getting together to play Scrabble with them for years before Evans moved to the area. More detail is in the splenetic.net blog.

(3) In an email from June 18, 2018 Walker Willingham wrote to me: (Figure 32)

*I had a similar internal reaction when I overheard Evans talking to someone else in a public setting that you were "an awful, awful human being." It was especially jarring because it seemed out of character for Evans, and it sticks the listener in the uncomfortable position of wondering "is there really something that bad?" Evans' comment was worse because it was stated so publicly. It may have made me wonder what it was about you, but it certainly redounded poorly on Evans in my eyes.*

(4) Terry Kang told me in Edinburgh in 2019 that Evans had previously come up to her and specifically asked her not to mention my name in front of him. According to Terry, this was out of the blue. Apparently, Evans's hatred of me was so intense he couldn't even stand hearing my name.

(5) Shortly after I published the splenetic.net blog, Brian Bowman wrote in a comment on my Facebook wall dated July 16th, 2020: (Figure 33)

*And it pissed me off a little to see Jennifer claim that Dave was "actively disparaging" her and hurting her reputation when I knew that Evans at least had been doing that to Dave for years.*

(6) In another comment dated Thursday July 16th, 2020, Winter also testified to firsthand knowledge that Jennifer and/or Evans were disparaging me. (Refuting Martin DeMello's statement. Figure 34.)

*Martin De Mello: in all the years that I've known Jen and Evans I have not heard them say a single thing against or even about Dave. and likewise I was around for the starting of coco and my perceptions align with Melissa's.*

*Winter: I know for a fact (because I was in the room where it happened) that Martin is mistaken (not in his experience, but his level of knowledge), and I have posted what happened on my own timeline earlier this year, so I'm not going to rehash it here.*

(7) In a comment dated Wednesday July 15th, 2020, Shelley Stevens also testified to firsthand knowledge that Jennifer and Evans were disparaging me: (Figure 35)

*Have you ever been in an uncomfortable situation with another person in your community that you KNOW FOR A FACT is badmouthing you to mutual friends and making things awkward?  
I have.*

*It sucks and at least he is owning up to his own part in all of it. Emotions sometimes drive people to do unstable things, but I can tell you that even as a tangential member of this community, I am personally sympathetic to what he's going through, mainly because I barely know [Jennifer and Evans] and I have heard them badmouth him and I knew there was some sort of issue after having like one dinner with them once.*

This entire list refers to behavior of Evans toward and about me in the three and a half year period from January 2017 to July 2020, before the publication of the splenetic.net blog.

From my interactions with many other people in the Scrabble community, I have intuited that Evans has disparaged me many more times than I have observed. The list above is simply the cases that I observed for myself or got testimony from others about.

### **Evans's point #3: In his mind, I am a man who abuses women, PURELY AD HOMINEM ATTACK WITH NO SUBSTANCE**

Evans makes an unsubstantiated claim that I abuse women and a meaningless comparison of me to Sam Kantimathi. The only connection between us that he makes is that he has zero respect for either of us. There is nothing of substance about me in this entire paragraph, and all he is doing is trying to drum up hatred for me. It's not even worth responding to.

### **Evans's point #4: I attempted to register for a "house tournament", FALSE, IT WAS A FULLY RATED NASPA TOURNAMENT**

On what grounds does Evans criticize me for signing up for what he calls a "house tournament" (the 2019 Hood River tournament, for which I sent him an entry fee in September 2018) even though it was a NASPA rated event featuring a number of the best tournament Scrabble players in the country when all of the following are true?

- (1) Neither he nor Jennifer had ever been willing to speak to me about what their grievances were with me.
- (2) I had already behaved civilly to them for a period of 21 months after the 2017 New Orleans tournament, even in the face of disgusting behavior by Evans toward me and behind my back.
- (3) I had not even attempted to enter nor contact them about any of the many tournaments they had run in that nearly two year period beforehand, and I had made no complaints to them or anyone else about the ways in which they were breaking NASPA rules to make the registration lists exclusive to their friends.
- (4) I made no complaints when they denied my entry and simply sent a goodwill apology with no expectation of a response. (Figure 37)
- (5) I never attempted to enter a tournament of theirs again.

Furthermore, as I revealed in the splenetic.net blog, my intention all along in sending in an entry fee was not to attend the tournament, but rather to open up a line of communication so that

Evans and Jennifer could address their grievances with me. This was demonstrated by the first draft of the apology email, which I sent to Chris Lipe and Jeremy Cahnmann, which included these lines: (Figure 38)

*I don't even really care about whether I go to this tournament or not; what is much more important is resolving the tension in this situation...*

*I signed up for this tournament, not out of any desire to make life difficult for the two of you, but simply because it is what I would have done if you two were not behaving the way you were, and I thought it might provide an opportunity for you to actually address your problems with me. I am glad that you have done so.*

## Evans's point #5: I used Steve Pellinen as an intermediary to threaten to go public with grievances, FALSE

First, Evans and Jennifer are attempting to be political leaders and tournament organizers within our Scrabble tournament community. There is absolutely nothing wrong with making public statements that criticize them for their political record, which is the only thing I criticized them for in the blog.

Second, it's not even true that I used Steve Pellinen as an intermediary. Steve misunderstood what I said to him, and I had no desire for him to pass anything I said back to Evans. At the time I talked to Steve, I had barely started writing what was then only a first draft of my story for my own therapeutic purposes, and I had made no decisions to publish anything.

In the beginning, my primary motivation for telling the story to others was to win back people who had been mutual friends of mine and of Evans and Jennifer, and I could have much more effectively done that by sending the story only to a select group of those friends.

I only became convinced that the story needed to be made public when Evans and Jennifer split off from NASPA at the end of 2019. I did so for two reasons, both entirely political: (1) to curtail the growth of their organization and the undermining of NASPA and (2) because of the way they corrupted the team USA selection process for their Virtual World Cup.

## Evans's point #6: My splenetic.net blog was a rant filled with distortions and lies about him, PURELY OPINION

I told the entire story in a responsible way that was as charitable to Evans and Jennifer as I could be. I criticized them only on political grounds, and I believe that it was in the best interest of the entire international Scrabble community that I made the story public. By creating a renegade organization, Evans and Jennifer evaded the oversight and disciplinary processes of NASPA and created a situation where individual Scrabble players needed to make informed



choices about what organizations to support. I was a whistleblower, exposing the way they broke NASPA rules for literally 100% of the tournaments they ran, in ways that excluded me (and some others) and which unlevelled the playing field.

Furthermore, as far as I can see, everything I speculated about Evans's and Jennifer's opinions and motivations was completely accurate. Everything they have done in the two years since that time, including the submission of this character-assassination and admitted attempt to ostracize me, posing as an incident report, is completely consistent with the story that I have told.

## Evans's point #7 (insinuated): I played in an online Woogles club directed by him and Jennifer, FALSE

When I played at the online Woogles club run by their organization from January to February 2021, neither Evans nor Jennifer were directors of the club. The only directors were Peter Armstrong, Becky Dyer, and Geoff Thevenot. This is corroborated by the email that Brian Bowman wrote to me on March 4th, 2021, in response to me telling him about the banning. (Figure 2, at the end)

Look closely at Evans's words in this bullet point. It is obvious that he is intentionally trying to mislead you without telling an outright lie. He says, "*he tried to play in our online Scrabble club, even though he knows he is not welcome to play Scrabble events that we direct. Three other co-directors of that club (not Jennifer or myself)*" to attempt to get you to jump to a false conclusion that he and Jennifer were directing the club at the time.

Evans's and Jennifer's March 2020 decision to allow me to play only in events directed by other people in their organization was arbitrary, vindictive, and bullying. It was also a completely premeditated attempt to exclude me, since I had never attempted to nor indicated any interest in playing in anything run by their organization. Even if you could somehow make the case that it was a reasonable decision, it was also completely unprofessional to tell this decision to my personal friends Mina Le and Cesar del Solar rather than telling it to me directly.

Furthermore, regardless of how unprofessional and vindictive they were, I was nothing but professional and respectful in response. I followed their unreasonable demands to the letter, only playing in an online club which was not directed by them, and my behavior in those club sessions was impeccable, as Cesar del Solar, head developer of the Woogles platform, attested to in his email response to me telling him about the ban. (Figure 2) When the directors sent me their letter banning me and insinuating that I was a harasser, with no explanation or justification for their ban and no recourse to appeal, I made zero response and never returned to the club.

The directors Peter Armstrong, Becky Dyer, and Geoff Thevenot were fine with me playing in the club for several weeks, and seemingly the only thing that happened in between that might have influenced their change in policy was me making one relevant comment in response to a director's question that might have drawn attention to the fact that Evans was blocking me on the website.

## Exhibit 5

This follows a clear pattern. As far as I can see, the thing that Evans hates most from me is me holding him accountable for the bad and hateful things that he has actually done. As I mentioned in the splenetic.net blog, this started a decade ago when I revealed in a Facebook argument that he had made anonymous bullying messages on Jason Idalski's LiveJournal and had allowed other people in the Scrabble community to think that they were from me. He also hates the splenetic.net blog because it exposes the corrupt and unethical behavior that he did as a tournament director and organizer, as well as his vindictive and bullying behavior toward me. And he literally started his statement in this incident report trying to deny that he has behaved angrily and hatefully toward me, despite a preponderance of evidence showing that this is a lie.

## Evans's point #8: I have homicidal intent toward him, FALSE

I don't blame Evans for this one. I believe him and Jennifer that Lola painted the story of our past relationship to convince them that I had violent intentions toward Evans and toward other Scrabble players. I have already addressed all of the ways in which Lola's statement is a lie.

Furthermore, as he and Jennifer admit themselves, the first time they had ever gotten the false idea into their heads that I was at any kind of risk of violence was in 2022. So how does that explain or justify their unethical and bullying behavior toward me for the past six years?

The rest of Evans's statement is simply an attempt to weave the lies that he has already told into convincing you more to hate me.

My Facebook argument with Darrell Day is not only utterly irrelevant to him, Jennifer, or anyone else in the Scrabble community. It has also already been reviewed by NASPA, who have already come to a disciplinary decision about it. The only reason for including it is, again, to drum up more hatred for me.

## (F) Review of Jennifer Clinchy's Statement

Jennifer alleges that she has submitted something to the police. I have heard nothing from law enforcement in the several months since I received this incident report. If there was a police investigation into me, the law would require me to be notified. This means that either Jennifer is lying about submitting something to the police, or that the police considered her submission to have no legal merit.

A great deal of what Jennifer says is completely outside the bounds of what a Scrabble organization should be having any sort of hearing on. How good or bad a boyfriend I was is irrelevant and not the business of anyone reading this statement. Her entire reason for making this statement is a character assassination. Everything she says about me is false. Frankly, I value my good name as a human being and being a good partner in relationships more than I

value ever being able to play in a Scrabble tournament again, and I believe that people who submit disgustingly dishonest and bullying testimony like this in a naked attempt to destroy another person's life must be held accountable. Therefore, I will address all of it.

## Part 1 of Jennifer's Statement

I have zero memory of any kind of sexual coercion episode such as what she describes. Not only that, but to my knowledge she never said anything about such an episode to me nor to anyone else while we were dating or in any of the years since that time. As far as I can tell, she fabricated this story in April 2022, six years after we had any sort of relationship.

I understand that reading Lola's false testimony in early 2022 might have put enough of a scare into Jennifer that she felt she had to lie in order to expel me from Scrabble, but her behavior even in the years between 2017 and 2021 is completely inconsistent with it. There were several years during which Jennifer seemed to have no problem with me at all, and all of the hatred I received was from Evans. She literally told Judy Romann in the restroom at a casual Scrabble get-together that she did not have a problem playing at Scrabble get-togethers with me and only Evans did. The last time we played Scrabble, at the May 2018 Portland one-day tournament, we had a friendly conversation and laughed a bit after the game. And the last time we were ever in the same place, on July 17, 2018 at Chris Lipe's wedding in Aruba, she walked across the beach to me and attempted to start a conversation with me, which I was uncomfortable with. Does any of this sound like the behavior of someone from whom I coerced sex?

Furthermore, why is this story coming out now? Since 2017, Jennifer and Evans have been doing many unethical things within the Scrabble community to undermine fair and equal access to tournament registrations in a premeditated and unnecessary attempt to keep me out of their events. If this story was not a brand new concoction in 2022, why would she not have said anything about it sooner?

## Part 2 of Jennifer's Statement

*"I attempted to end my informal relationship with Dave on at least five occasions, the last attempt being in person in September 2016,"* is a blatant misrepresentation of our history. We played the makeup/breakup game over the period of two years, and we both alternated being the one who tried to get the other one back. In the summer and early fall of 2016, she was more often the one chasing me. She sent me a birthday gift in the mail in October 2016 with a sweet note that was an obvious attempt to stay emotionally connected to me, even though we had barely seen each other in the second half of the year. Looking back at our text message history, she also started text conversations with me on October 2nd, 8th, 15th, 16th, 18th, 29th, and 31st, including asking me to get together to play Scrabble on the 18th, which I did not do. (Figure 36)

I have already been over the emails and text messages leading up to 2017 New Orleans. My intention was getting the peace of mind I needed in order to play Scrabble well at the event. I understand that Jennifer was scared by my words, and I have accepted accountability for that.

Regarding the “speech,”<sup>11</sup> I never delivered nor attempted to deliver it to her. I shared it in the blog as contemporaneous evidence of my thoughts, specifically to show that I have had no interest in being in her life or her being in mine, and that I’ve been completely consistent on that since 2017.

Literally everything else in part 2 of her statement, starting from “When I did face Dave in January 2017...” is a story about what was going on in her head, not about anything that I did. The communications that I made to Jennifer prior to the New Orleans tournament, upsetting as they admittedly were, ceased on January 5th, 2017, more than a week before the tournament. By the time I saw her at the tournament I was calm, and I did not misbehave in any way in the tournament room. I also got to a mental place where I did not need to say anything about the situation across the board, and I did not.

I explained in the splenetic.net blog<sup>12</sup> that my move to Seattle had nothing to do with Jennifer and Evans. (emphasis added)

*Around the New Year, I learned about an opportunity on a different team at my company that was a good match for my interests and skills and had virtually no on-call responsibility. This team was located at my company’s headquarters in Seattle.*

*I had been working at this company for four years—longer than I had known Jennifer—and I had already made many business trips to Seattle. I liked the city. I had organized Scrabble get-togethers with the handful of players in the area who played CSW.*

*I was also tired of working in our office in suburban Northern Virginia that kept me too far out of Washington DC for so much of the time. As I talked about in the previous part, most of my opportunities to play CSW Scrabble around DC had evaporated over the last two years.*

*As soon as the possibility of the Seattle job arose, I immediately knew there could be some problems. Tacoma and Seattle aren’t right next to each other. They’re like DC and Baltimore. But the CSW Scrabble scene is small. If I lived there, I was sure to cross paths with Jennifer and Evans, and we would want to play with the same players and at the same events. Furthermore, Jennifer and Evans were quickly filling a vacuum and starting to become the preeminent CSW organizers in the area, not just with the Hood River event but also a number of one-day tournaments.*

...

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<sup>11</sup> <https://splenetic.net/the-crucible/#figure5>

<sup>12</sup> <https://splenetic.net/the-fallout/>

*Shortly after the [2018 New Orleans] tournament, I interviewed with several people on the team in Seattle, and it became clear that it was a good career fit. They wanted to work with me, and I wanted to work with them. **Everything in my life suggested that this was a good direction to go in, except for the situation with Evans and Jennifer. In the end I decided I wasn't going to let their behavior get in the way of making the right decision for me.***

Furthermore, Jennifer has surely already read this on the blog and knows it to be true. I made many business trips to Seattle while we were dating in 2015 and 2016, and I had told her that I might move there eventually. The reason she writes about my move to Seattle is because she wants to paint a false story in the minds of the readers that I am a stalker, and in particular because she wants to lead the reader into the false insinuation that I stalked Lola to Portland, which she does in the final paragraph of this part.

I moved to Portland in October 2020, long before Lola did. Screenshots from the text conversation Lola and I had in February 2021 corroborate that I was already living in Portland and she was living in Florida, with intentions of becoming a digital nomad over the next year. (Figure 29)

Months before I made my move from Virginia to Seattle in spring 2018, I made a Facebook post mentioning that I would be moving there. Jeremy Cahnmann later admitted to me that when he saw my post, he immediately took a screenshot and forwarded it to Evans. This in turn led to the bullying behavior of Evans and Jennifer toward the other Seattle-area CSW players to try to preemptively ban me from casual Scrabble get-togethers well in advance of me moving to the area.<sup>13</sup>

These people have had an obsessive paranoid delusion of me as a stalker for years (or at least are interested in writing that story) and have, along with their friends, been tracking my moves on social media and reading their own story into it. When I moved to Portland at the end of October 2020, I am sure that Evans and Jennifer knew about it very quickly, considering how many other Scrabble players they talk to regularly follow me on social media, including several who live in Portland: Peter Armstrong, Conrad Bassett-Bouchard, and Dave Wiegand.

There is no doubt in my mind that Jennifer knew that I moved to Portland before Lola did, but she intentionally equivocates about dates with the sentence *"In 2020 or 2021, Dave moved to Portland, OR, where Lola also lives,"* to try to get the reader to jump to a false conclusion that I followed Lola to Portland.

*We now have specific sentences in both Evans's and Jennifer's accounts which were **intentionally** written to mislead readers and cause them to believe false things about me.*

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<sup>13</sup> <https://splenetic.net/the-fallout/#figure7> is from my relevant conversation with Chris Grubb. There is also more detail in the blog about my discussions with Walker Willingham about this.

Jennifer's stories about therapy and her home security system are not about anything I did. They are about the false mental story she has written about me and the extreme reactions she has had (or wants you to think she has had) to her own narcissism.

How about the fact that ever since January 5th, 2017, my only communications with her were cc-ing both her and Evans on informational emails about Seattle area Scrabble get-togethers? Even when I signed up for the 2019 Hood River tournament in September 2018, I only sent my registration email to Evans, not her. She emailed me in response, copying him, and the only personal communication I have ever made to her in the last six years was my brief apology email on September 17, 2018 **in response to her email**. (Figure 37) It is simply untrue that I have been stalking Jennifer in any way, shape, or form, no matter how much she lies to write that story.

### Part 3 of Jennifer's Statement

As I said in the response to Evans's statement, I believe Jennifer and Evans that Lola depicted things in this way to them, but her depiction was false. I do not blame Jennifer or Evans for the disinformation that Lola fed them.

Furthermore, what I may or may not have said while venting privately to a romantic partner in our shared domicile does not constitute a threat to do anything. Lola grossly distorted our relationship and interactions in her testimony. Even then it is only a distorted depiction of where my mind was at more than two years ago. **Lola has been out of my life since mid-2020, and Evans and Jennifer have been out of my life since late 2016. None of them are in a position to make any kind of judgments about where my mind is at or has been at for the last two years.** But what they have done for the last several years is (a) gossiped with each other and a number of their other friends who do not like me, (b) taken every tiny snippet of conversation or thing they have observed from a distance, and (c) tried to build it into a duplicitous account of me as stalking them, while I have been ignoring them.

### Part 4 of Jennifer's Statement

The Darrel Day situation is irrelevant to this story. It has already been heard by NASPA. A disciplinary decision was already reached. Their only reason for including it is to further poison your minds about me.

### Part 5 of Jennifer's Statement

Regarding part (b), there is only one quote in this section that I communicated to Jennifer. It is precisely what I apologized to her for. (Figure 37)


Everything else she says in part (b) is solely about trying to read my state of mind, not about my actions. The only thing she is accusing me of here is thoughtcrime. That is not harassment.

Regarding the alleged invasion of Jennifer's privacy in part (a), she and Evans have decided to be leaders in our Scrabble community, both by running tournaments and by leading an association. As such, it is completely within the bounds of propriety for Scrabble players to hold them publicly accountable for their actions which affect the world of Scrabble politics, which includes registrations systems for tournaments and equal access for tournament players both to play in events and to have the opportunities to qualify for international events such as the Alchemist Cup. When Jennifer and Evans use their personal grudge against me and their twisted interpretations of our personal history as grounds for keeping me out of tournaments, they choose to take a personal issue and turn it into a political one.

Especially when they separate from the official Scrabble associations and make a renegade association, they create a situation where it is in the public interest of the entire Scrabble world to know the facts of their political malfeasance so that players can make their best decisions.

If Jennifer and Evans chose to disband their organization and never run another Scrabble tournament, I would gladly put all of this behind me, take down the blog, and never speak of it again. But I love Scrabble, and I want the tournament world to be fair and to ensure that neither I—nor any other Scrabble player in the future—suffers the kind of vindictive and bullying treatment they have been dishing out. I will continue into perpetuity to hold them accountable for all of their political actions which disadvantage me in the Scrabble world, and that is 100% a good act of whistleblowing.

Figure 1: Facebook post by Mina Le on July 16, 2020 summarizing Evans's and Jennifer's unethical behavior while creating their renegade organization and organizing the Virtual World Cup.



**Mina Le**

1h · 🌐

⋮

Here's my distillation of my friend [Dave Koenig's posts \(splenetic.net/the-crucible](https://splenetic.net/the-crucible) and [splenetic.net/the-fallout](https://splenetic.net/the-fallout)), along with my responses to the criticisms:

There was a messy breakup, with bad behavior on both sides. Evidence is presented so that you know he's not a monster. No, it's not ideal to publish private communications, but he could see no other way to clear his name, and truly intimate details about the other party have been omitted. No, he's not still hung up on the events of 2016-17; he's just going into this level of detail in order to set the record straight.

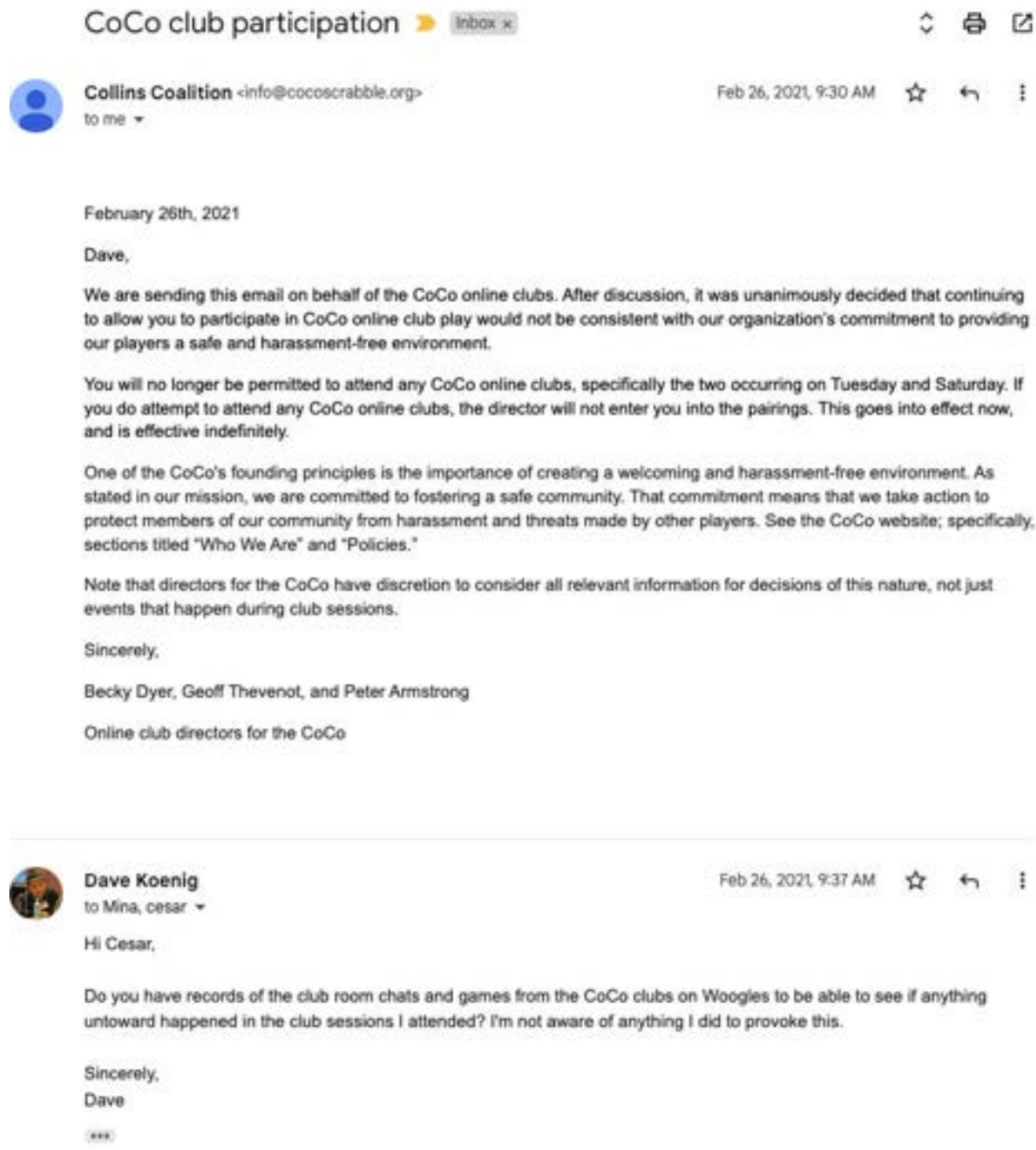
Now that we've established in Part I that Dave is not a monster, we get to the meat of this story in Part II, namely that Dave has paid disproportionate social consequences in the Scrabble world as though he \*were\* some kind of monster. \*It is because of these disproportionate social consequences that he wrote these essays, aimed at the Scrabble community.\*

CoCo has monopolized Collins Scrabble play in his part of the country, and they have crystallized a rule that he may not play unless neither Jenn nor Evans is organizing or directing. How could this rule possibly be justified? We know, from reading Part II, that Jenn is no longer afraid of Dave. If she can come up to him unbidden at the cocktail hour for a mutual friend's wedding, when she could have just remained on the other side of the beach, then she can tolerate him at a tournament. It is also evident, from reading Part II if from nothing else, that Dave would pose no plausible threat to Jenn or Evans at future tournaments. So the only reason for his express exclusion would be Evans' personal resentment. Is this reasonable? Do you like the premises of such a Scrabble organization?

Dave was excluded a priori (meaning, whether he would have liked to join or not) from CoCo's Virtual World Cup. This online tournament has been touted as a replacement for the Alchemist Cup. But Dave would have qualified to represent the U.S. at the Alchemist Cup. You can't argue with a straight face that he could possibly poison the atmosphere at an online tournament. Now do you want to support the Virtual World Cup?



Figure 2: Email banning me from playing in the online Woogles club run by Jennifer's and Evans's organization, and follow-up discussion with Cesar del Solar, Mina Le, and Brian Bowman. Included in this email chain is the entirety of an email that Becky Dyer sent to Mina Le in response to Mina questioning the ban.



**Mina Le**

Feb 26, 2021, 9:51 AM



to me, cesar ▾

This is completely batshit insane, Dave! I wonder if Woogles could inform CoCo that they are not allowed to use Woogles as a platform for discrimination against people they don't like. Will brainstorm other solutions...do you have ideas?

Mad on your behalf,

Mina

\*\*\*

**Dave Koenig**

Feb 26, 2021, 10:13 AM



to Mina, cesar ▾

I think the only member of the club I've even had any private messages with was Becky, and in my memory they have been totally benign, as has my chat in the club room and the games (the latter of which has been very little.) In the club room, I've just talked about Scrabble games and I have never addressed Jennifer or Evans. I played in just one game on a Saturday session (against Cesar!) the first time, and then I went back to I think just one more Saturday session, and neither Jennifer or Evans were even in attendance at those two.

This Tuesday was my first time ever playing in a Tuesday session, and I played eight of the ten games but had to step out for a couple of games in the middle. When the directors were figuring out pairings in the beginning, they said something about missing a player. I clicked on the button to see who was in the room, and I didn't see Evans listed there, but someone had said something earlier in the chat suggesting that he was there. So I said, "I don't see Evans. Is he blocking me?" That's literally the only thing I said about it. Someone else said that he was there. I didn't respond, never addressed it, and just played my games.

The group chats are public for anyone who goes to the club room anyway, though there's a limit to how far back you can scroll. I would be fine with openly publishing all of the CoCo club group chat during all of the time that I went to sessions as well as all of my chats with my opponents from every game I played in the club and all of my private chats with Becky (which I don't think included anything private or personal nor even anything about CoCo club) as well as the full contents of that email to the world.

As far as I can see, the case of me harassing anyone here is completely nonexistent, and I'd be happy to hold up a mirror so they and the rest of the world can see the full extent of their behavior.

Sincerely,

Dave

\*\*\*

----- Forwarded messages -----

from: **Mina Le**  
 to: **Becky Dyer**  
 bcc: [david](#)  
 date: **Feb 28, 2021, 11:33 AM**  
 subject: **Unjust exclusion**

Dear Becky,

I was aggrieved to learn that Dave Koenig has been banned from CoCo club in perpetuity, presumably because he and Jennifer Clinchy had a bad breakup and Evans continues to hold a grudge about it.

The circumstances that led to Dave being deemed a "harasser" have been publicly published. What is clear to readers of the full story is that his actions -- those of an angry, desperate, spurned off-and-on lover -- did not meet the legal definition of harassment. He does not deserve to be branded as one or treated as one.

I have trouble imagining how anyone could feel unsafe while sitting in the same online club room as Dave, where he could not so much as broach anyone's physical personal space or look at them askance. His behavior in CoCo club to date has also been spotless, and as his personal friend I can vouch for his character.

Won't it bring CoCo PR trouble, as well, when people learn that the directors are banning players simply because they personally dislike them?

Thank you for your consideration,

Mina

Hi Mina,

Thanks for your note. The discussion within our directors' group is considered confidential; therefore, I can't comment on it. It's interesting that you are taking it upon yourself to make assumptions about this matter. We understand that there are people who have already chosen to disparage our organization, and therefore are likely to continue to do so. I'm sorry that you feel that is a good use of your valuable time. I would respectfully ask you to consider whether there might be better activities to undertake.

Sincerely,

Becky

----- End forwarded messages -----

I have no desire to fight this, but I do think that what they did to me should be a matter of public record. I am still pondering how and when I am going to deal with it, but I wanted to loop you both in on the conversation sooner. I am just beginning to think about writing a part 3 of my Splenic blog in which I address this, though I'm thinking that I might be able to approach this with a much more humorous tone than my previous blog entries.

Mina and I were also pondering the idea of starting a Monday evening Collins Scrabble club on Woogles, and I proposed the name "Don't be a Dictionary" for the name of the club.

I'm curious to get your thoughts and insights into this, and I'd welcome a phone or video chat from either of you if you think it's worth it, or even a group one if we could schedule it. I do not want to get into a pissing contest with them, but I do want to have a place to play with other Collins Scrabble players, and I want other people to have a place to go if they do not want to support CoCo.

Sincerely,

Dave

**Dave Koenig**

to Mina, cesar ▾

Feb 26, 2021, 10:17 AM



I might be miscounting the sessions. I definitely played only one game against Cesar the first time I went to their club, but that might have been on a weeknight, and then I might have gone to two Saturday sessions. But this week was definitely my first time at a Tuesday session beyond just a one-off game against Cesar, and I don't think I've attended more than four in total. Not that any of this is salient, but I just didn't want to say anything inaccurate.

\*\*\*

**César Del Solar**

to me, Mina ▾

Feb 26, 2021, 1:25 PM



Hi Dave, we only have records of the last 100 chats in the club room (we can go further back a bit more in the backend but the chat is ephemeral) and game chats expire after a few days. I'm sure you have not done anything untoward at club, this whole thing is messed up - I really don't like this. In the email they specifically say "all relevant information" and not just events that happen during club, so I'm sure it's still from the grudge. I think we played one game on a Tuesday, yes, a few weeks ago, as part of the club, and it counted in the club standings (which are now scrubbed of your user id...). I'll bring up this situation to the team but I don't think we can force them to let you play in their club honestly. The large majority of people in that club are probably fine with playing you. I would honestly just try to start another club and continue playing in the other weekly clubs.

César

\*\*\*

**Dave Koenig**

to César, Mina ▾

Feb 26, 2021, 1:28 PM



I don't want to force them to let me play in their club. I don't want to play in their club specifically because they have done this. I just want everyone to know what they have done.

\*\*\*

**César Del Solar**

to me, Mina ▾

Feb 26, 2021, 1:31 PM



I agree - from my look at the chats there's nothing harassing you did.

\*\*\*



**Dave Koenig**

to mr , Brian, cesar, Mina ▾

Mar 2, 2021, 7:55 PM



Dear Marsha, Brian, Cesar, and Mina,

I'm pulling both Marsha and Brian into a conversation that I've already been having with Mina and Cesar, so let me catch you up on the story.

I've been playing online on a few different clubs on Woogles, mostly on Wednesdays at the Valley Virtual club and Thursdays at the Channel 275 club. CoCo is running a Woogles club on Saturdays during the day and Tuesday evenings. I stopped by near the end of a Tuesday session several weeks ago and played one game against Cesar. I believe that at least one of Jennifer or Evans might have been in attendance at that time, but I had no interaction with them. I just spoke up in the chat room about getting paired and that was all. It was a bit of an after the fact pairing as we were originally odd and then Cesar joined in so I could get a game, but they did include it on the standings on their website.

I then played in a couple of Sunday sessions for what I think was the full session. Neither Evans nor Jennifer were in attendance for those Sunday sessions. Last Tuesday for the first time I played most of a Tuesday session, though I did have to depart for a couple of games in the middle. I was chattier in the club chat room on these occasions, but all of my talk was very pleasant and just about Scrabble games. I never addressed Evans or Jennifer in any way. The only exception to this was that at the beginning of the Tuesday session, the director said something about there not being enough players. I clicked on the list to see who was in the room, and I did not see Evans's name there, but someone else in the room had shortly before said something about him playing. So I said, "I don't see Evans, is he blocking me?" That was it. I never addressed it again. One of the directors even followed up by saying that they didn't see Evans there either, and then some other people said that he was there. He played during the evening, and I could see his games in progress in the list, but I couldn't ever see him in the chat room. Jennifer wasn't even there at that point, though I believe she showed up to the club later. I reiterate, I had no interaction with either of them, and my one question was the only time I said anything pertinent to them. The rest of my chatter was just about Scrabble games.

On Friday I received the email I have forwarded below, banning me from CoCo's Woogles club. I'm embedding that email here and will continue my narrative after it.

----- Forwarded message -----  
 From: Collins Coalition <[info@cocoscrabble.org](mailto:info@cocoscrabble.org)>  
 Date: Fri, Feb 26, 2021 at 9:30 AM  
 Subject: CoCo club participation  
 To: Dave Koenig

\*\*\*

----- End Forwarded Message -----

After I received that email, I forwarded it to Mina and Cesar and had some conversation with them. Mina was incensed. At my request, Cesar looked back through all of the chat records he had from CoCo club, and he judged that I did absolutely nothing untoward or harassing in the club room.

Independently, Mina wrote an email to Becky Dyer, one of the Woogles tournament directors, and got a very nasty response. She has given me permission to share them with you.





Brian Bowman

Mar 4, 2021, 12:11 PM



to m [redacted] cesar, Mina, me ▾

Very disappointing. I was hoping that the detente of "Dave can play CoCo events as long as Evans or Jen are not directing" would hold, and neither are listed as directors on the Coco page (you might want to screenshot that). If they are going to formally ban you they should just do it instead of leaning on their friends to informally blackball you.

I would be glad to join a Collins club on Mondays, though I would strongly prefer a more neutral name.

Sent from my iPad

On Mar 2, 2021, at 10:55 PM, Dave Koenig [redacted] wrote:

xxx

Figure 3: Text from Kenny threatening violence on me based on false accusations in December 2014.

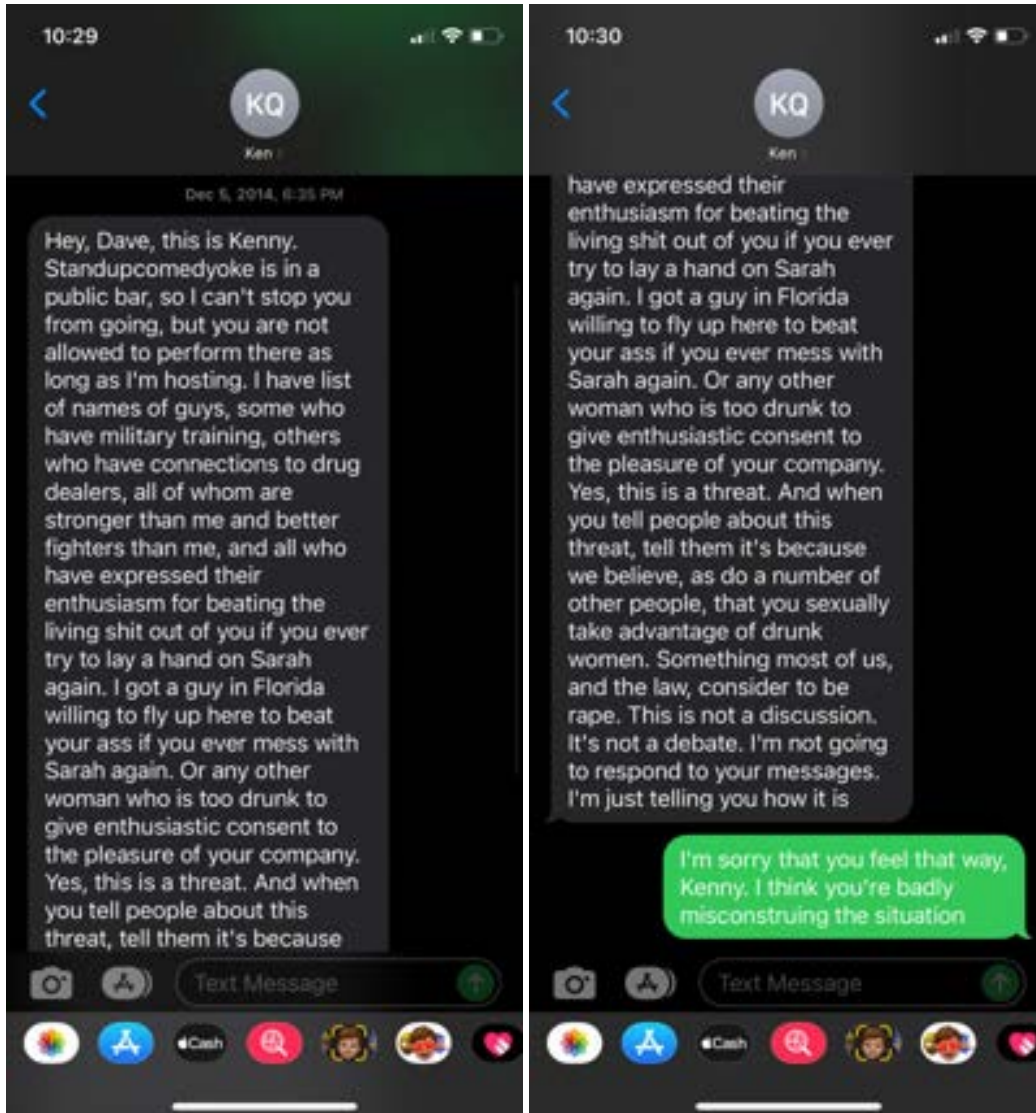
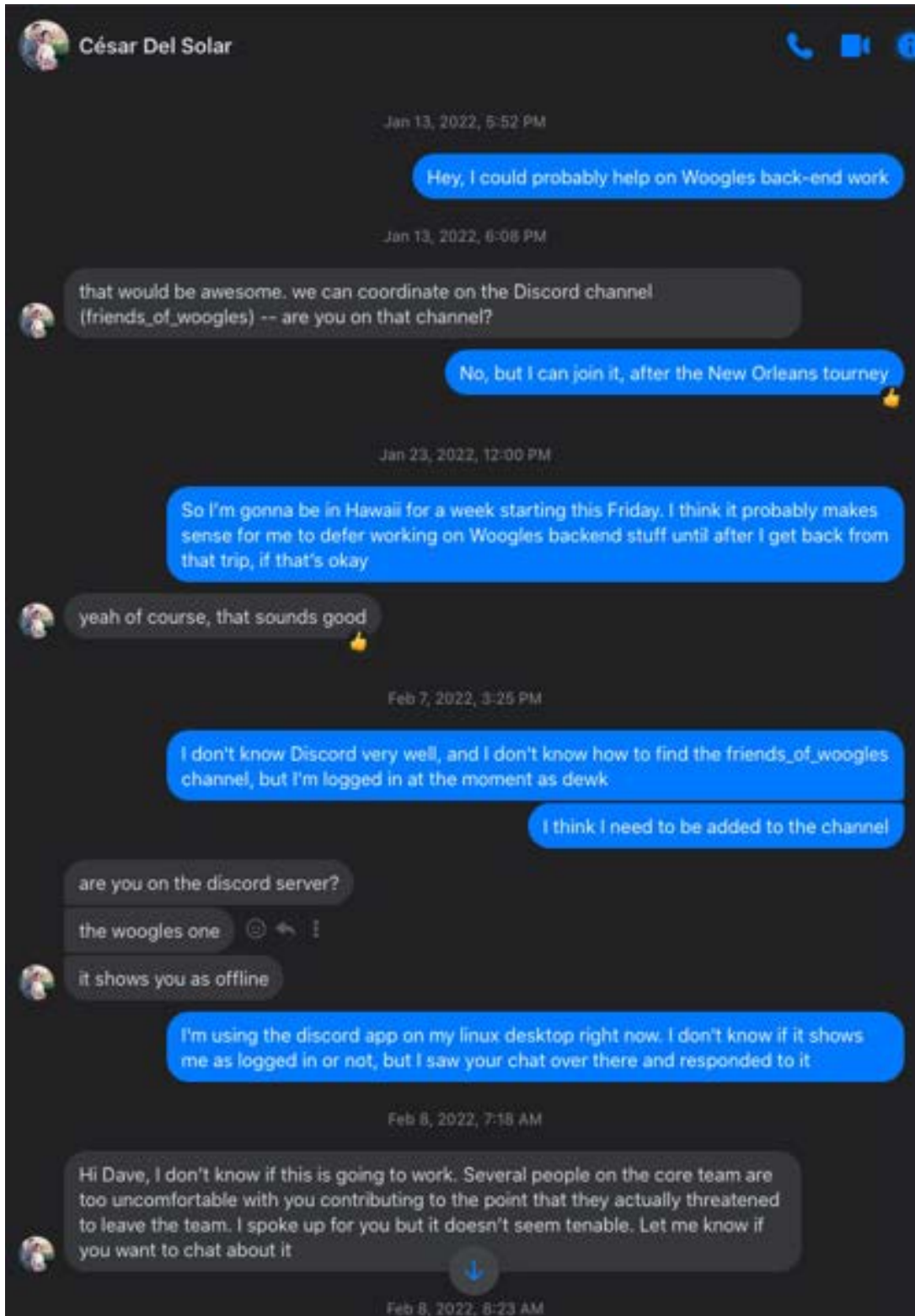


Figure 4: Immediately after receiving the text from Kenny, I forwarded it via email to Sarah, who wrote me this response. After this email, we followed up with a phone call in which she confirmed to me that she told Kenny that I did nothing to hurt her, but he said, "it didn't matter because he knew I did things to other women" though he never named another woman. He continued to spread false rumors in 2020, though I had no connection to him since 2014. These rumors were spread to Lola in late July or early August 2020, very shortly after she and I had agreed to "make distance."





Figure 5: Facebook conversation with Cesar about doing Woogles development work, which started a few days before the 2022 New Orleans Scrabble tournament.



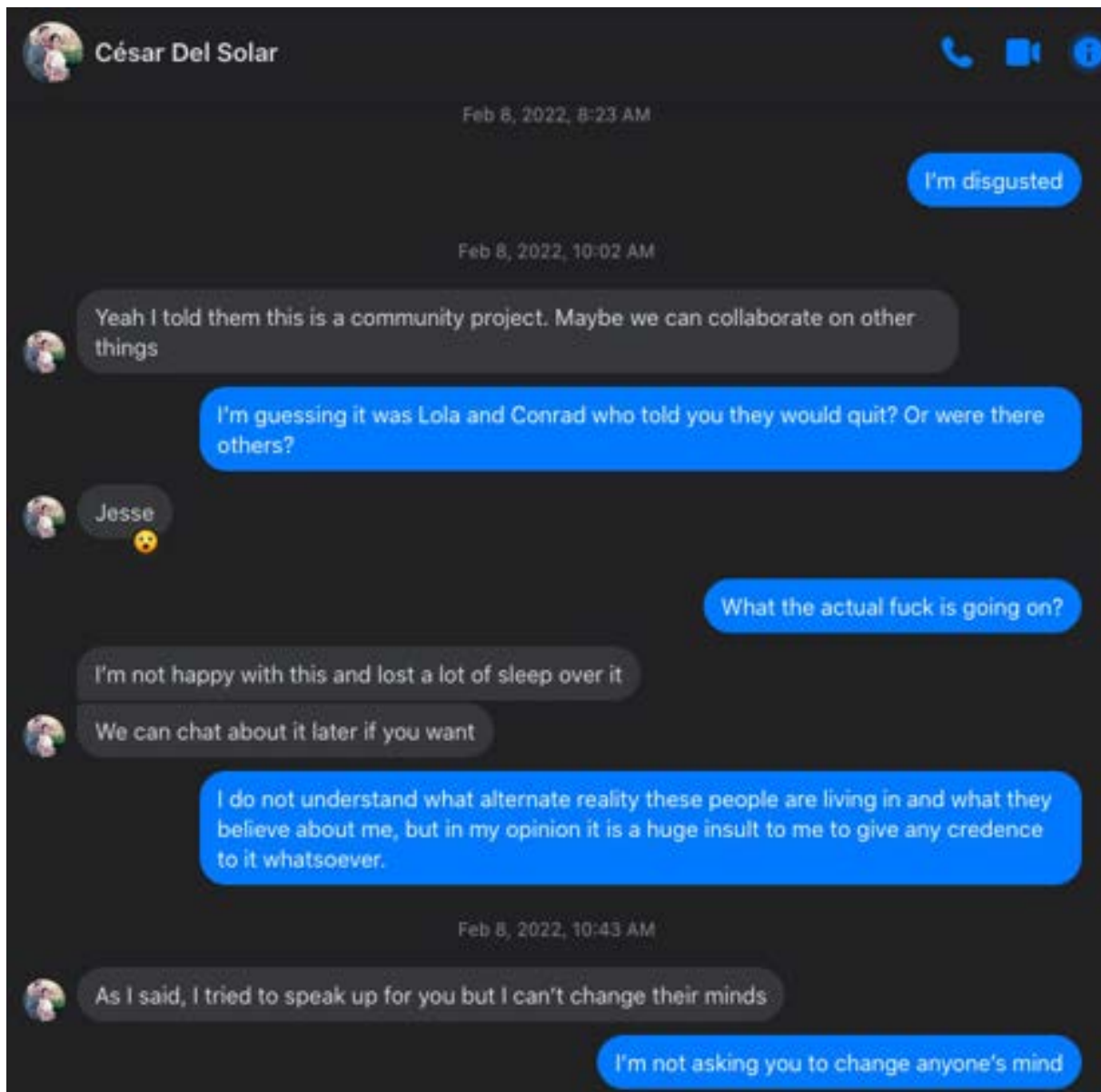
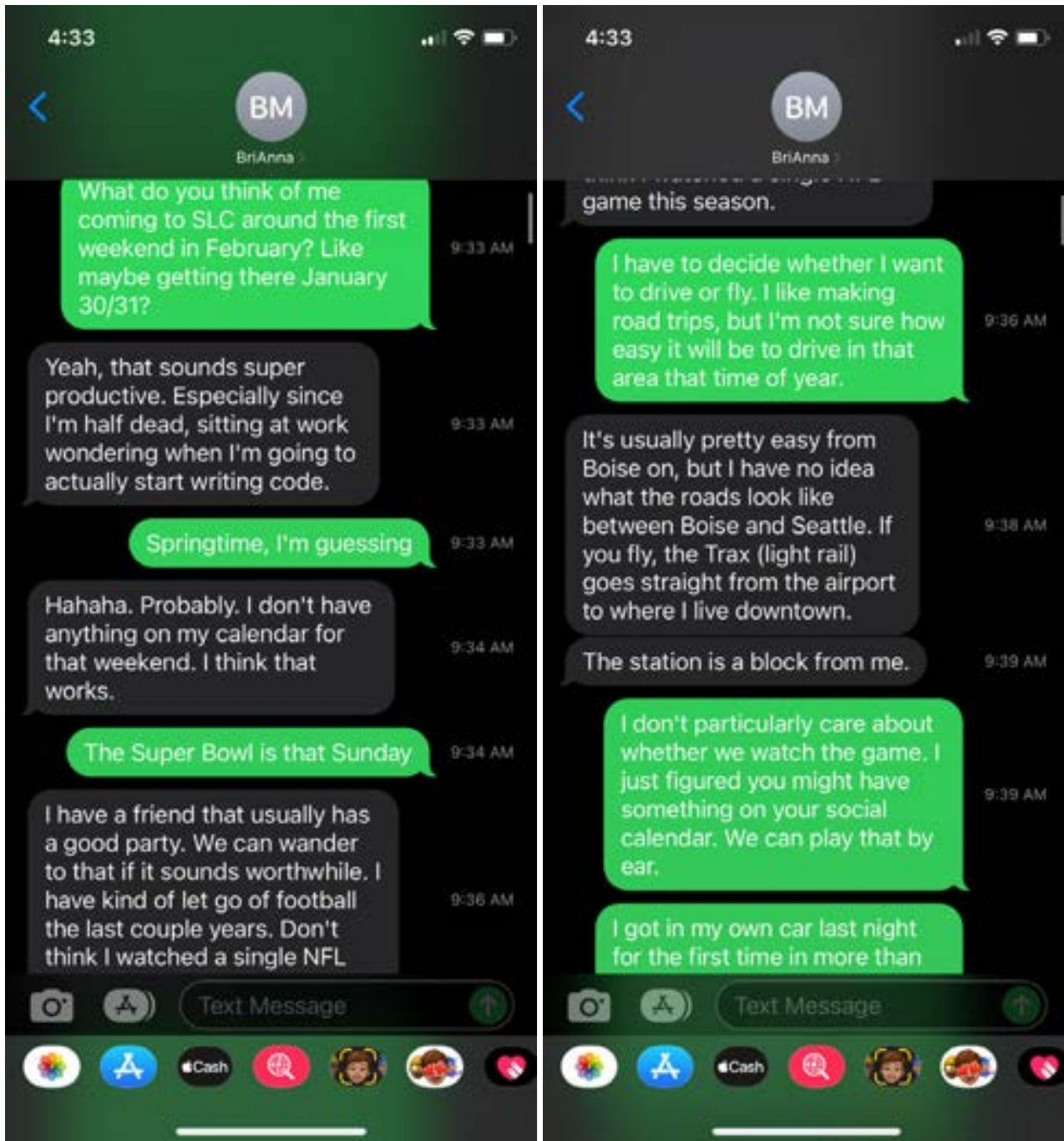


Figure 6: Text from December 11, 2019, first mention of possibility of me visiting in January, more than a month before I made the trip.



Figure 7: Texts from January 9th, 2020 showing planning of trip to SLC.

There was a bit of overlapping conversation because of rapid texting here. “Hahaha” is a response to my joke in the previous text, and “Probably. I don’t have...” is the response to my questions about visiting two texts earlier. (The text in the last couple of screenshots is not important, but including them was the only way I could get my phone to show the datestamp of these messages.)





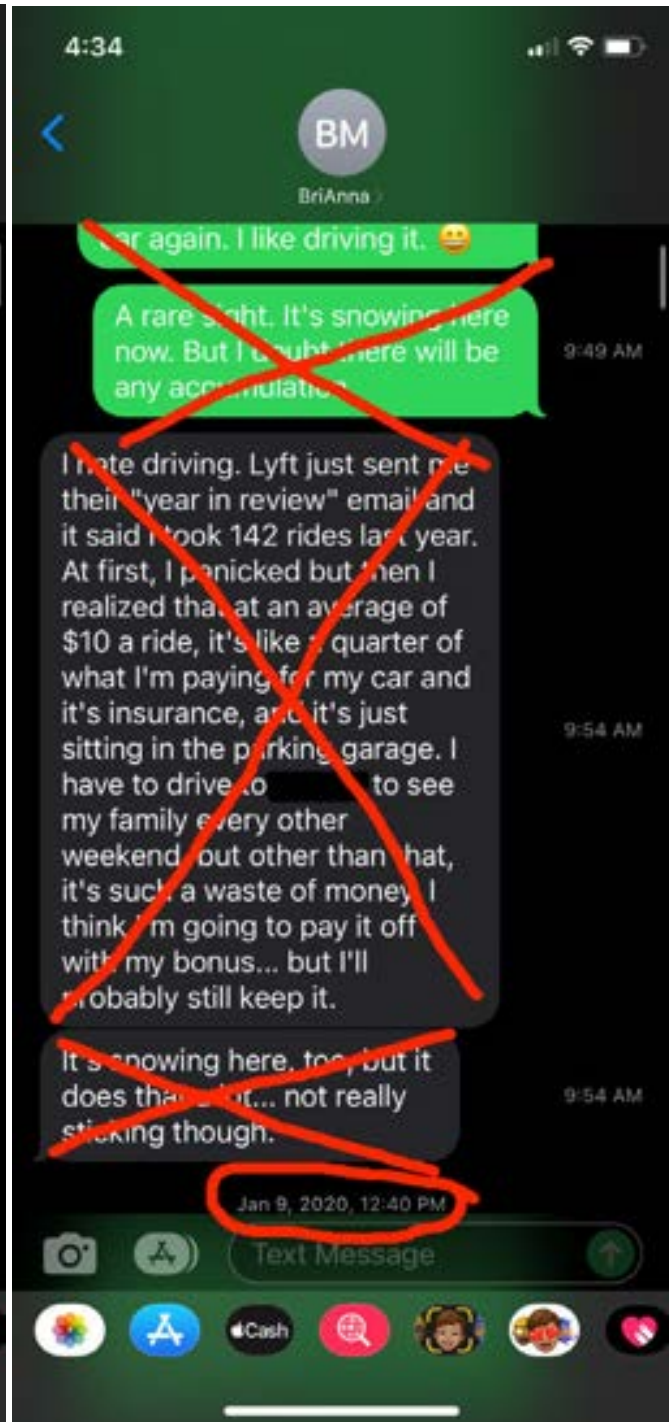


Figure 8: Texts from January 23rd &amp; 27th showing planning of trip.

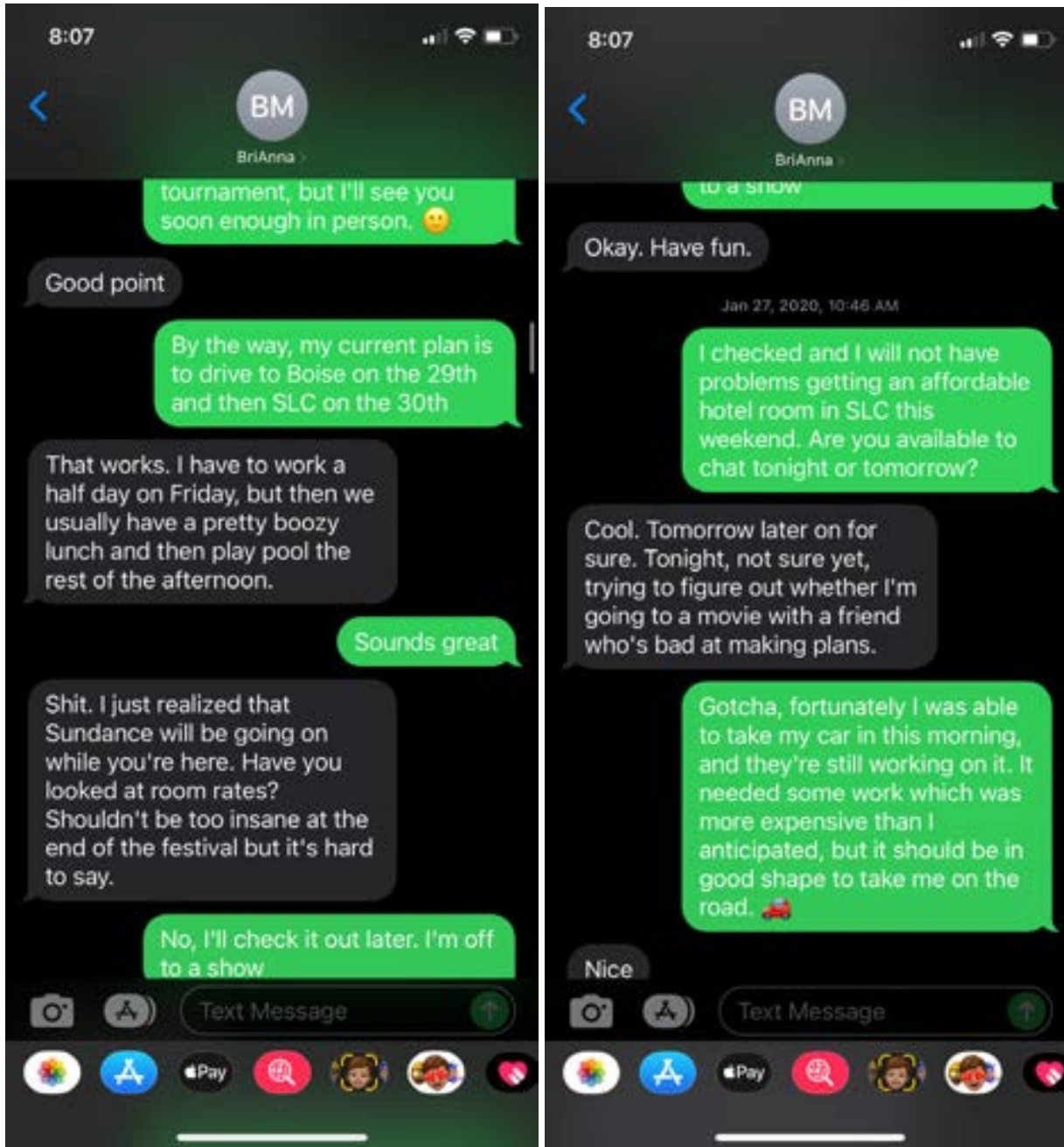


Figure 9: Texts from January 29th-January 30th showing her canceling trip for illness after I was already en route.

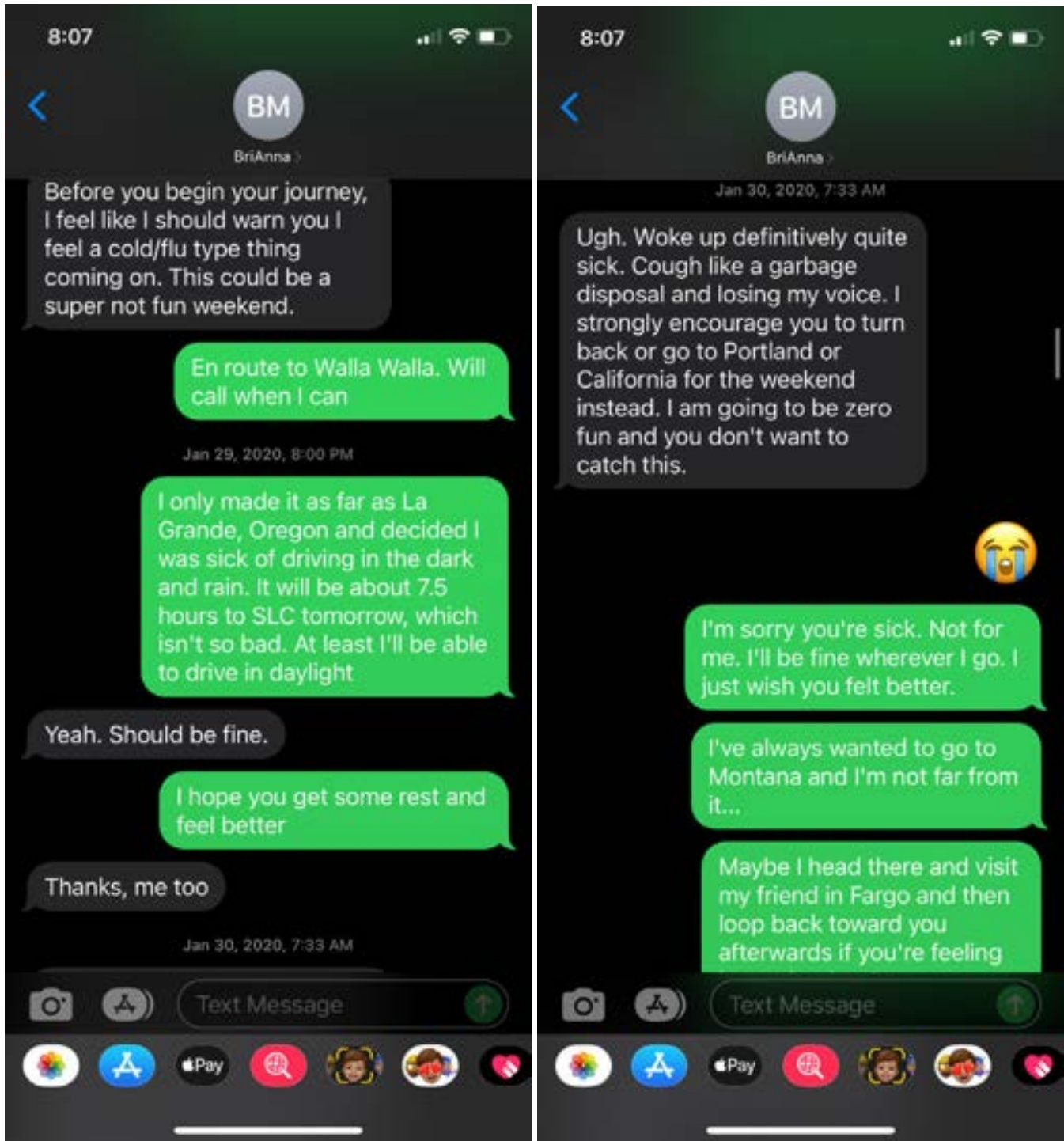




Figure 10: Texts from February 7th about making a trip elsewhere together after we had called off the January 30th SLC trip to illness.

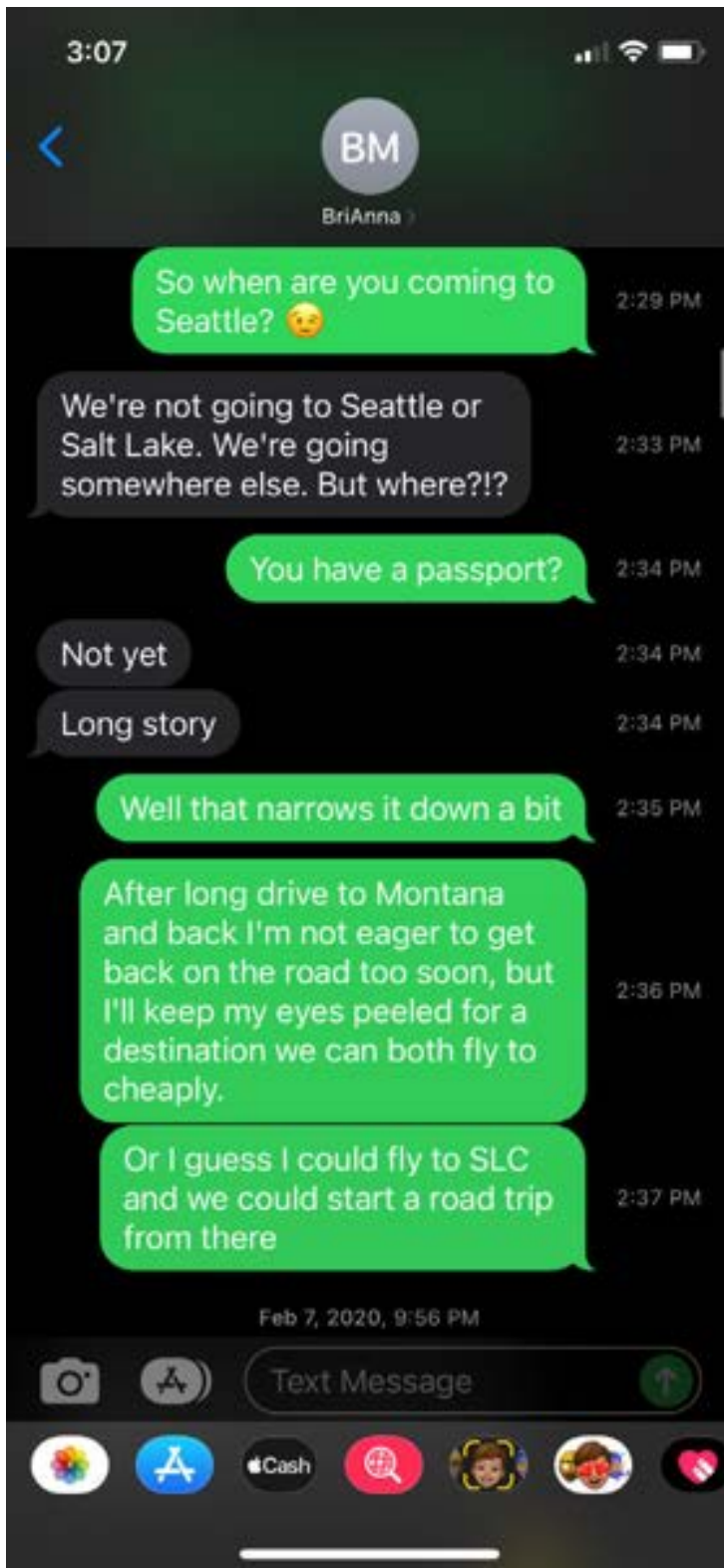




Figure 11: Texts from February 13, showing proposal of Puerto Rico trip.

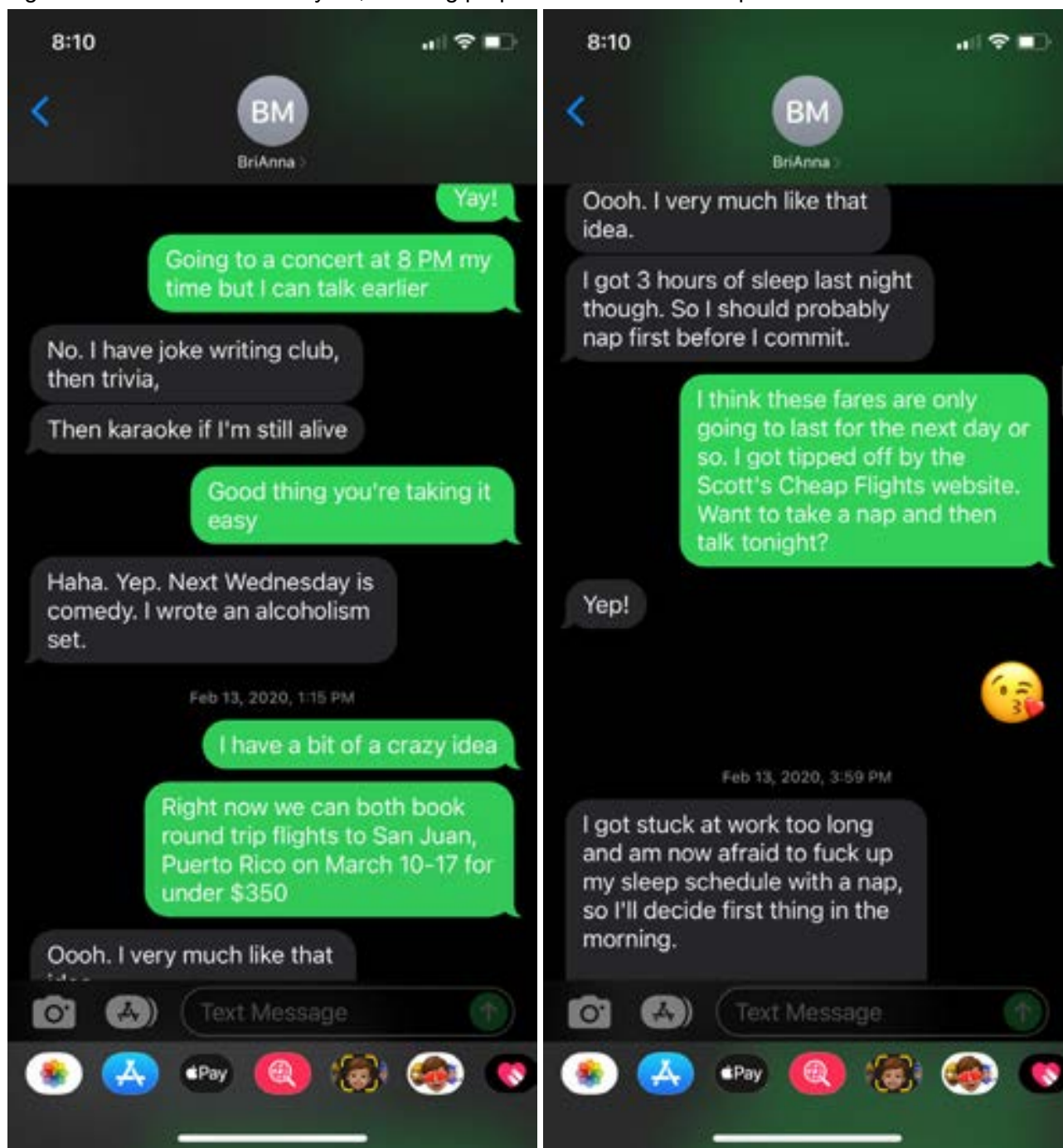


Figure 12: Texts from February 14th confirming Puerto Rico trip.

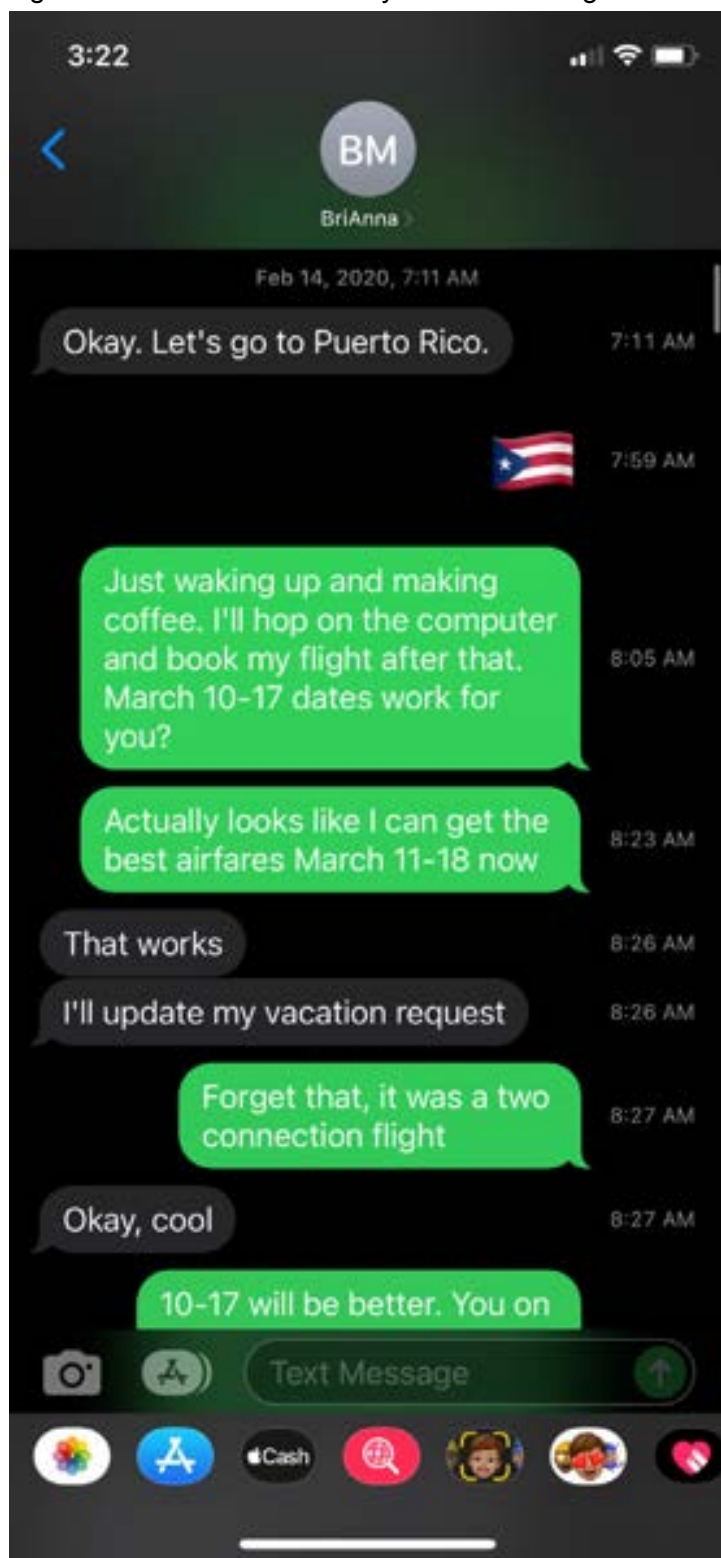


Figure 13: Texts from March 8th-9th, showing us planning our trip to Puerto Rico shortly before we left, which includes romantic emojis from both of us. She'd been using romantic emojis with me since February 20th.

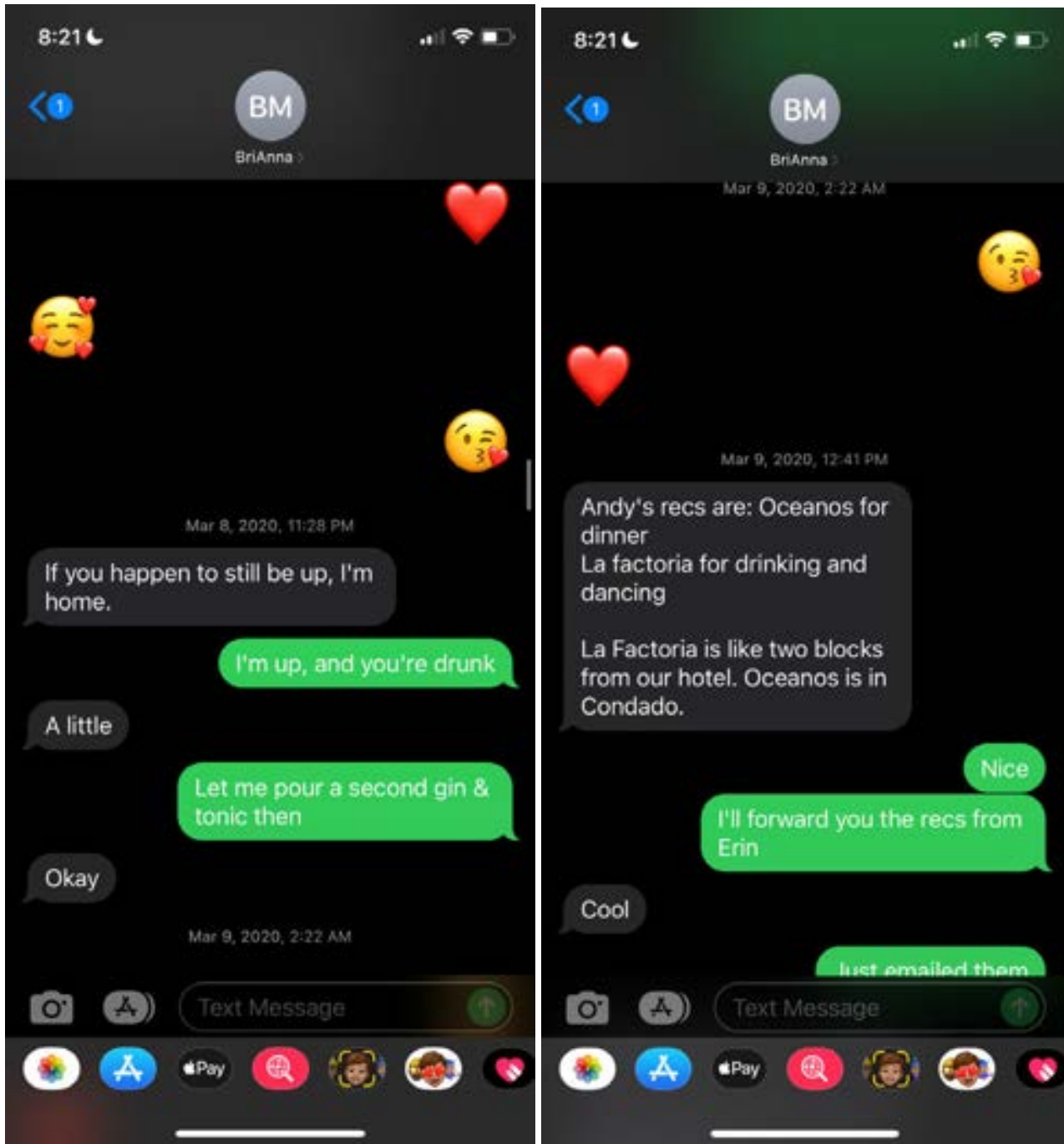


Figure 14: Texts from immediately after returning to our homes after Puerto Rico trip. The screenshot was about a COVID outbreak in her apartment building.

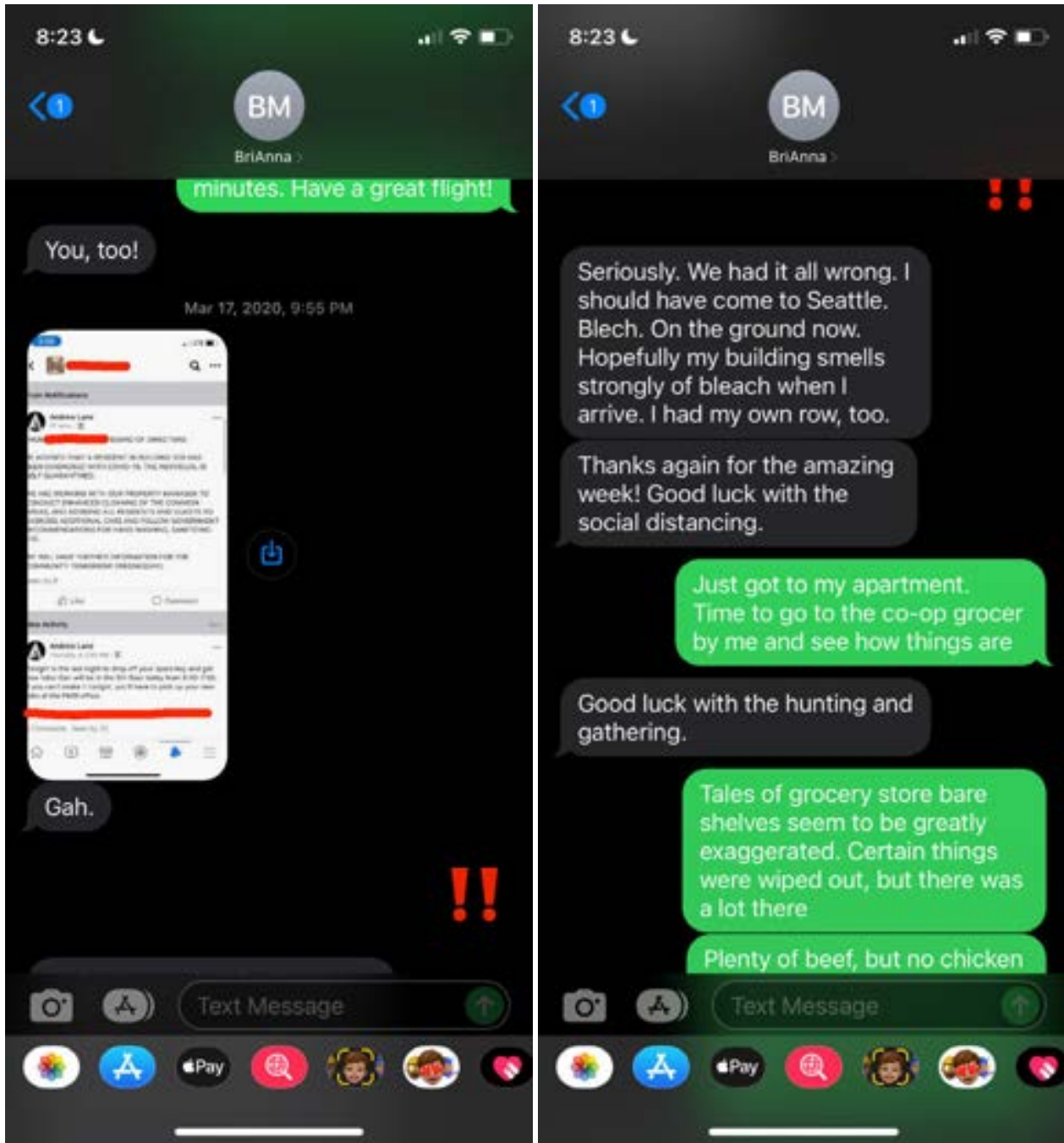




Figure 15: Texts from March 19th, two days after returning from Puerto Rico trip.



Figure 16: March 28th texts featuring us joking about my angry rants, while I was worried I had caught a cough that might have been COVID.

There is no context either in this screenshot nor in many pages before or afterward to indicate that I was talking about anyone specific when I said “somebody.” There is no discussion about Scrabble anywhere near this part of our text message history and only discussion about COVID and our stress from it. It’s clear from context both (a) that I am poking fun at the absurdity of things I have said in anger when I clearly value human life enough that I am taking social distancing measures very seriously and (b) that Lola saw the humor in my delivery.



Figure 17: Texts from April 2nd indicating she wanted me to come to SLC.

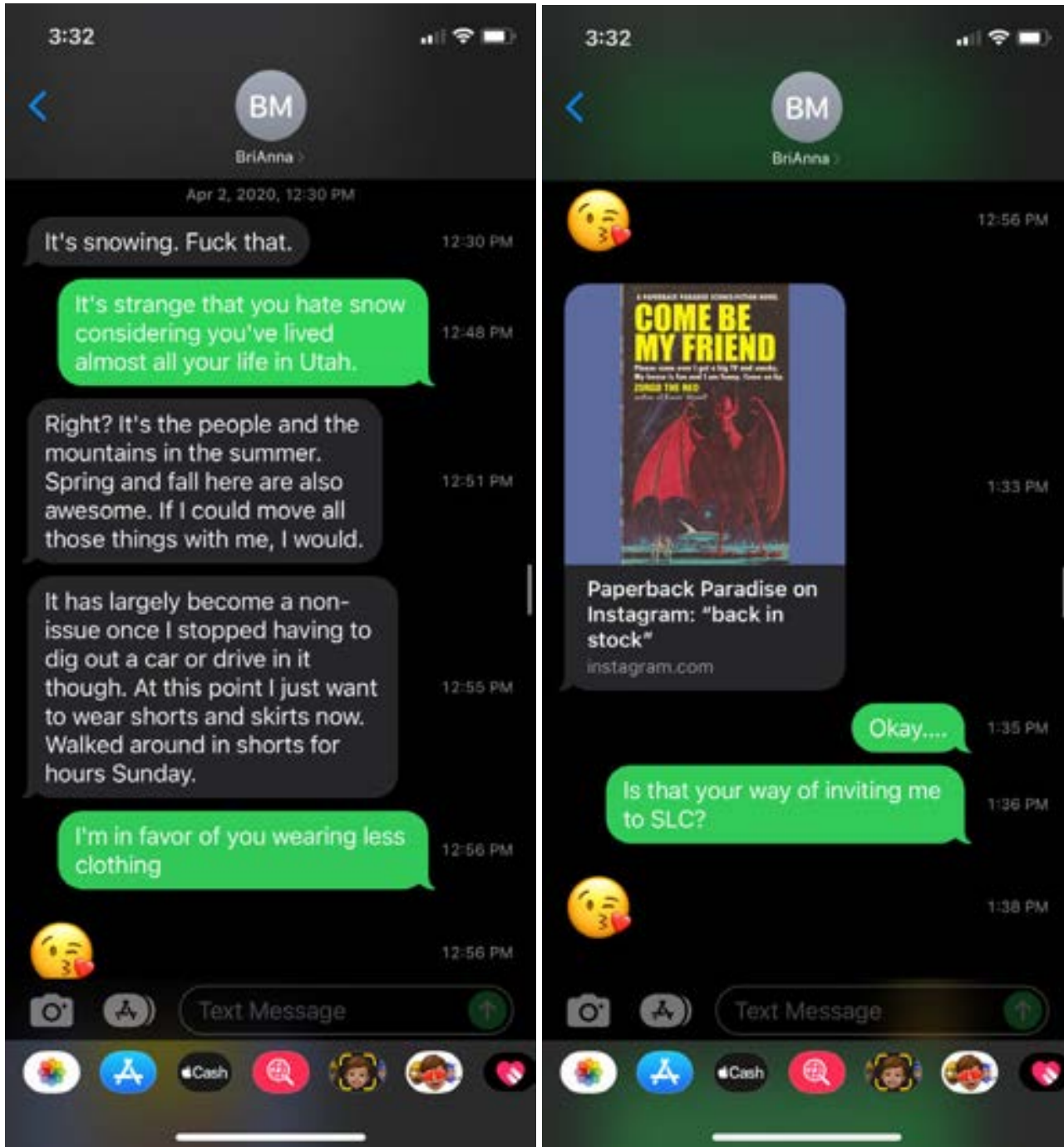


Figure 18: Texts from April 9th, saying her friend Jordan supports us getting together.





Figure 19: Text from April 10th indicating that her friend Joel also supports us getting together.

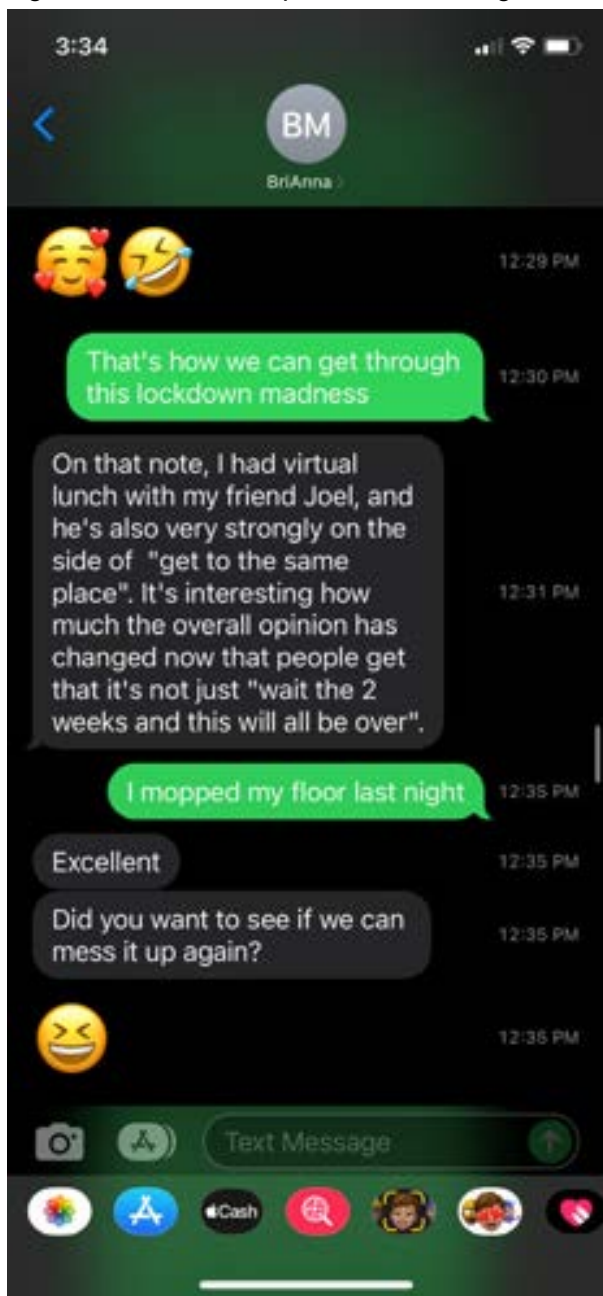


Figure 20: Texts from April 12th, telling me her family wants me to go to SLC to see her.

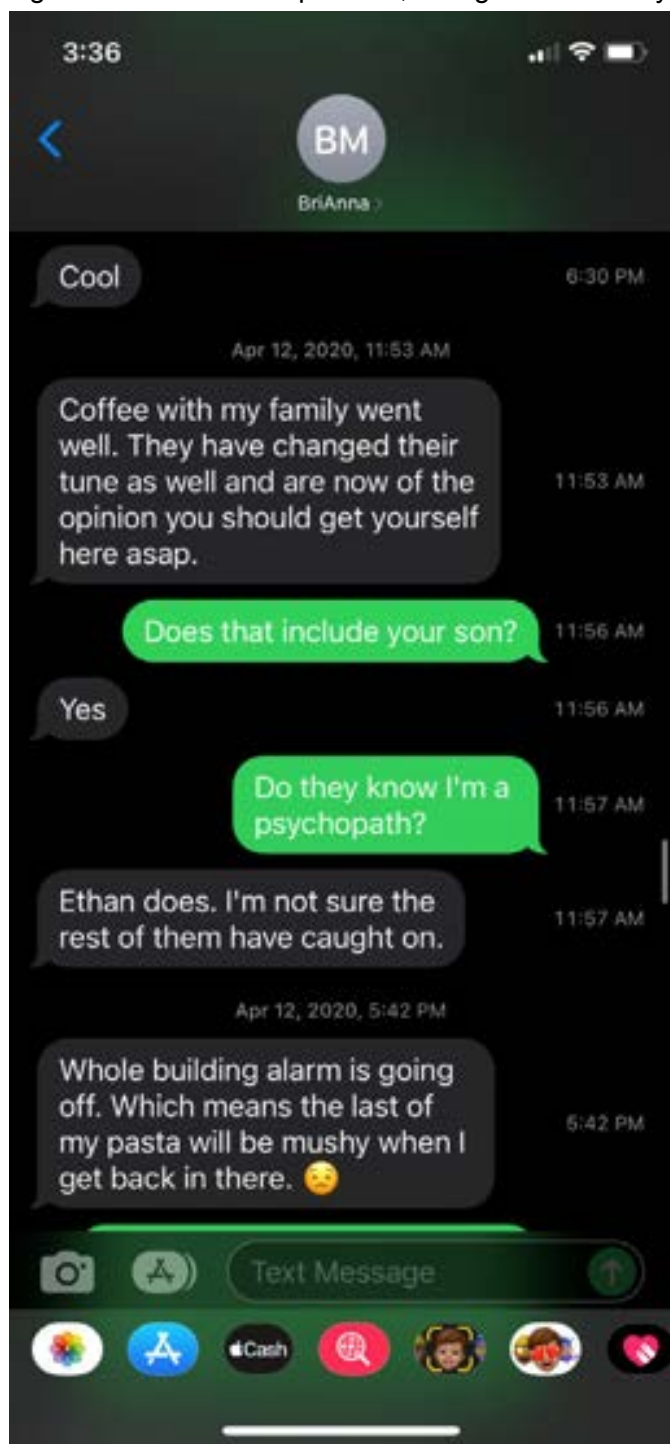


Figure 21: Long text from April 14th saying how much she cares about me.

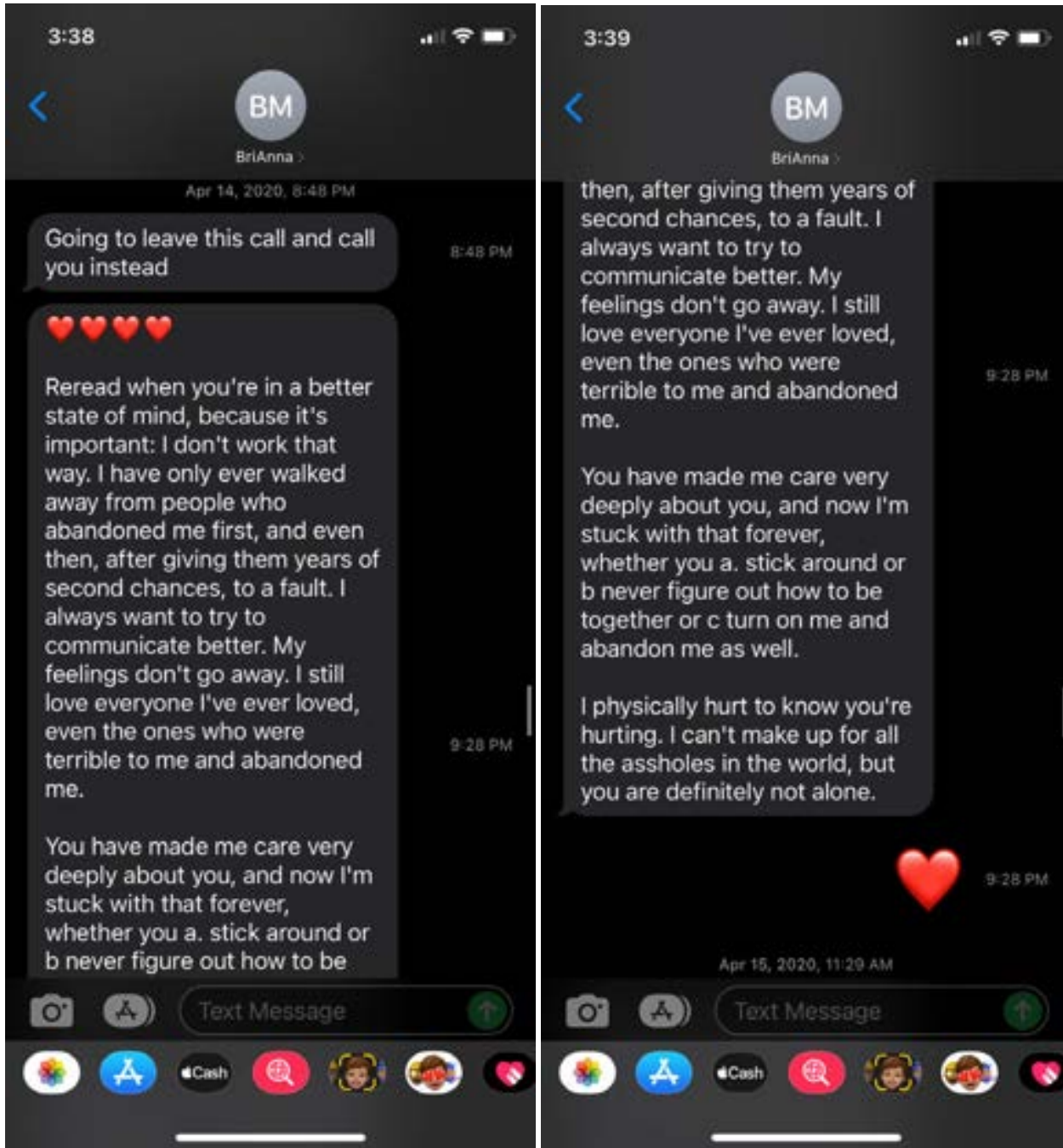


Figure 22: Text conversation on April 17 in which she helped me draft my response to the NASPA incident report about the Facebook conversation with Darrell Day.

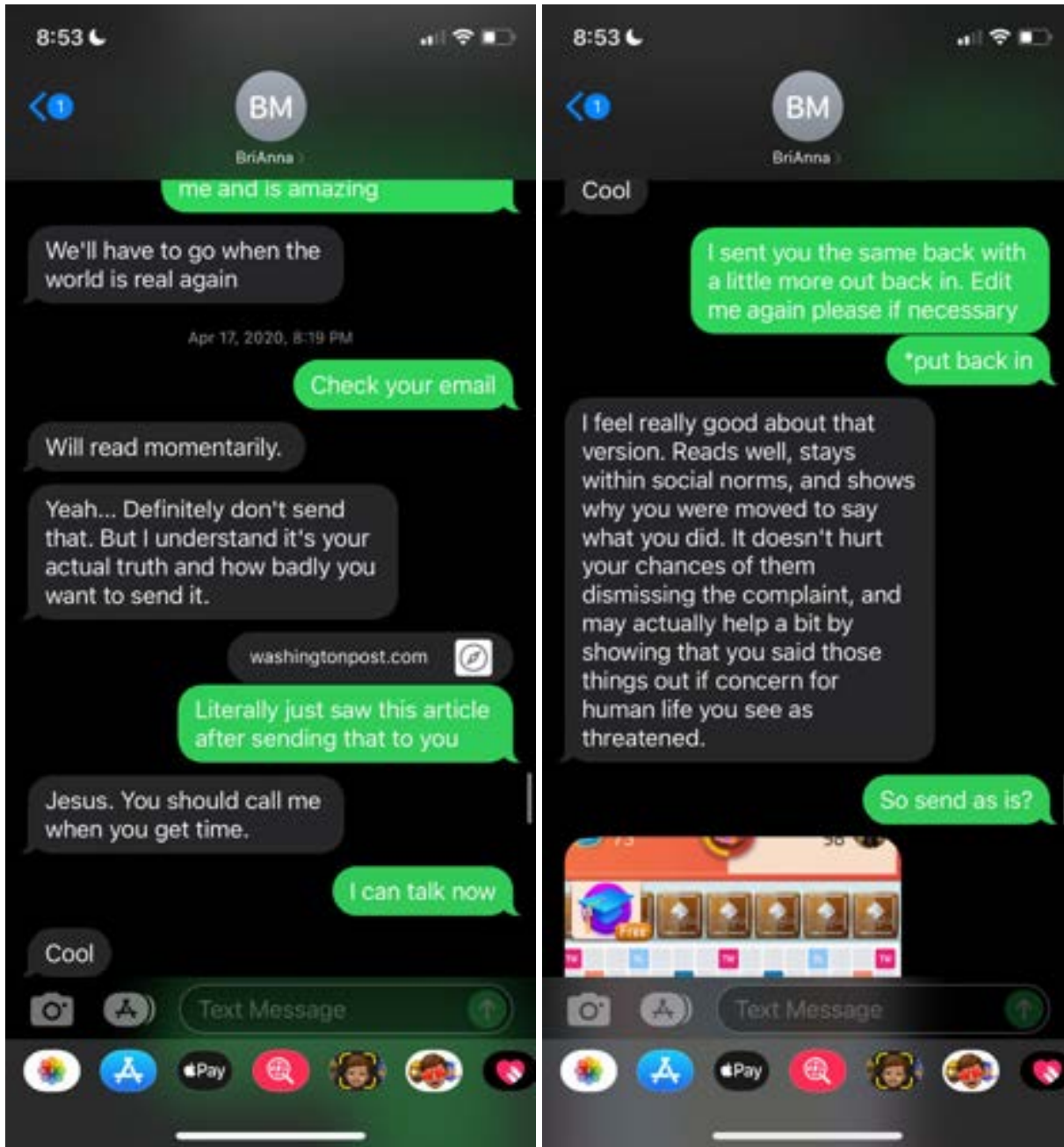






Figure 23: Texts from April 20th, talking about ordering a desk so that we would both have workspaces at her apartment and showing that she had emptied closet space for me.

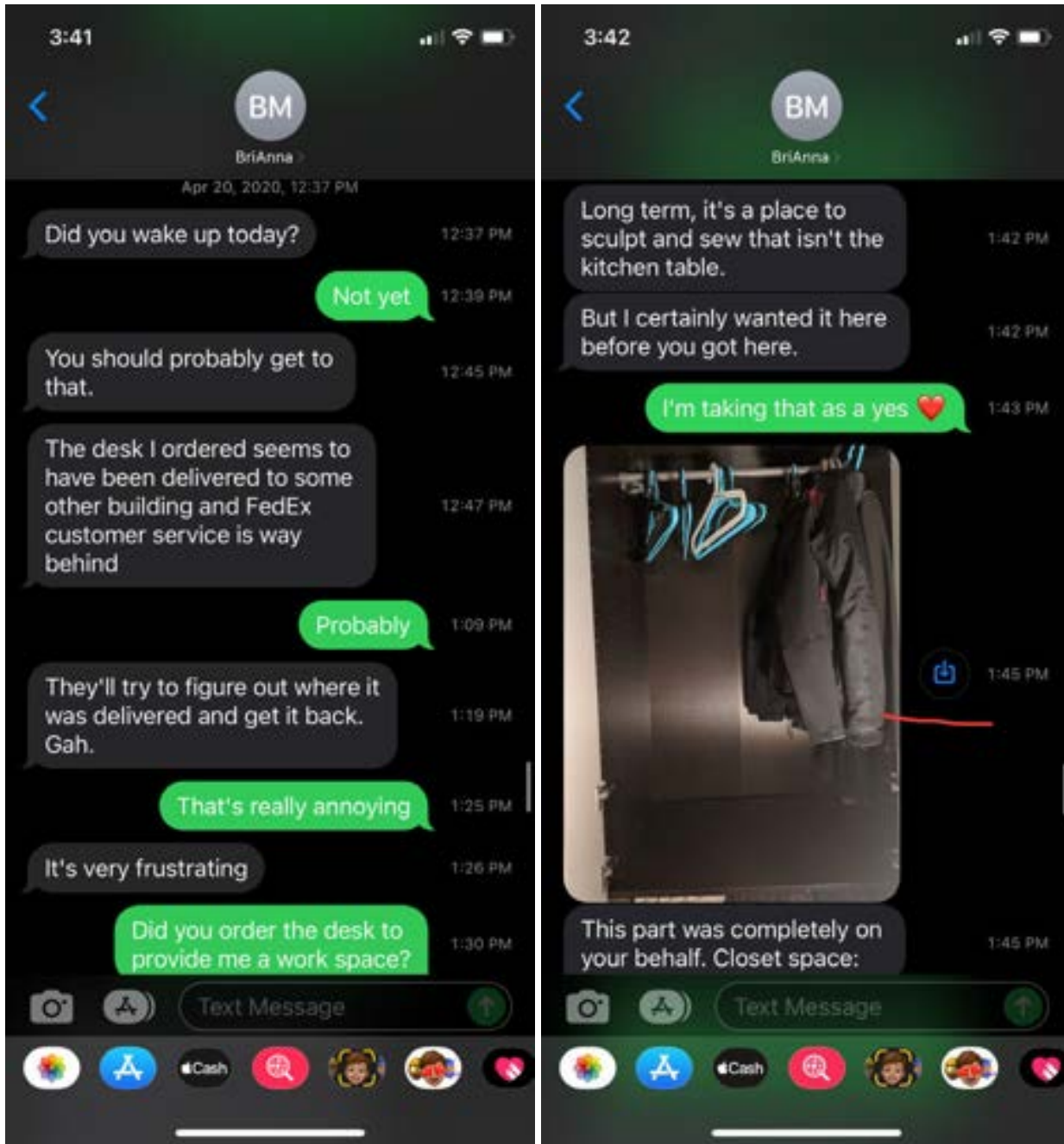


Figure 24: Texts from April 22nd, the day before I began the drive from Seattle to SLC.

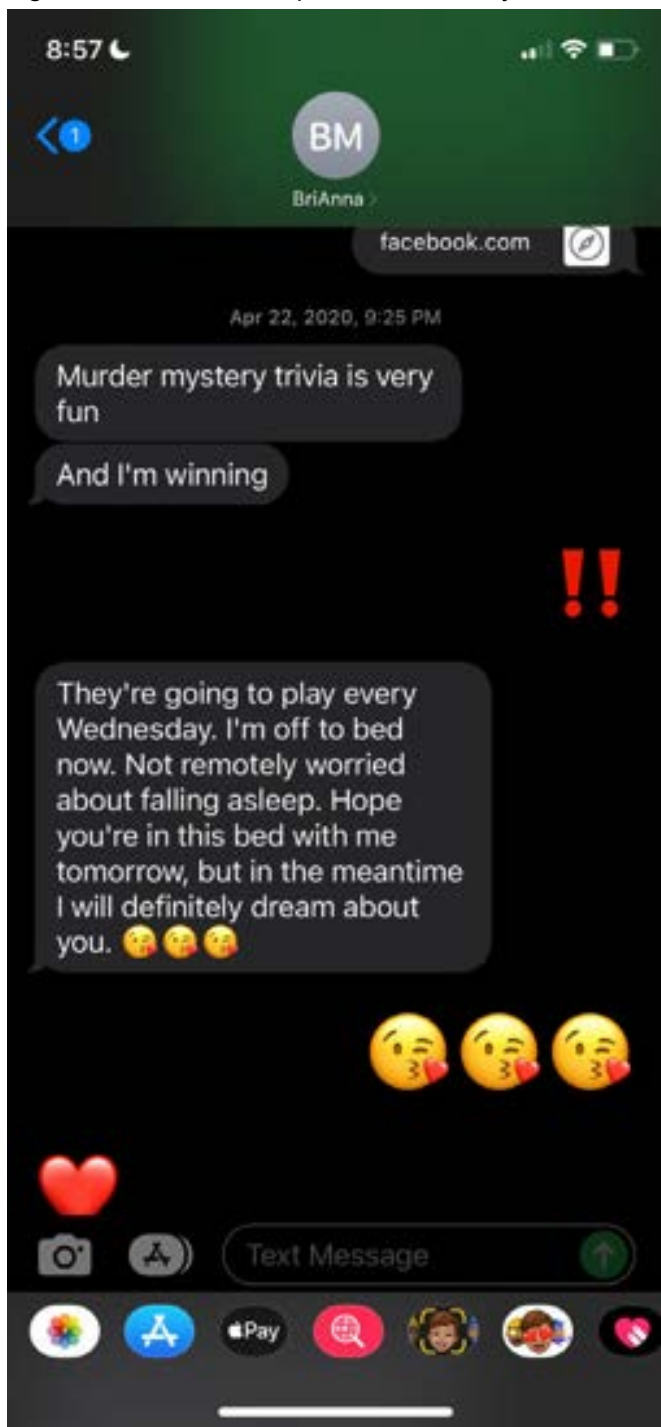


Figure 25: Texts from June 29th, two weeks after we had stopped dating and she had returned to SLC from Seattle. We were still on very good terms, and she is telling me about how she is using coffee beans that I had bought her as a gift while she was in Seattle.

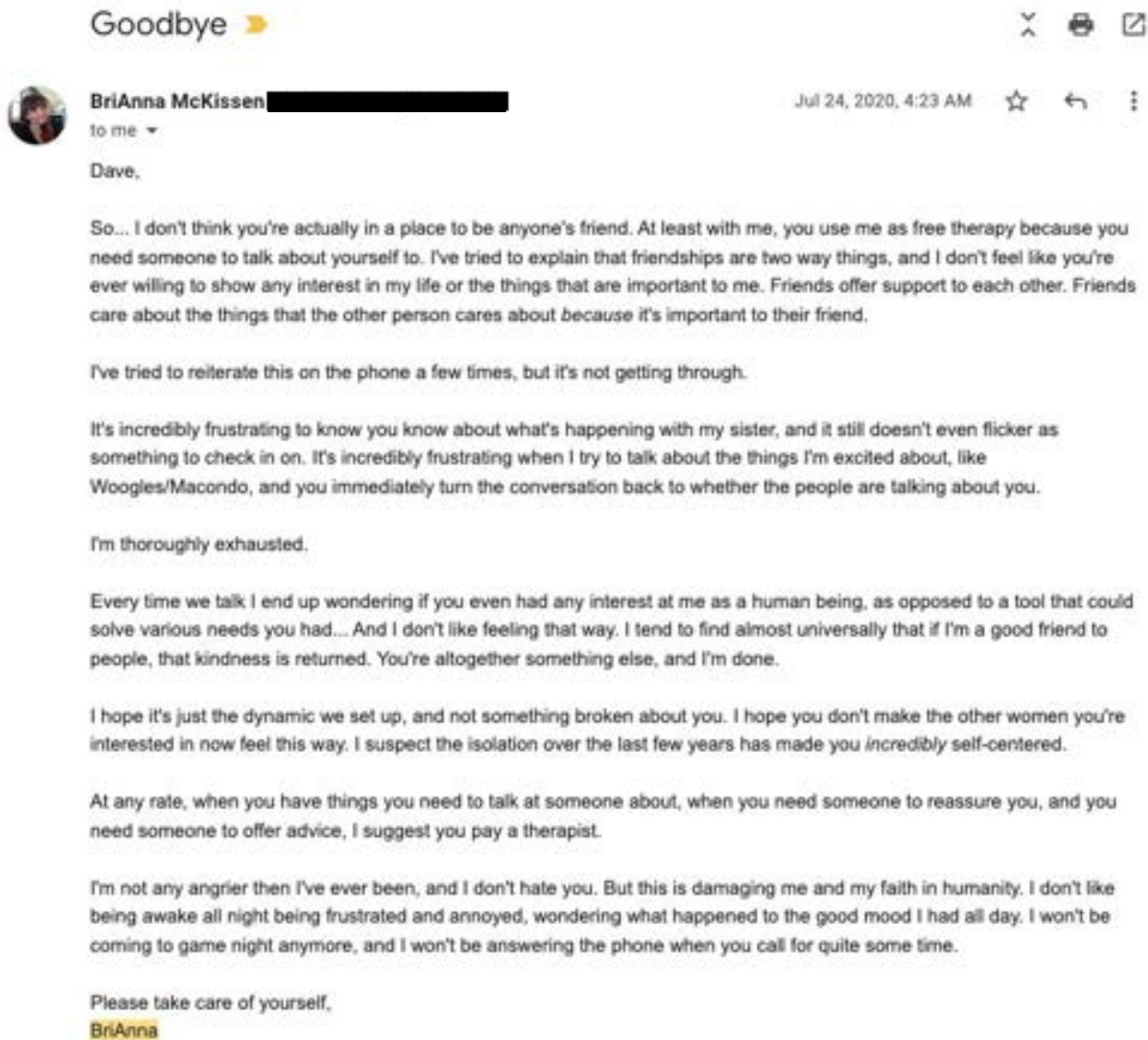




Figure 26: Texts from July 2nd where she compliments me on a Scrabble stream, three weeks after we had stopped dating.



Figure 27: Our “making distance” email exchange on July 24th. We had been texting regularly up until and including July 23rd. We had a brief text exchange on July 27th just about whether she had accidentally taken a phone charger from my place. But after that, per her wishes I did not contact her again for five months, until Mina recommended that I did so.





**Dave Koenig** [REDACTED]

to BriAnna ▾

Jul 24, 2020, 6:12 AM



I'm sorry, **BriAnna**. I leaned on you too heavily and wasn't able to give your problems enough of my thought and attention. I am sorry that your sister is having such a bad time and that it is hurting you so much. I am starting with my old therapist again in a week, and I agree that I should be relying more on him than on my friends for things like that.

I'm very thankful that you helped me through a very dark time. And I hope that me bringing you into the Macondo/Woogles project is going to bring other good things into your life. I totally get you needing to make some distance from me right now, and I respect you telling me in a straightforward way.

I don't know how much better things can get with your sister. When I have heard you talk about it, it sounds like a pretty hopeless situation. But I hope you find a way to get peace with where things are at, even if you can't change it. And I hope you can find the friends you need to hear what you're going through in the ways you need where I have failed you.

With love,  
Dave

On Jul 24, 2020, at 4:23 AM, **BriAnna** McKissen [REDACTED] wrote:

\*\*\*

Figure 28: Email chain with Lola on December 11th, precipitated by Mina Le's play reading that we were both attending and Mina's recommendation that I contact Lola.





**BriAnna McKissen** [REDACTED]

Dec 11, 2020, 5:24 PM ☆ ↶ ⋮

to me ▾

No, I blocked you because I saw a screenshot Seth Lipkin posted with the actual text of what you said to Darrell Day. It upset me more than I can describe, and I felt really bad about helping you defend it to NASPA, despite knowing they also didn't get the actual text.

This was on top of the realization we discussed before that: that our friendship is completely one sided, and does not benefit me. As a result, I chose to minimize your presence in my life. I do this because it adds stress to my life every time we interact, and I end up angry again that I put so much energy into trying to help someone who showed no interest in my well being – not because of whatever anyone else thinks or says about you.

I know that I can not minimize it to zero. We have more overlapping friends now, and I have too much peer pressure to quit Scrabble again this time. Because Mina posted her "cast signups" I saw that you had also joined that group. I am okay with that.

I am not really interested in talking on the phone to you at this time. I will however unblock you as to minimize weird confusion in things like us both commenting on a friend's post. I am also okay with you emailing me when you feel it's necessary, like now.

We are not enemies, and you don't need to worry about things like the play reading group, or Woogles, or tournaments if that ever is a thing again. We are also not friends.

BriAnna

\*\*\*



**Dave Koenig** [REDACTED]

Dec 11, 2020, 5:31 PM ☆ ↶ ⋮

to BriAnna ▾

Thank you, BriAnna,

I appreciate your response. I am sorry that reading my words to Darrell Day upset you. I don't understand what you said about NASPA. To my knowledge they did get complete screenshots of the discussion that Darrell and I had.

You're free to judge me however you want about my words to Darrell. But I do want you to know that I was not attempting to deceive you about what happened in any way.

I will continue to like you and be grateful for the ways in which you have been a positive force in my life, even if you don't want to be friends. I wish you the best.

Sincerely,

Dave

\*\*\*



**BriAnna McKissen** [REDACTED]

Dec 11, 2020, 5:38 PM ☆ ↶ ⋮

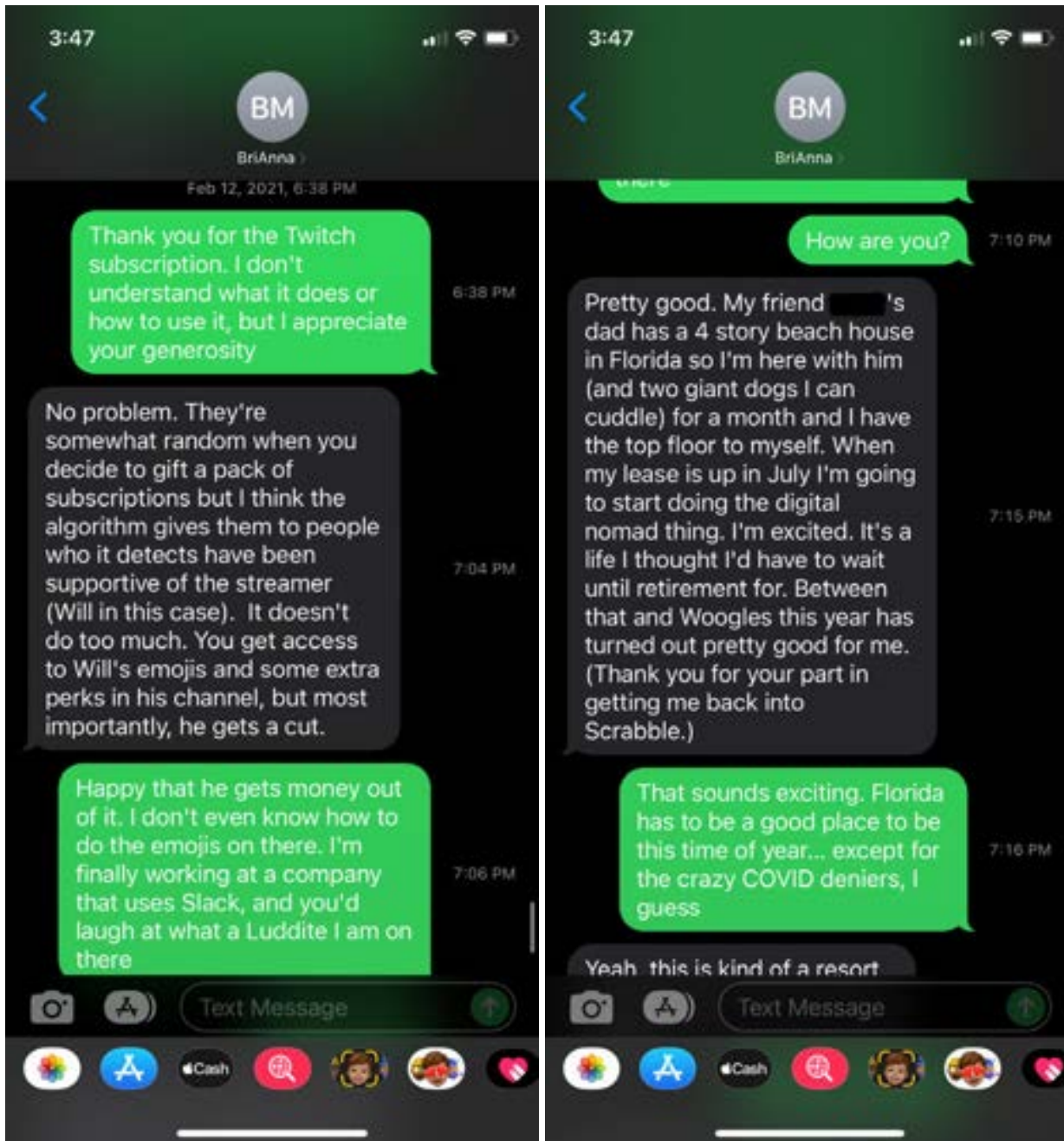
to me ▾

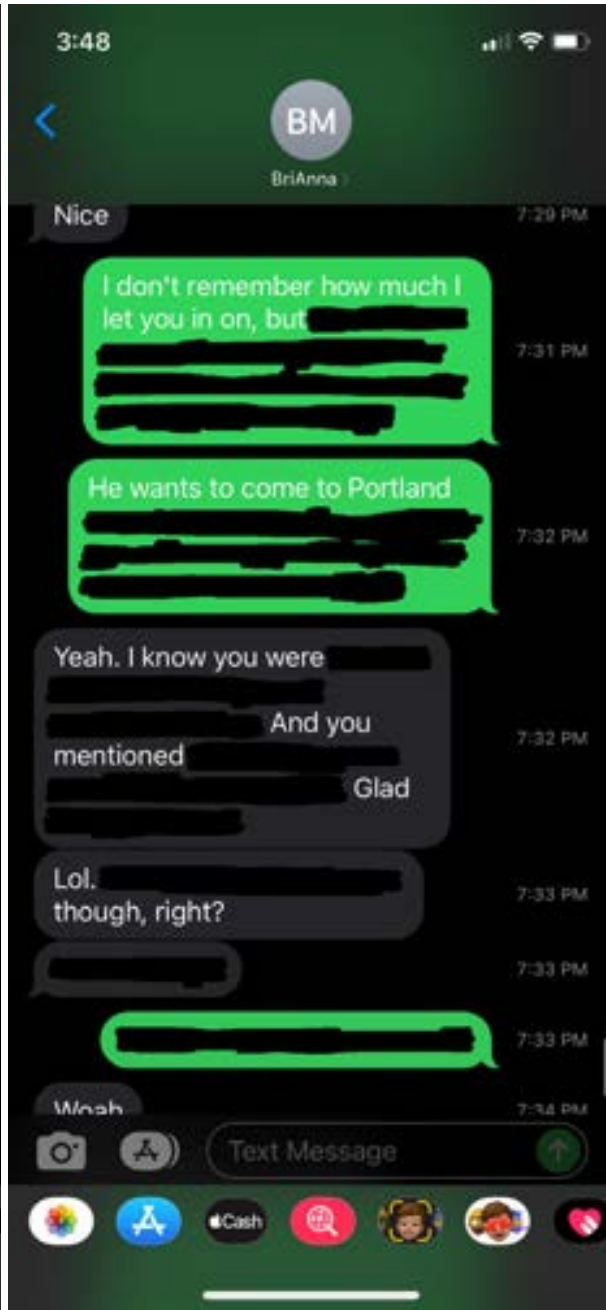
Thanks. I also wish you well. I forwarded back the email you sent me for your reference.

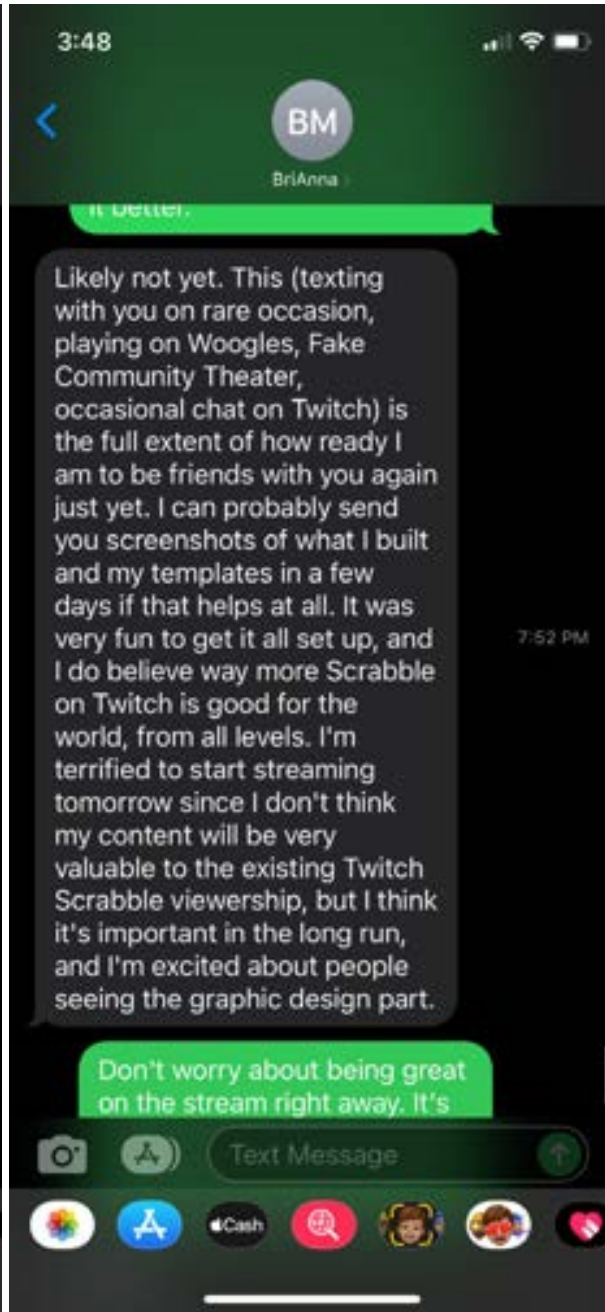
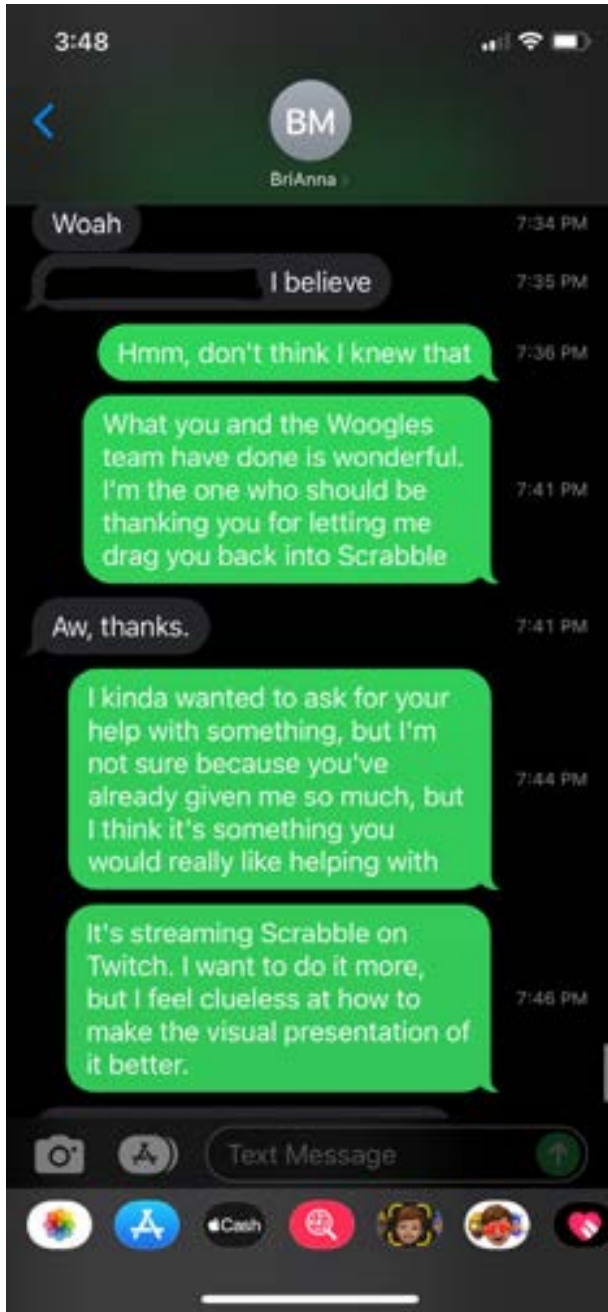
\*\*\*



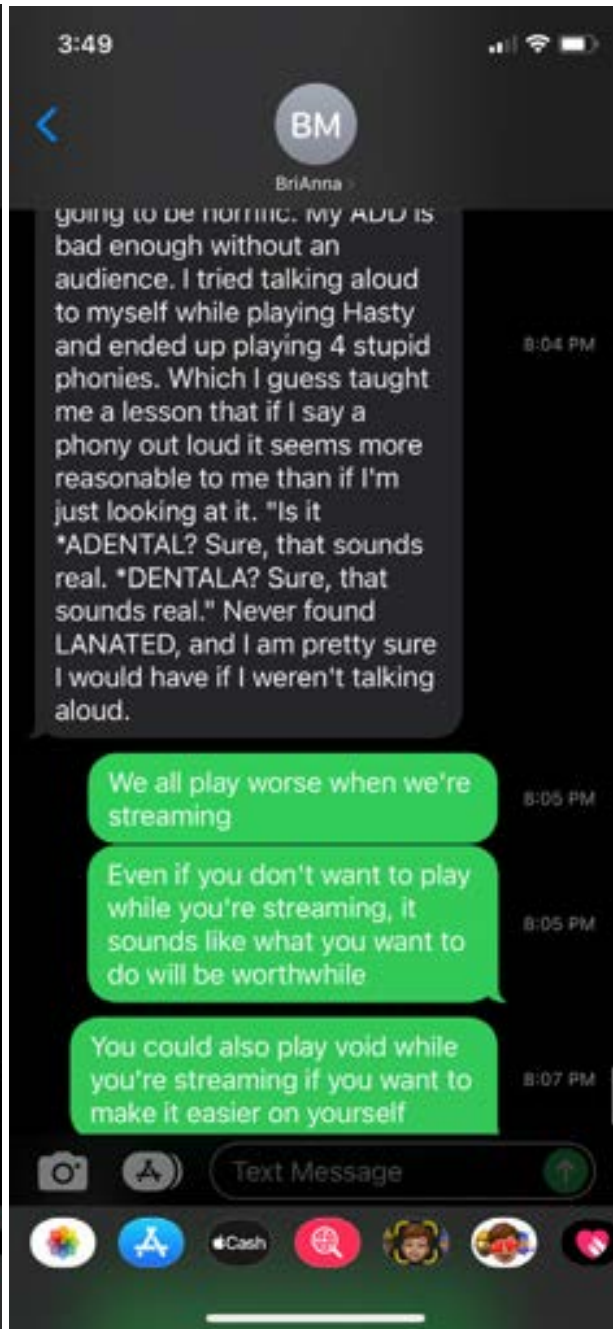
Figure 29: After no text conversation between us since July 2020, our only communication was the email conversation on December 11, 2020, until Lola initiated contact by gifting me a subscription on Twitch, which led to our February 12, 2021, conversation over the first eight and a half screenfuls here. (Of note, she revealed she was living in Florida, while I had already been living in Portland, Oregon for four months.) Then we exchanged compliments about our contributions to a play reading organized by Mina Le on February 27. This was the last dialogue we had over text message.











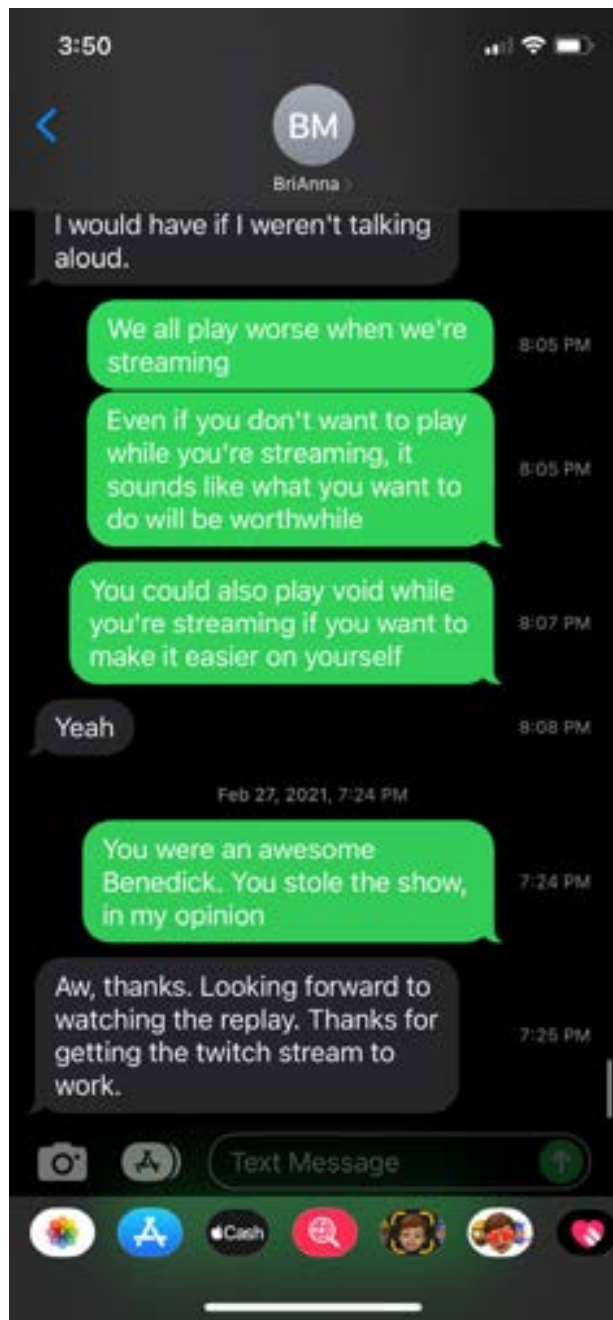


Figure 30: The last time I reached out to Lola via text message was on May 2nd, 2021, checking whether she wanted to meet in SLC during a business trip I might make. She did not respond, and I never texted her again.

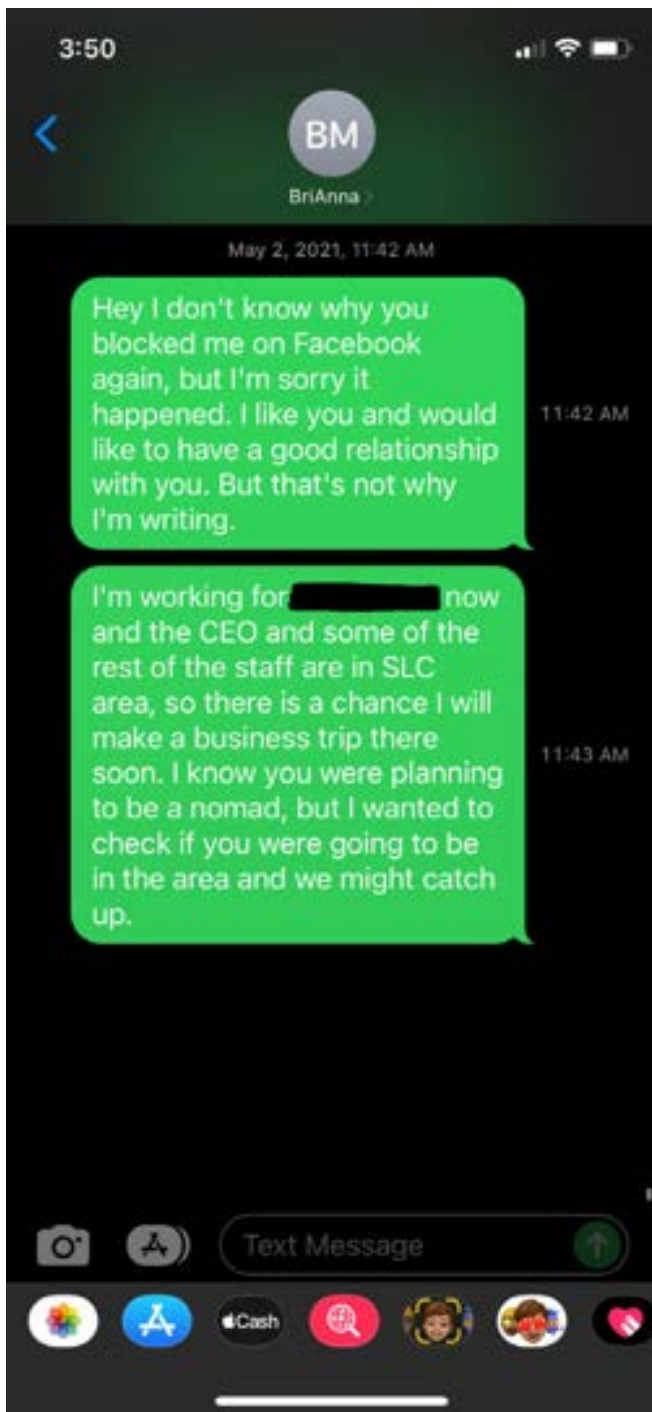


Figure 31: On August 4th, 2021, I accidentally came across this Instagram account which Lola made that showed she was living in Portland. The short conversation we had here is the last conversation we have ever had, except for our brief interactions in-person at the New Orleans Scrabble tournament in January 2022.

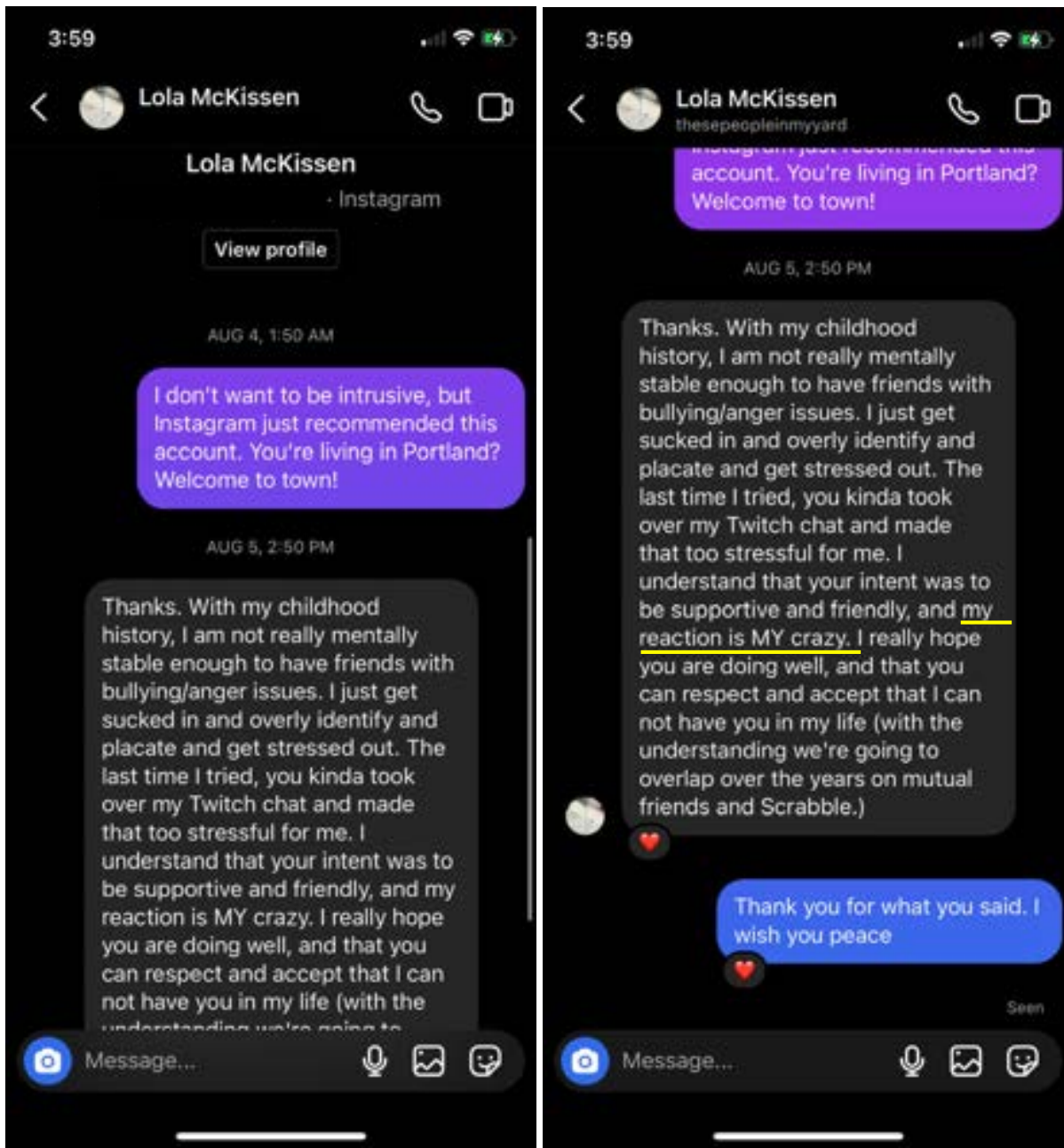


Figure 32: Snippet of email from Walker Willingham on June 17, 2018, revealing that Evans had publicly called me “an awful, awful human being.”

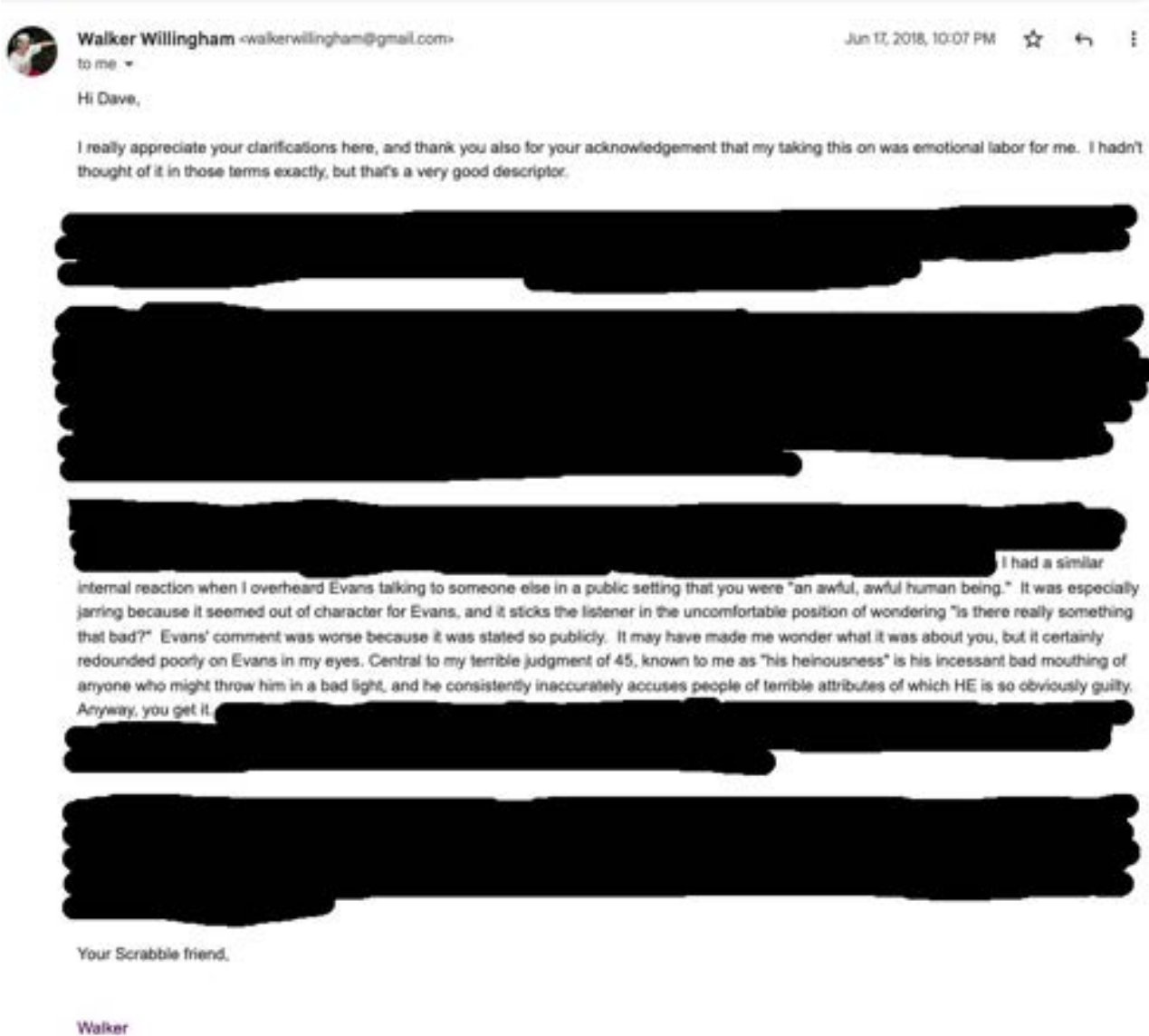




Figure 33: Facebook comment from Brian Bowman on July 16, 2020, shortly after the publication of the splenetic.net blog, saying that he knew Evans had been disparaging me for years.

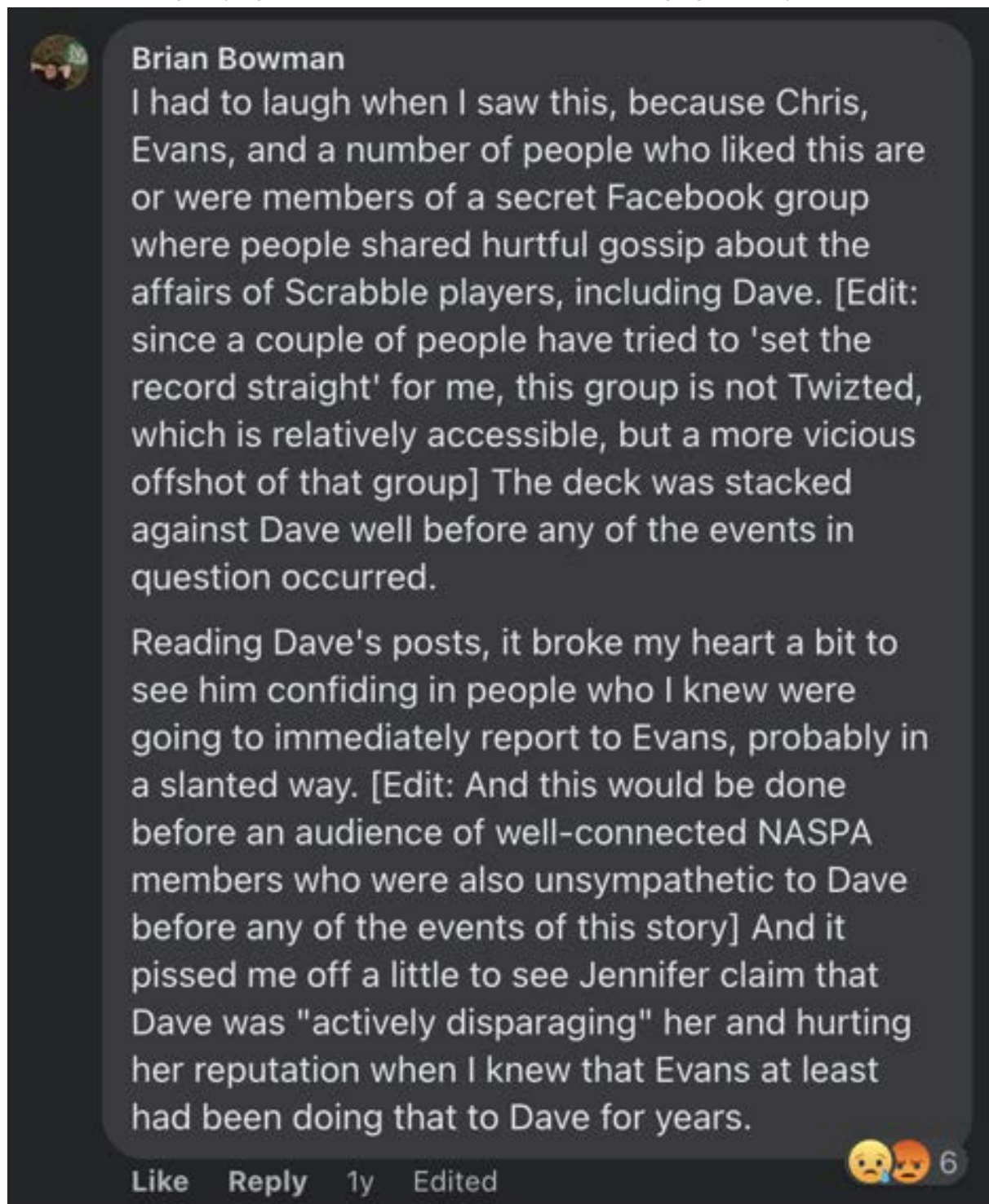


Figure 34: Facebook comment from Winter on July 16, 2020, shortly after the publication of the splenetic.net blog, saying that he also knew Jennifer and/or Evans were disparaging me.

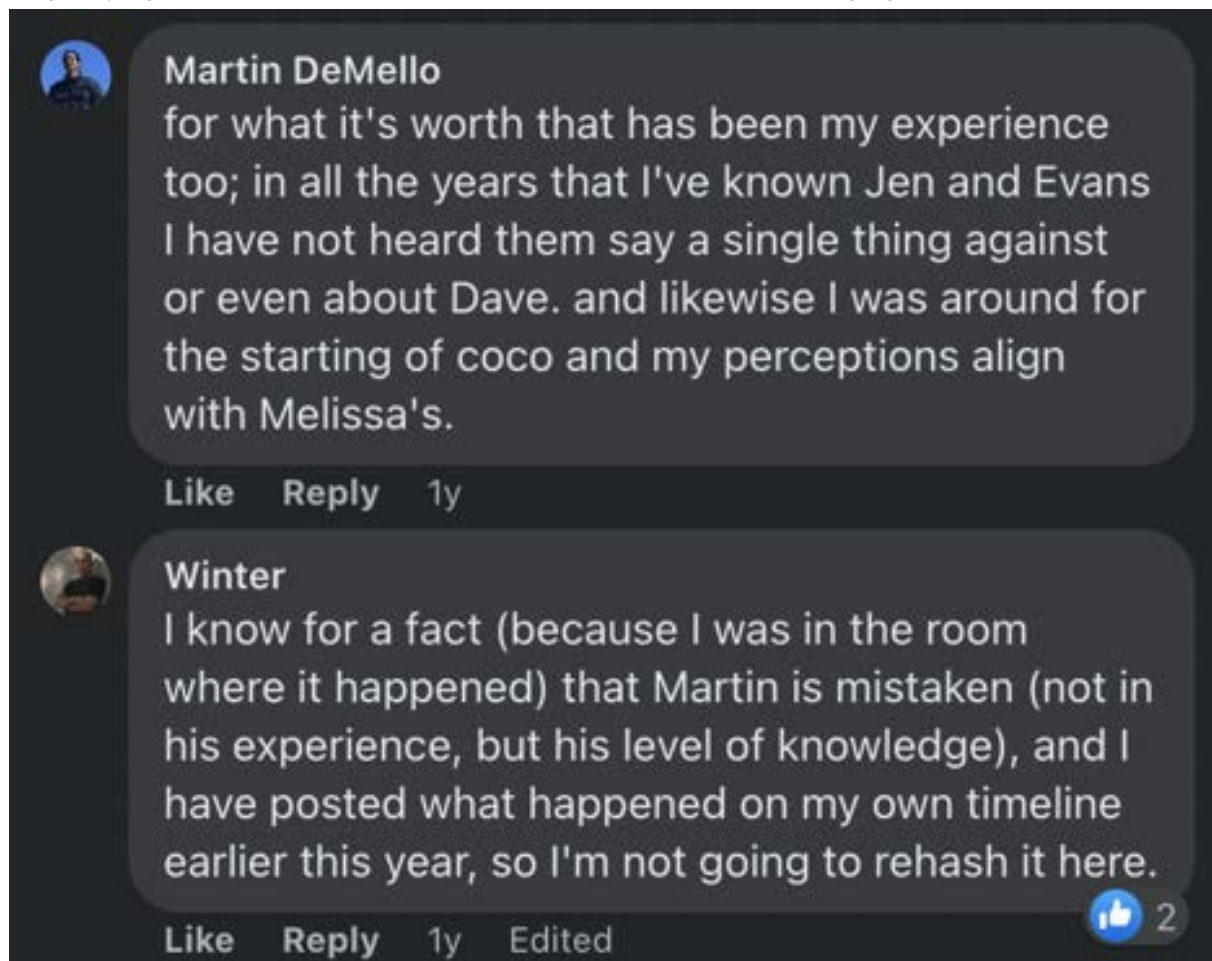


Figure 35: Facebook comment from Shelley Stevens on July 15, 2020, shortly after the publication of the splenetic.net blog, saying that she personally witnessed Jennifer and Evans badmouthing me at a dinner.

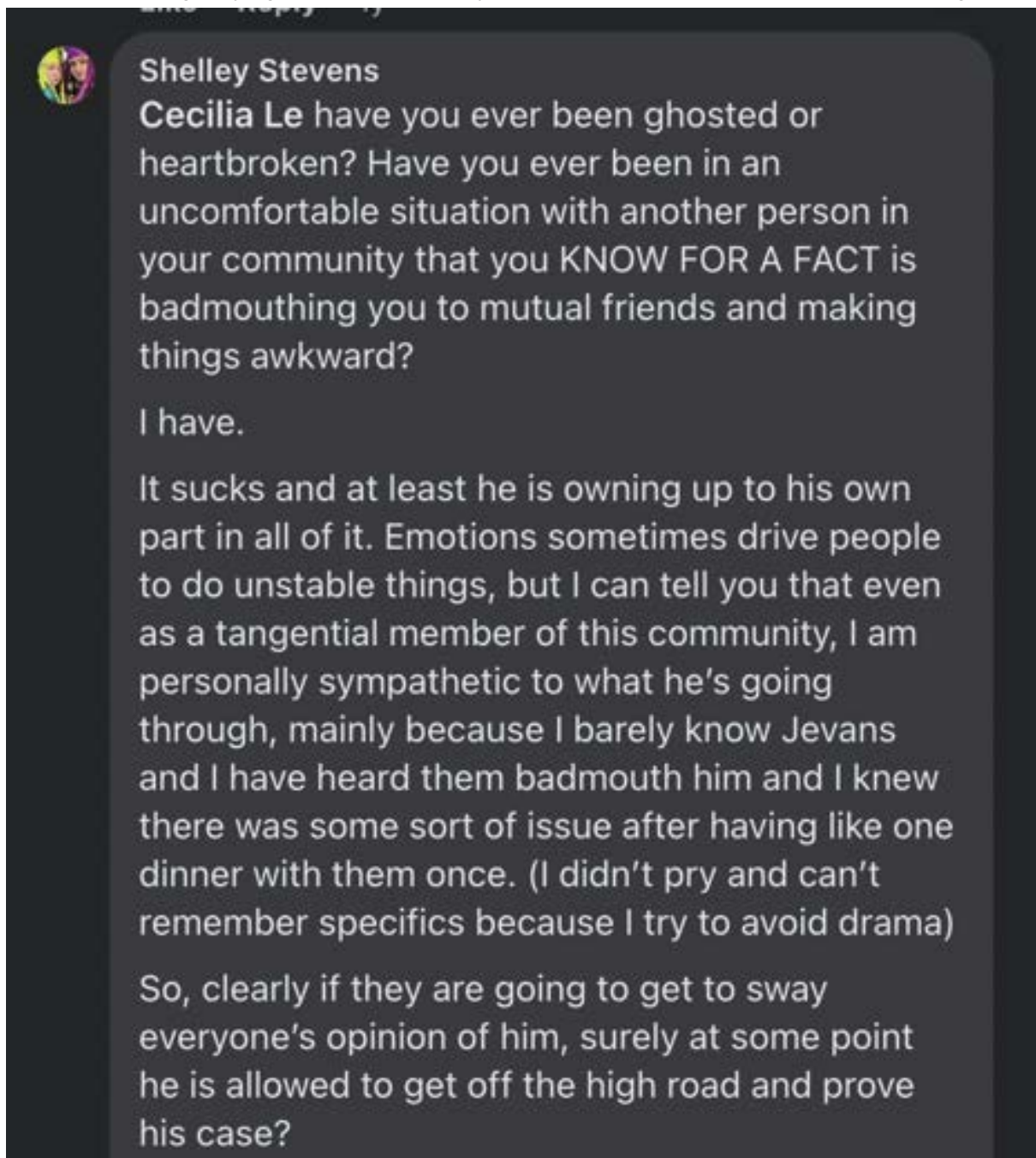
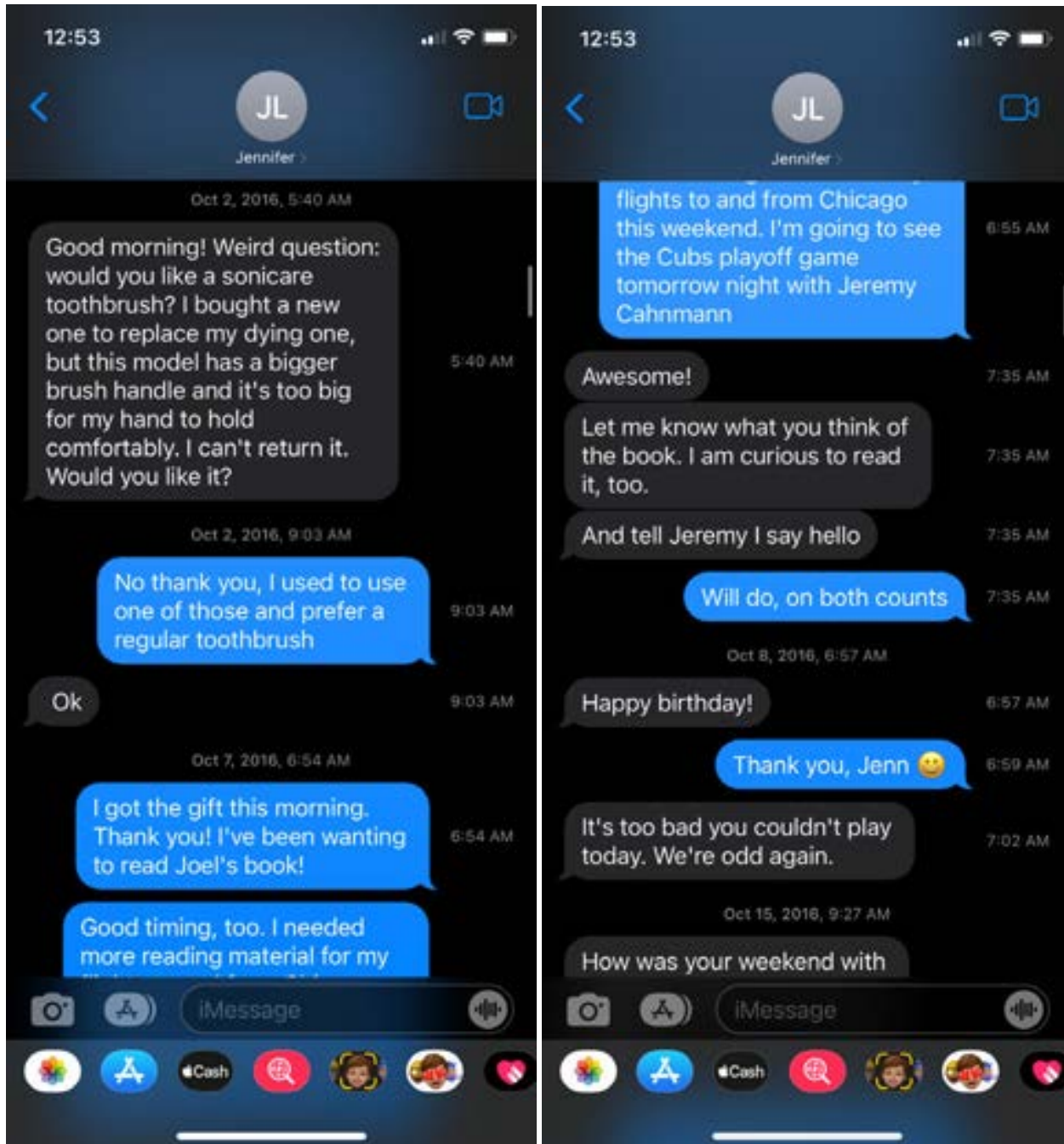
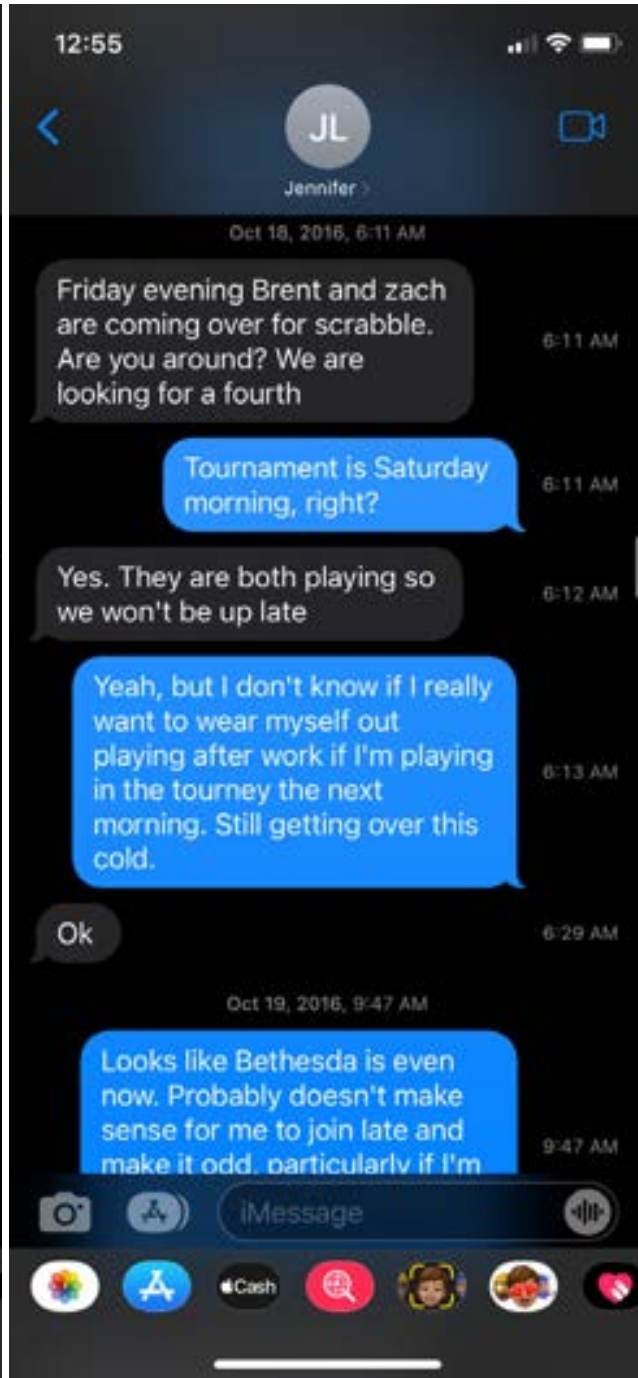
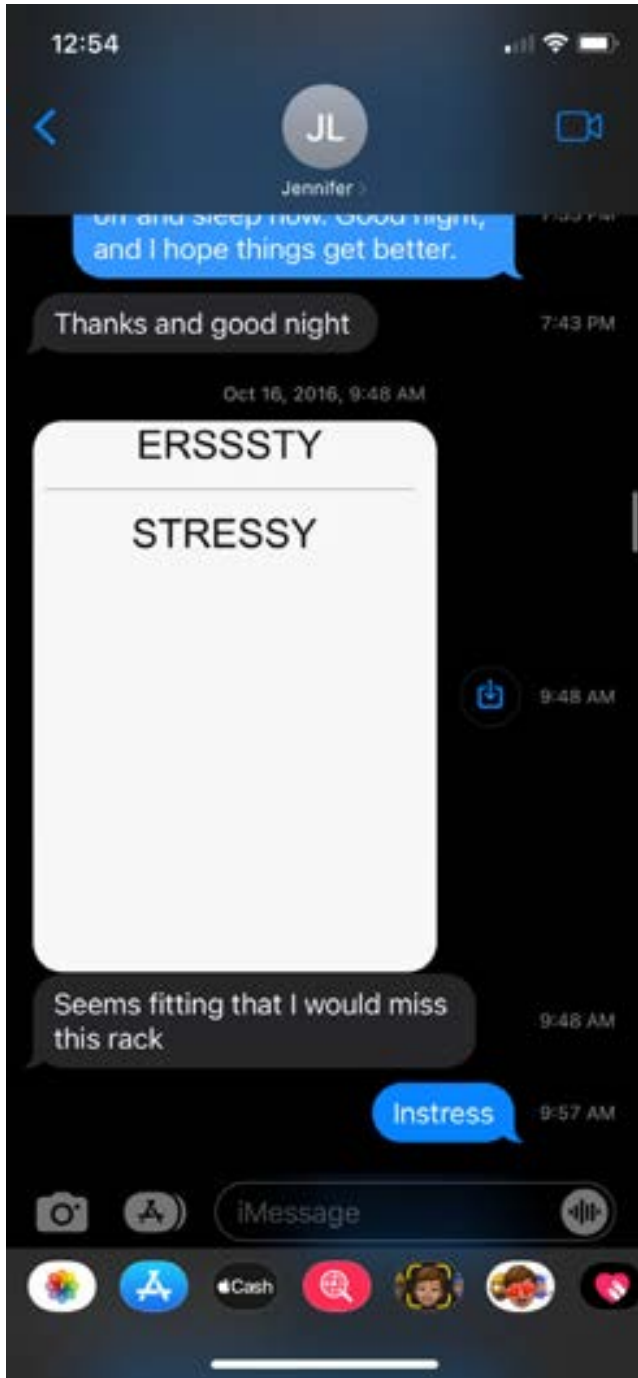
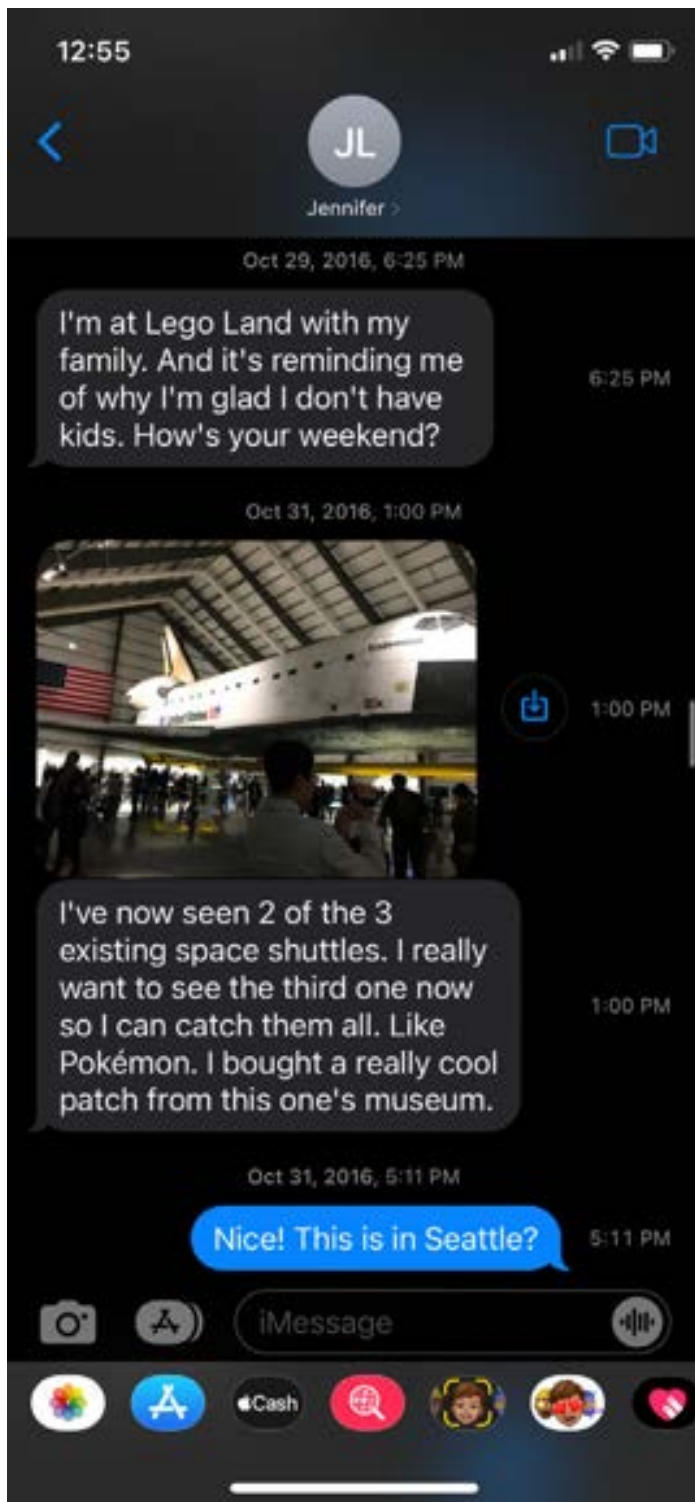




Figure 36: Contradicting Jennifer's statement, "I attempted to end my informal relationship with Dave on at least five occasions, the last attempt being in person in September 2016," she eagerly kept up text communication with me throughout October 2016. Here are snippets of text conversations showing that she initiated the conversation on October 2nd, 8th, 15th, 16th, 18th, 29th, and 31st, including asking me to get together to play Scrabble on the 18th. This also corroborates that she sent me a birthday gift that month.







*The remaining screenshots are from the splenetic.net blog. They are just here to save readers the time of searching through the blog for them.*

Figure 37: My apology email to Jennifer on September 17, 2018, in response to her email banning me from the 2019 Hood River tournament, the only time I have made a personal communication to her since January 5th, 2017.

**Dave Koenig**  
to Jennifer, Evans →  
Jennifer,

Sep 17, 2018, 5:49 PM ☆ ↶ ⋮

Thank you for taking the time to write this out and give me this explanation. To put your mind at ease in one way immediately: I have no desire to escalate this to NASPA, and I respect your decision.

Let me get right to the heart of the matter.

I stepped over the line when I wrote the following two sentences: "So if you do not meet with me before New Orleans, I will say what I need to say to you directly to your face across the Scrabble board in the tournament room with all the other players able to hear. I am almost certain that if that happens you will regret not having had this conversation in private."

I was under a lot of emotional stress at the time that I sent that email, and as often happens in distressed situations, I was much more focused on my emotional needs than the impact of my words upon you. I know it may be hard to reconcile, but I did not intend to threaten you at the time that I wrote that. However, in retrospect it is obvious to me how those words come across as threatening. My mental state at the time seriously impaired my judgment. I am saying this not to defend my behavior at all, but only to explain that the words came out of a mental state that I was in a year and three quarters ago that is not at all where I am at now. I was wrong, and I am truly sorry.

Sincerely,  
Dave

Figure 38: Snippet from previous draft of the September 17, 2018 apology letter. I never sent this to Jennifer, but only to Chris Lipe and Jeremy Cahnmann. It is contemporaneous evidence that my intention in submitting the entry fee for the 2019 Hood River tournament was only to give Evans and Jennifer an opportunity to express their grievances. (Relevant section highlighted. Full screenshot of email is at <https://splenetic.net/the-fallout/#figure10> )

Jennifer,

Thank you for taking the time to write this out and give me this explanation. I am not certain how much of what you wrote here you actually believe, and how much what you have written is just what you feel you have to say, to be consistent with the case you would make to NASPA if I were to challenge your decision on this. But let me put your mind at ease in one way immediately: I have no desire to escalate this to NASPA, and I respect your decision. I don't even really care about whether I go to this tournament or not; what is much more important is resolving the tension in this situation.

I do not have any problem with you or Evans. It is only the two of you who have a problem with me. I completely understand how the two of you have gotten to the point of having the interpretations and feelings that you do, but since neither of you has been willing to communicate with me for the last year and three quarters, you have given me no opportunity to correct the situation. As such, I have felt that the best I can do is just continuing living my life, playing Scrabble, and ignoring your behaviors and the fact that you have been afraid of me and Evans has visually and viscerally hated me ever since January of 2017.

I signed up for this tournament, not out of any desire to make life difficult for the two of you, but simply because it is what I would have done if you two were not behaving the way you were, and I thought it might provide an opportunity for you to actually address your problems with me. I am glad that you have done so.





## Exhibit 7

Dave Koenig [REDACTED]

---

**NASPA Advisory Board Decision**

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Jason Idalski <j  
To: David Koenig [REDACTED] ab@scrabbleplayers.org  
Cc: Steven Pellinen <stevenpellinen@gmail.com>

Fri, Sep 23, 2022 at 12:08 PM

Good morning, Dave.

The NASPA Advisory Board has reviewed and considered all the evidence received in your case. We have determined, largely through your own submissions, that at least three of your actions were in violation of section 2 of NASPA's Code of Conduct.

More generally, AB members were concerned by a general pattern of behavior and lack of contrition that we feel warrants measures to protect the safety of our members and uphold the values of our community.

We are hereby imposing a three-year suspension, to begin today (September 23, 2022).

Effective immediately, should we receive any subsequent, substantiated complaint that you have engaged in intimidation, threats, harassment or any related behavior, you will be subject to extreme sanctions, up to and including a lifetime ban from NASPA.

This is a "one strike" warning, and we advise that you be extremely cautious about your communications with other Scrabble players, lest your words or actions be construed as harassment.

In addition to the three-year suspension, you will not be allowed to resume NASPA club and tournament play until you have satisfied the following conditions:

- Complete an anger management program – the details of which must first be approved by the AB
- Write a genuine statement of your commitment to comply with NASPA's Code of Conduct
- Remove the offending blog posts (Parts I and II) from [splenetic.net](https://www.splenetic.net)

Once the AB deems these conditions to be met, and you are once again allowed to attend tournaments, you will need to further adhere to the following requirements upon registration:

- Register during the first half of the registration period
- Notify the tournament directors of your disciplinary status

NASPA's mission is to provide all participants and officials with a safe and harassment-free experience at our clubs and events. The AB feels that the disciplinary/protective measures stated herein are fair, and necessary to foster a sense of safety and wellbeing for our members.

On behalf of the Advisory Board, I anticipate your acceptance of these conditions.

If you disagree with the decision, you may appeal by contacting the Executive Committee ([info@scrabbleplayers.org](mailto:info@scrabbleplayers.org)) and providing your rationale.

## Exhibit 7

September 9, 2022

To the NASPA Advisory Board:

I have read Dave Koenig's response dated September 6, 2022. In response, I reiterate the information in my prior statement dated March 24, 2022. Among the 90+ pages of Dave's new response is extensive, extraneous commentary that distracts from the key elements of the original complaint: Dave has been accused of sexual coercion, harassment, stalking, and making threats of physical violence. These are serious claims. I urge the Advisory Board to focus on these elements as they consider the safety of the Scrabble community and whether Dave is a positive addition to that community.

### **1. Sexual Assault and Reporting**

Dave suggests that I fabricated the story of sexual coercion in April 2022. I did not. Nor did I wait until 2022 to report it for the first time. I reported it in detail to my therapist more than five years ago when I still lived in Washington, D.C. Shortly after Dave published his manifesto in July 2020, I contacted my former therapist. She confirmed that she still remembers my report, remembers Dave by name, and has maintained notes from the many sessions in which we discussed Dave's sexually aggressive behavior.

**Separately, I had previously disclosed that I had been sexually assaulted in a report I submitted to NASPA more than four years ago, on August 5, 2018. Jason Idalski was the division director for a NASPA tournament I played. Attached is a copy of the email report I submitted to Jason.**

Dave writes that he has "zero memory of any kind of sexual coercion." This is not surprising for a man with a pattern of sexually aggressive behavior toward women. When someone routinely acts sexually aggressive, he's not going to remember every encounter that constitutes assault because these encounters are not unusual or memorable for him.

Dave describes the time when Sarah's roommate, Kenny, accused Dave of taking advantage of Sarah while she was drunk. Dave told me about this incident in 2014, shortly after it happened. Specifically, he told me that it wasn't rape because both he and Sarah were very drunk when they had sex. When I asked how he could have been that drunk given that he had driven her home before having sex with her, he dismissed my question. I do not know Sarah, and I do not know what exactly transpired that night. I have thought about this incident many times, however, because I was so struck by Dave's inability to see that having sex with someone who may be too drunk to consent would not be okay, even if you're drunk yourself.

Dave writes in his response that I didn't confront him about his sexual aggression. I remember one occasion on which he called me a dirty whore and told me I deserved to be punished while he was in the act of having rough sex with me. After he finished, I told him to not do that again.

Researchers and social science experts have found that there are many reasons why victims don't confront their assaulters or report their sexual assaults to law enforcement. They may fear further violence. They may face death threats, gaslighting, intense misogyny, or be forced to evacuate their homes. They may be humiliated, be called sluts, or be blamed for being complicit in their own assaults. When they do report, they are often interrogated about wearing suggestive clothing, accused of inviting the attack by leading the man on, told that they liked rough sex, asked why they didn't scream or fight back, asked why they didn't report immediately, or told that they must be mistaken about the identity of their assaulter.

Like many women (and men), I never wanted to identify as a sexual assault victim or revisit that trauma by discussing with anyone what Dave did to me. That's one reason why I have not publicly named Dave before as someone who sexually assaulted me.

It has taken years and a lot of professional trauma counseling for me to understand and process what happened with Dave. I did not read books about sexual assault and trauma before I met Dave. Among the many books I've read since then to help myself recover are the following titles, which I recommend to anyone looking to learn more about sexual assault, abusive relationships, and why both reporting and leaving those relationships is so hard:

- The Gift of Fear, by Gavin de Becker
- The Body Keeps the Score, by Bessel van der Kolk
- Entitled, by Kate Manne
- Missoula: Rape and the Justice System in a College Town, by Jon Krakauer
- Nobody's Victim: Fighting psychos, stalkers, pervs, and trolls, by Carrie Goldberg
- Catch and Kill, by Ronan Farrow
- She Said, by Jodi Kantor and Megan Twohey
- Believing, by Anita Hill
- Consent, by Vanessa Springora

## 2. Verbal Abuse and Rage

Dave cites several examples of me appearing to behave civilly toward him. Asking a player to even the field at a Scrabble club session is not an invitation to be in a relationship. I and many victims deliberately maintain communication with someone who has harmed us because we believe it's the best way to keep ourselves safe in the future. I hoped that by exchanging occasional friendly messages and behaving civilly toward Dave, he would not be angry with me.

Both Lola and I have witnessed Dave's explosive temper, and we both mention it in our reports. One example of Dave's verbal abuse toward me occurred in Perth, Australia, in November 2015. In his manifesto, Dave characterizes me asking Evans questions about where he grew up and what he does for work as flirtation. Dave was sitting next to me at the group dinner while I talked to Evans, whom I did not know well at the time. Dave then says:

*I never spoke up or got upset or showed discomfort or displeasure with the situation at all during the dinner, except for the silent gesture to Cecilia that no one else noticed. After dinner I spoke to Jennifer while the two of us walked by ourselves. I believe my message got across to her about how hurtful her behavior was to me, maybe not right away, but the next day for sure.*

Reading Dave's perception of his own behavior gave me chills. I remember that night very well, and Dave's description is wildly inconsistent with my recollection. He shows no awareness of the sheer rage he expressed toward me that night.

As that dinner in Perth progressed, I sensed that Dave was becoming jealous and angry that I was talking to Evans instead of paying attention to Dave. Dave claimed to be tired, and was uncharacteristically quiet. After the check came, he made it clear that it was time for us to leave. I remember thinking, with complete clarity: "He is furious with me. If I go back to our Airbnb with him, he is going to kill me."

I looked desperately at Jesse Day, remembering that during trip planning time, he had asked if I wanted to share a group house with several players. I seriously considered asking Jesse if I could crash on their couch so that I wouldn't have to go back to my Airbnb with Dave. In those seconds of panicked indecision, I couldn't see a way out. My stuff was at the Airbnb; Dave was standing and waiting for me



to leave with him. I had been playing Scrabble for only two years at that point. How could I explain to a group of people I barely knew that I needed to go home with them because Dave was about to fly into a rage?

Seeing no other option, I stepped outside with Dave. We walked in silence for just enough paces away from the restaurant door that we were out of earshot. And then he exploded. He unleashed a screaming torrent of verbal abuse, condemning my behavior as embarrassing. I tried, unsuccessfully, to calm him down. Other players at that event may have observed that after that night, I was subdued and quiet and held Dave's hand in public. I did so because I knew he was enraged at me and I did not want him to yell at or hurt me.

Dave and others have asserted that the published texts and emails don't constitute harassment or provide any legitimate basis for me to fear being around Dave or having him at tournaments I direct. What these people miss is the historical context of the preceding relationship. Lola dated Dave for two months, and that was enough to make her afraid that he might kill her. I dated Dave off and on for *two years*. It is the full history of that time with him, marked by repeated instances of sexual aggression with physical pain and unheinged verbal abuse, that made me afraid of him.

It is emotionally exhausting to live in fear. When I told Judy Romann that I didn't have a problem with Dave, I was desperately trying to convince *myself* that this was true. I didn't want to continue facing the distress, shaking, and fear that I experienced playing him in New Orleans. I thought that facing Dave in club—when I'd be free to leave at any time—might condition me to feel comfortable around him at tournaments. This type of exposure therapy in short-term, controlled settings can sometimes help people overcome specific fears, and that was my hope.

In *The Gift of Fear*, author Gavin de Becker observes that most women who are killed by partners are killed *after* leaving the relationship. He documents the following common warning signs of intimate partners who are likely to kill their former partner:

- Verbally abusive.
- Resolves conflict with intimidation and bullying.
- Uses threats and intimidation as instruments of control or abuse. Includes threats to harm physically, to defame, to embarrass, or to disclose secrets.
- Blames alcohol as an excuse for past bad behavior.
- Minimizes incidents of abuse.
- Blames others for his problems.

I observed all of these warning signs and more during my time with Dave. And that made ending relations with him difficult and terrifying to do.

### 3. Police Report

Lola's letter reporting that Dave wanted me and Evans dead made me fear for our lives. In particular, I was disturbed to hear that Dave expected publishing his manifesto would push me to kill myself. This point deserves emphasis. If you expect that taking an action is likely to kill someone, and you choose to do it, you have executed an intent to kill. Throughout Dave's manifesto and response, he claims that his goal is to simply share his story and tell the truth.

As I previously stated, it is a crime to post content online that results in the target's suicide. Some harassers point a gun at their victim. Others torment their victims so thoroughly with their words and actions that their victims kill themselves or take extreme steps to withdraw from the world and avoid their harasser. In my case, I moved across the country and blocked all communications from Dave, among many other steps I detailed previously.

## Exhibit 8

Alarmed by Dave's statement that my husband and I deserve to die, I reported Dave's conduct to the Seattle Police Department on March 30, 2022. The police followed up on my initial report by having an officer interview me. I provided the police with the same information I provided to NASPA. The officer advised me that Dave had broken criminal laws prohibiting stalking, harassment, and sexual assault. As examples of Dave's criminal conduct, the officer cited Dave's sexual coercion, publication of the manifesto, the texts and emails he sent with threatening language, and Dave's own words describing his own conduct and intent.

The officer informed me that he was escalating the case to a detective for further investigation. He assured me that given the safety concerns, the police would not contact Dave unless they were sure that police contact would decrease the risk of violence, rather than increase it. The officer advised me to immediately call the police if I saw Dave, and to purchase a panic alarm to carry at all times.

The officer also asked what I wanted the police to do with my report. I did not ask the police to arrest or incarcerate Dave. I told them that I had filed the report because I was concerned he was going to hurt someone, and I wanted them to know who to investigate if I turned up dead.

NASPA and any member of the public can request a copy of the police report from the Seattle Police Department directly.

#### 4. Initiation of Complaint

Evans and I did not initiate the March 2022 complaint to NASPA or any Scrabble organization. When Steve Pellinen received Lola's letter in his capacity as a WGPO director, he advised me that he sought to submit the information to Scrabble organizations because he believed Dave was dangerous. Steve is the one who initiated the complaint. I expressed great fear to Steve that reporting Dave's conduct would provoke a reaction from him, potentially a violent one. I continue to maintain that fear. Given that Lola's letter directly discussed me and Evans, I reluctantly concluded that I had to submit a statement.

Dave seems to think that I go around voluntarily choosing to talk about him and his harassment. I do not. Talking about the person who harassed, assaulted, and traumatized me is incredibly painful. It is the last topic I want to discuss, both publicly and privately. I don't raise his name in the presence of others. I walk away when others start talking about him. Given that I routinely work more than 65 hours a week, I do not choose to waste what little free time I have to spread rumors or wage a multi-year campaign of disparagement against anyone.

The fact that I am making this information public for the first time is evidence itself that I have not spent years disparaging Dave. If assassinating Dave's character was my aim, I could have disseminated this information years ago. He has already taken so much from me—my sense of safety, my trust in humans, my privacy, control over my body, and huge amounts of time and money spent in therapy and on security measures. I want nothing to do with him. I wish someone had warned me about him. I only hope that no one in the Scrabble community or anywhere else becomes his next target.

Sincerely,



Jennifer Clinchy

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**Subject: Incident report for Round 14 forfeited game**

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From: Jennifer Lee

Sun, Aug 5, 2018 at 2:29 PM

To: Jason Idalski

Hi Jason,

As requested, I am submitting information about why I chose to forfeit round 14. My assigned opponent was Sam Kantimathi. Multiple women in Scrabble have shared their personal stories alleging that Sam committed specific acts of sexual misconduct, including harassment and assault. I find their detailed accounts credible and understand that NASPA has investigated some of the claims against Sam. Months ago, I emailed Sam directly about the claims of sexual misconduct. He responded to my email, but did not address or refute the claims.

I did not forfeit the game lightly. Like so many women, I have been sexually assaulted in the past. I forfeited the game because I would find it intensely distressful to relive that trauma by playing against a man who has harassed and behaved disrespectfully towards women. I lament that the prior NASPA investigation did not conclude that Sam's character harms the Scrabble community and puts its players at risk. Thank you for your consideration.

- Jennifer Lee

September 9, 2022

As the statements that Steve included in his complaint were not written for this audience, I would like to take the opportunity to say that everything I said in my statement to Woogles and letter to Jennifer I believed to be true and correct at that time.

I will correct here where I have learned new information, where I think things are being misunderstood, possibly willfully, and where I now believe my writing could be clearer or I had omitted information I deemed irrelevant.

In responding to Dave's claim that my statement is almost all lies, I cannot be completely sure which parts he's arguing against, because his chain of events matches what I have shared, with just a few conflicts and many omissions and misrepresentations. I will attempt to highlight the omissions and lies in his version, and clarify where I think I could be being misunderstood.

### **My supportive and/or romantic texts**

The inclusion of romantic texts, kindness and compassion is very confusing to me here. He seems to be trying to present as proof that I did not feel the way I felt. César also says that I am misrepresenting the relationship.

I hope no one is reading what I wrote as if I'm saying there weren't good parts. Of course there were. If I hadn't dated him I wouldn't have gotten addicted to this game again, and that has worked out very well for everyone, in my opinion. I'd been able to express my

wishes for the game and its online presence, which led to him pointing out Cesar's Facebook group message looking for my skills. Puerto Rico was beautiful and delicious, and I loved Seattle and Capitol Hill.

It probably looked like a pretty happy normal relationship, given how hard I was working to keep Dave from getting upset or angry. I have never wanted my partner to be happy all the time more in my entire life. I feel like I explained this in my statement, but I'm willing to try again.

When you believe that the only way to keep yourself safe is to keep someone on your side, and when you believe that what's really wrong with this person is that they are in a lot of pain, and when you believe that having some friendship and love and compassion will heal them, that's what you offer. Wholeheartedly. And you don't get to just pretend to care. You care. And you don't get to stop caring when you realize it hasn't helped and can't help. I still care. I still do not wish to see him to suffer. He is a human being and he is in pain. This does not mean he gets to inflict the suffering on others.

You may not be able to imagine what this was like, and you may feel you'd have behaved differently. All I can tell you is how I felt and why I behaved as I did.

### **The Decision to Live Together**

His use of screenshots and mentions of the fact that I had talked to my family and friends about him driving to Salt Lake is also confusing. I don't quite understand how that's different from what I said, but I can say that those conversations were about my

concerns about whether letting him move in for a while was a really stupid thing to do. Particularly with Jordan, I was discussing Dave's violent rants and my hopes that he was just a good guy in a dark place, angry, isolated (in the social support system sense, as well as the pandemic sense), and in pain due to a horrible ex.

And at this point, none of his anger had been directed at me, other than a minor blowup about me choosing a frozen pizza from the convenience store when the restaurants closed down that made him sick. Maybe the rage I saw up to this point was temporary and being heightened by the pandemic stress and he just needed to have someone on his side. I believed this for a very long time.

### **Darrell Day**

In reference to the Darrell Day threat, I am attaching the emails that are referred to in his screenshot. As we both agree, I did not have access to the words of the threat. I am attaching the emails referenced by those screenshots. Later, Dave and I argued about this incident repeatedly. I continued to express concern that he would risk everything he cares about to intimidate a Trump supporter on the internet (while believing the extent of that threat was a quick "I'll smash your fucking skull" comment), that it was alarming that he couldn't see why he shouldn't, that it was concerning that he wished to inspire others to murder Trump supporters, and that it seemed like behavior he wouldn't logically arrive at. The original draft in the email shows his point of view. He yelled at me to stop bringing it up.

Many months later, when I saw the actual text I'd help to defend I was horrified, as already stated, in the emails Dave attached.

The email also shows that his wish for violence is not simply venting in anger. He hopes to inspire others to commit the violence.

*"I would consider the act of murdering him ... to be completely morally justified. More lives would be saved by eliminating those who would cast votes causing so much more death. That doesn't mean I'm going to do it myself. I'm not a murderer. I've never even hit another human being. But I believe it is justified. And I speak with the rhetorical intention of normalizing this attitude. I want more people to be enraged that this Republican administration is literally killing us. And that those who continue to support them are complicit in that violence. And if I can enrage enough other people that someone else kills people like Darrell Day, then I will consider that a good day."*

### **The Murder Fantasies**

Dave does not deny having murder fantasies. The difference between his account and mine is that he purports the revenge fantasies as being "off the cuff" and minor. It was every single night for hours in which he was in a terrifying, shouting rage, despite any of my protestations about my needing sleep. There are 52 nights from April 24th through June 15th. I can concede that the number of hours is an estimate. He has said many times to me and others that he wouldn't actually hurt anyone. However, he also said that



if he did kill the Clinchys and ended up in prison, it would be worth it because the world would be a better place.

I find it strange that he can both express sympathy for how this traumatized me, “I am highly sympathetic to Lola’s situation. I understand why she felt that she needed to lie. There was a period of time from early 2020 until mid-June when I exposed a lot of my inner trauma to her. I admitted many angry thoughts to her,” and then claim that I’m lying and that my state of mind was that I was fine.

In reality, I expressed my fear often. The psychopath jokes he includes in the screenshot originated from me trying to make light when I tried to tell him the impact the fits of rage had on me.

I even told him that I was afraid of what would happen if someday he became angry with me and decided I had betrayed him. He said he would never hurt me, because I could never do anything to him like what he believed they had done. This is seared in my memory, and part of why I reacted as I did when he said I had betrayed him.

New Orleans

The interaction in New Orleans is very, very different in my version.

1. My statement was shortened for brevity and that makes it slightly out of order. I lump all of the things I said to Dave into one sentence: “I told him that I think he’s an actual psychopath, that I’m terrified of him, that I owe him absolutely

nothing, and I ask him again to leave me alone.“ These statements were spread out more than that, as described below.

2. I also want to clarify that he was in a rage from a few sentences into speaking until he said I'd betrayed him, at which point he relaxed, as I stated to Jennifer and Woogles.
3. He talks about asking about the "hoax". What he said was, "Have you been spreading Chel's lies?" I reiterated that I don't care about that, and don't remember having mentioned it. Had it ever come up in conversation with Conrad, when I told him about the play reading group emails? Possible. I have no idea. In his statement, he then says that I said that things I told Conrad may have been the last straw. Those things are included in my statement: this is when I told him I had told Conrad I am afraid of him. I also told Dave I think he's a psychopath, and that I don't want anything to do with him.
4. Dave says, “She made clear that she still thought Evans and Jennifer were doing the wrong thing by excluding me, but when I pointed out that she was playing with their group and implicitly supporting them, she admitted a bit of hypocrisy. She wanted to get games and that’s where they were.” This is not the conversation and is false. I did not say they were in the wrong or admit any hypocrisy. I said I’d been playing the CoCo tournaments and would continue to as they were what was available in the area, upon which he said that the Clinchy's should be ineligible to be directors based on what they did. I said “From your perspective.” He said “What?” and I repeated. “From your perspective.” I told him I have never heard either of them even mention him, or heard anything about the lies he's sure they told.

5. This is when he relaxes and says “So you know. I feel more betrayed by you than by anything Jennifer and Evans did.”

After I delivered my statement to the Woogles team, César Del Solar messaged me on Slack and said that he had discussed the events I reported to him on January 20 with Dave, and that the part where Dave’s story seemed to differ from mine was on that sentence. Dave told Cesar he meant the opposite, that he did not feel as betrayed by me. I have tried to imagine how I could have misheard a sentence with that structure that meant the opposite, and having read his version, I now struggle to fit the words he says he used (“light betrayal”) into that sentence. I heard what I heard.

6. Dave's account says that I didn't respond at this point and he just sat there being sad.

It is completely false that I said nothing.

In the actual conversation, it's after he says I've betrayed him that I am exasperated and frightened and angry. I tell him that I don't owe him anything. That I have already paid so much for trying to help him. I tell him I've lost my ability to trust people or date, that I've lost my faith in humanity, that I don't trust my judgment in people, and that I feel completely destroyed. I tell him all I want is for him to leave me alone. I tell him he has my sympathies for his pain as always, that I think they're going to start clocks, and I walk into the playing room. He says behind me, “Thank you. I won't bring this up again” and I say, “Well, I would certainly appreciate that.” with what I felt was very obvious anger.


## **The Blog**

# Exhibit 9

I would also like to address Dave's declared perception that I was supportive about the blog. I was very supportive that he write down his perspective and get his feelings out, not to the publishing of it. I encouraged him to take some of his more unrelated parts about his childhood and family and write a memoir from that instead. He said it wouldn't stop them from what they're doing. I then encouraged him to write a separate thing, explaining instead why a third organization was bad for Scrabble, which he also said missed his point. I expressed concern that he might be sued, and he said that couldn't happen because it was all true and they're the ones who lied and this proved it.

Just as in what he has said about me in his response, his story left out all of the behavior that would lead the Clinchy's to exclude him from a tournament he wanted to play. He had been told he was banned from the other tournaments they direct. I had been expecting so much worse. His commitment to including irrelevant personal information that made him look really bad, even after I pointed out people would react, made me assume he was telling the truth and the whole story.

This is the same thing I tried to express in the message I posted on Facebook, that was included in Jennifer's evidence.

 BriAnna McKissen Peter Armstrong I feel like you've missed a lot of the consequences for his behavior in however you read Dave's post. He isn't allowed to play in any tournaments they organize (and has had his entry fees returned to him when he's tried), and they organize the only tournaments in his area. He isn't allowed to be invited to any of the club like playing opportunities in his area, and playing is his whole world. I presume you haven't been blacklisted from playing where you live?

He behaved like many people do when wounded, for a couple of months, stopped behaving that way, and has been paying vastly disproportionate consequences for 3 years. He tried to apologize. He tried to move on and just assume they'd let him play.

He's now faced with the possibility that COCO becomes the primary Collins opportunity in North America, and it's their organization. I know if it were me, I'd be terrified that the only thing I care about is now gone, because I was a dick for a few months when I was feeling heartbroken.

I don't know Jennifer or Evans. Dave knows I disagree with his belief that he had a right to make her listen to what he had to say. It doesn't matter.

The fallout has been incredibly unjust and while he's certainly pissing people off by putting his story out there, I don't know what else he can do. Being publicly excluded is better than being secretly excluded.

This, with him exposing the full extent of his behavior and flaws seems like the best path to "yeah, you're a jerk sometimes. You're not a monster. Let's play the game."

Like Reply 2d

8

I still stand by most of that. He did not have the right to subject her to his anger. Being publicly excluded is better than being privately excluded, and that's what a ban is. Having heard the other side of the story though, after I wrote my statement and talked to Jennifer about Dave for the first time, my belief is that his situation does not have an external cause. Dave's loneliness and ostracism are caused by Dave's continued use of intimidation, not just against women, but against many players. I wanted to believe then that the cause and effect were reversed, that his ostracism had caused his anger, and that if he could just play again it would go away.

**Twitch**

Twitch randomly assigns subscription gifts to other viewers when you buy a pack, as I explained when he messaged me about the subscription.. I did not choose for the one Dave got to go to him.

**Dave's Direct Treatment of Me**

I believed I was the only person who had seen the way Dave gets when he loses his temper and that he probably wouldn't get that way at a Scrabble tournament. His anger in New Orleans changed my mind.

It is untrue that his anger during the relationship was only at the Clinchys and never at me. During our relationship, he lost his temper at me about me quite often. As I'd mentioned, he yelled at me when I expressed concern about what had happened on Facebook about Darrel Day. Fairly consistently, me expressing my anxiety about the relationship caused him rage. After we left for Seattle this increased significantly. He yelled at me in the car on the way there about my health problems and needing to stop to move around. He flew into a rage about me trying to tell him about similar terrain when he'd wanted me to be focused on seeing the Columbia River Valley. He was also furious on that trip that I'd thought he'd like a band that he was certain he wouldn't like, because I described it as complex when what he liked these days was simple. After arriving, he yelled at me about where I'd moved the sharpie that belongs where he'd left it on the counter in front of the dish drainer, and about my anxiety when I grew concerned about a broken microphone on my work computer soon after we got to Seattle. The last argument I mention was triggered by him screaming at me on the street

because I had asked if we could stop and grab the things we needed when we walked by the grocery store, and he said we would on the way back. When I attempted to go in as we passed back on the way, he started shouting that he'd already said he didn't want to go and it should have been obvious he said that to appease me since it was ridiculous to run errands on a walk and I should have understood that. A few hours later, he yelled at me and called me stupid in front of people online playing Codenames, because I had guessed Octopus for Wet when it was obviously Fall he intended.

For many hours after, I tried to explain why that wasn't okay behavior and that I could not possibly read his mind.

He argued that this was the same point his family and the Clinchys were wrong about. He said that if someone makes him angry, they are required to face his anger and listen to him verbally abuse them. He said one of the main things wrong with the world is that men aren't allowed to get angry. I could not get him to see that feeling angry doesn't give you the moral right to take that out on others.

A few weeks after I came home and a few days after he had published his blog, he called to see if I still thought he did nothing wrong. I asked him, "based on just the eight weeks I was dating you, maybe she was just scared of you. Did you ever yell at her?" He said, yes, he "chewed her out all the time" but that she "appreciated it because she made horrible decisions about her personal life."



He often says, in his own writing which you've read, in the accounts of his friends, and in his response to NASPA in the Darrell Day complaint, that he wouldn't actually hurt anyone. I think maybe he believes this. I do not. I do not believe he has control of himself when he is in a rage, and in New Orleans, it seemed like the rage was still getting worse, as some of it was now attached to the girl from Maryland. I very much hope I'm wrong.

### **Summary**

I did not have a goal in writing down my trauma for strangers to try to get Dave Koenig banned from Scrabble. I just wanted a space that was important to me to be somewhere I could continue to be.

After writing it and talking to Jennifer about her experiences while dating him, many of which she's detailed, and seeing how similar they are to mine, I realize it's not just about my safety. While I'm still unsure that going on the record with this made me any safer, or whether actually banning him makes anyone safer, I believe this being out in the open makes it less likely that the next person will feel the fear I feel or the fear other members of the community feel.

Thank you for your time and attention,

BriAnna Lola McKissen

I am writing to the Executive Committee of NASPA to request a reconsideration of the three-year ban imposed on me by the NASPA Advisory Board in September 2022.

The Executive Committee should reverse its decision for several reasons. First, the allegations against me are completely false. Second, the decision was the result of a campaign of disinformation and defamation waged against me by other members of the American tournament Scrabble community. Third, the process by which the Board reached its decision was fatally flawed and did not allow me an opportunity to properly defend myself.

This story does not end with the decision of NASPA's Executive Committee. Evans Clinchy, Jennifer Clinchy, and Lola McKissen have all broken the law.

I am confident that an objective, unbiased jury will accept what the facts in my case prove in a way that North American Scrabble leadership heretofore has not. Perhaps due to emotional and political connections or concerns, or perhaps as an overreaction to criticism of its handling of previous misconduct allegations, the NASPA Advisory Board was unable or unwilling to follow the facts of this case to their natural conclusion: that I have not violated the Code of Conduct in any way, and that my accusers have manufactured a false narrative with the specific intent of excommunicating me from tournament Scrabble across the continent and the world.

I will start by describing the series of unexpected and unwarranted actions that led up to the Board's misguided decision. I will then outline the background to the campaign against me, describe the procedural flaws in the Advisory Board's process, and provide my response to statements made by my accusers which I was not given the opportunity to do during the Board's process. I will then outline the proper resolution of my situation.

All I expect from the members of this committee is that they treat me exactly as I would treat them if our positions were reversed.

## **My Experience with Scrabble Leadership in 2022**

On April 14, 2022, I received an email from Steven Pellinen, copied to the WGPO Board with the subject heading "Notice of Potential Disciplinary Action", including five attachments:

- (1) A more detailed letter from Steven Pellinen
- (2) A statement from Lola McKissen
- (3) A statement from Evans Clinchy
- (4) A statement from Jennifer Clinchy
- (5) A collection of attached documents (the majority of which is screenshots of my blog at [splenetic.net](http://splenetic.net))

I believe that this email was the culmination of an attempt to destroy my reputation within the American tournament Scrabble community by spreading defamatory falsehoods. From 2017 to 2019, Evans and Jennifer Clinchy had done many underhanded things to keep me out of

# Exhibit 10

NASPA tournaments they organized, and when that wasn't enough, they decided to create a whole separate Scrabble organization, from which I was excluded. I strongly believe that they convinced Steve Pellinen to file this complaint in an attempt to give their personal grudge against me an air of bureaucratic legitimacy. Unsatisfied with excluding me from their new organization, in which I had no interest to begin with, they expanded their efforts to get me banned from all tournament Scrabble. These statements are an attempt to frame me for harassment and other misdeeds by creating a false narrative about me.

It was absurd that I even received this email from WGPO on many grounds. First, the vast majority of the allegations in the documents were about private relationships that should not be the business of any Scrabble organization to cast judgment on. Second, the few allegations that may have been relevant were related to NASPA-sanctioned tournaments, which are the only sanctioned ones that I play in North America. I am not a member of WGPO, and I have had zero interest in playing in any WGPO tournaments.

Later that same day, I received an email from Judy Cole, copied to the Advisory Board at NASPA containing the same five attachments, informing me that Steven Pellinen had sent all of the documents to the NASPA Executive Committee, and that the NASPA Advisory Board wanted my response "within 10 days if possible."

The next morning, April 15th, I responded to NASPA and copied Steven Pellinen personally (but not WGPO) saying I only recognized NASPA as having authority over Scrabble in North America, and that I would only deal with them. I further stated that I would need at least a month to respond, and that I would additionally provide my official response to Steven Pellinen as a personal courtesy to him.

Two people from NASPA replied in agreeable and helpful ways. Steven Pellinen responded, asking me to respond to part of the complaint sooner. I ignored Steven's message. Steven was the plaintiff in the case against me, and it was completely inappropriate for him to circumvent NASPA and ask for a reply sooner, just as it was completely inappropriate for WGPO to contact me in any way whatsoever about this. A few days later, on April 19th, NASPA told me that I had as much time as I needed to respond and to refrain from attending any NASPA clubs or tournaments and from making contact with the complainants until they made their ruling, which I complied with.

On April 25th, I received an email that was caught in my spam filter from [conduct@cocoscrabble.org](mailto:conduct@cocoscrabble.org) telling me that I had until April 28th to respond to them because of this incident report. This email included quotes from an April 14th email that they had allegedly sent me, but I had never received that one.<sup>1</sup> I never responded to any of CoCo's communication,

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<sup>1</sup> It is possible that the April 14th email was lost in my spam filter, but that seems unlikely to me, because my email provider says that it deletes things from spam after 30 days. I checked the spam filter in late April and saw the April 25th email from CoCo but no April 14th email.

and they sent me another email on May 22nd with their disciplinary decision in an attachment, which banned me from playing in their tournaments for five years.

I had hoped to get my response back to NASPA by late May, but I was unable to do so. I had already booked travel, long before I received the incident report, to go to the UK and Germany to compete in tournaments in both countries that were sanctioned by the Association of British Scrabble Players (ABSP) and WESPA. Technically, this was not within NASPA's purview, but I was completely above board with NASPA in letting them know about my planned travel and intent to play in the tournaments. The NASPA Advisory Board explicitly okayed me playing in the European tournaments before adjudication of my case. These are the only tournaments I played after receiving this incident report, and I have not attended any clubs nor even played Scrabble with anyone online in that time.

Meanwhile, Steven Pellinen emailed me again on May 27th telling me that WGPO was proceeding with a review of my case without my statement, because I had not submitted it on time. I responded, reminding Steve that I would copy him on my response to NASPA and informing him that NASPA had given me no deadline. I further pointed out that WGPO had no right to ask me for anything or to have a hearing about me, as I was not playing in their tournaments and had no intention to do so, and that the only tournaments relevant to the incident report were NASPA tournaments. On June 29th, I received an email from Keith Hagel, on behalf of the WGPO Board of Directors, notifying me that I had received a five-year ban.

I had been registered to play in the NASPA Scrabble Players Championship in Baltimore in late July, but because I was not able to get my response to the incident report written in a timely way, I dropped out of the tournament.

On August 8th, Michael Tang made an announcement about the Alchemist Cup 2024, which is an international event pitting teams of the top 5 players from many countries against each other. His announcement included the news that players who were suspended by two out of three Scrabble associations in North America would not be permitted to register for the event, and he specified that he was considering NASPA, WGPO, and CoCo to all count as Scrabble associations for North America. This rule was clearly targeting me, as I was the only person in the world who was suspended by two out of three North American associations. Furthermore, it was unprecedented to consider either WGPO or CoCo as an association for qualifying purposes. Only NASPA had WESPA recognition and had ever been involved in international qualifying before.

(Note also that the exact ways in which Evans and Jennifer had broken NASPA rules in 2017-2019 had the effect of corrupting the qualifying process for the 2018 and 2020 Alchemist Cup tournaments. Evans and Jennifer had organized their own Virtual World Cup in 2020, which was billed as a replacement for the canceled 2020 Alchemist Cup, and they had also cheated me out of a spot in that event.)

## Exhibit 10

On August 24th, I received another email from the NASPA Advisory Board telling me that my name was now on the suspended players list and that I had until two weeks from that date, September 7th, to get a response to NASPA. *The email also mentioned that Steven Pellinen had contacted the Advisory Board and was pressuring them to act sooner.* I responded the next day saying that I would get my response in by September 7th.

On September 6th, I sent my response to the NASPA Advisory Board, copying it to Steven Pellinen. A day later, Jason Idalski, who had been my main point of contact on the NASPA Advisory Board, informed me that their next meeting would be on September 20th.

On the morning of September 21st, I texted Jason Idalski back to inquire about whether the Advisory Board had made a decision. I did not hear back for several hours. I then texted Stefan Rau, another member of the Advisory Board I know well, asking the same thing. Jason Idalski and Stefan Rau got back to me within ten minutes of each other, each giving me contradictory information.

On September 23rd, I received an email from Jason Idalski, copying both the Advisory Board and Steven Pellinen, informing me that I had been given a three-year ban. The email referred to three violations by me of the Code of Conduct but gave no specifics as to what I had done to violate the Code or what part or parts of the Code I had allegedly violated, other than a reference to Section 2.

On September 25th, I was contacted via Facebook Messenger by Eric Kinderman, a non-voting member of the WESPA board, telling me that NASPA had told them that I was sanctioned for three years but did not give a reason. He suspected foul play. I responded,

*I did submit a defense, and if you read it, it conclusively proves that all the charges against me were false, and also that all three people who submitted statements knowingly and intentionally submitted false information against me. The response they gave me also did not specify what I did that supposedly merited the suspension. All of my communication with the Scrabble associations henceforth will be through my lawyer.*

I also learned around this time that Sue Tremblay, Community Advocate of NASPA, was never informed of the incident report brought against me or the NASPA Advisory Board's deliberations about it. She only learned about the case from me after I had already submitted my response. According to NASPA's website, the Community Advocate's "mandate is to provide a safe environment for members reporting cases of harassment within the association."<sup>2</sup> Sue was always looped into incident reports like this one since her appointment, and she seems to have been intentionally excluded from this process.

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<sup>2</sup> [http://www2.scrabbleplayers.org/w/Community\\_Advocate](http://www2.scrabbleplayers.org/w/Community_Advocate) A PDF printout of that page is included in the attached materials.

On November 8th, 2022, my former attorney sent a letter to the NASPA Advisory Board asking for explanation of the rationale behind their decision and whether there were any additional documents submitted as part of the case that I had not been shown. The letter also doubled as a litigation hold letter.<sup>3</sup>

On November 10th, John Chew, the President of NASPA, who serves on both the Advisory Board and the Executive Committee, wrote back notifying me that the Advisory Board would not elaborate on the ruling.

On November 15th, John Chew wrote again, attaching additional statements from Jennifer Clinchy, Lola McKissen, and Steven Pellinen dated September 9th, 2022. These statements contained a large amount of additional defamatory material from Jennifer and Lola. The statement from Steven Pellinen also showed that he was very obviously not an objective third party and was a further scathing criticism of me. Though NASPA's Advisory Board did not meet to consider my case until 11 days later, on September 20th, I was never informed of the additional documents prior to NASPA's verdict. Furthermore, I never would have found out about them if not for the letter from my former attorney.

The submission of the September 9th documents was against the rules of NASPA's disciplinary procedures as far as I understood. Jason Idalski had explained to me over the phone that the disciplinary process was just that the Advisory Board would review the complainants' original statements from April 2022 and my response in a private meeting. Neither I nor the complainants would be at the meeting. There would be no cross-examinations or further rounds of statements.

On April 14th, 2023, I filed a lawsuit in Multnomah County Circuit Court against Evans, Jennifer, and Lola for Defamation, Conspiracy to Defame, Intentional Interference with Economic Relations, Conspiracy to Tortiously Interfere with Economic Relations, Intentional Infliction of Emotional Distress, and Conspiracy to Intentionally Inflict Emotional Distress. I did this, at great personal financial risk to myself, because my reputation has been unlawfully tarnished and I need the Scrabble world to see the truth.

## **Political Background**

As this Committee is surely aware, the emergence of new tournament Scrabble organizations in recent years has led to various political and financial rivalries, and has threatened to fracture an already small community of players.

WGPO started as a rebellion from NASPA because of dissatisfaction with Chris Cree's leadership around a decade ago, and it struggled to have relevance for the first decade of its existence. Before the pandemic, it was mostly a regional phenomenon in the Twin Cities, Reno,

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<sup>3</sup> On November 11th, litigation hold letters also went out to Evans Clinchy, Jennifer Clinchy, CoCo, Steven Pellinen, WGPO, and Lola McKissen.

and Arizona areas and was ignored by much of North American competitive Scrabble in the rest of the country. Furthermore, almost no one was playing CSW Scrabble under its auspices.

When WGPO received a large cash infusion from Jon Shreve in 2021, they suddenly became more relevant. Shortly thereafter, Evans' and Jennifer's organization, the Collins Coalition, began to work more closely with WGPO. What I've heard from other Scrabble players is that WGPO saw CoCo as a natural fit to work together, because WGPO didn't have much of a CSW presence, and it was an opportunity to grow.

Meanwhile, NASPA was rocked by the scandal surrounding Sam Kantimathi, who was credibly accused of multiple incidents of sexual harassment and assault, as well as cheating, over a lengthy period of time. Many members of NASPA expressed dissatisfaction with the way the Advisory Board handled that situation, and I agree wholeheartedly with them that Sam should have been punished more severely, up to a lifetime ban from tournament Scrabble anywhere.

Any comparison between me and Sam is absurd. I have never cheated at Scrabble, and I have never sexually harassed or assaulted women. Nonetheless, when Jennifer was on NASPA's Advisory Board, she pushed through a change to the Code of Conduct making it explicit that the Code covered actions that occurred outside Scrabble tournaments themselves. In the opinion of fellow Board member Stefan Rau, Jennifer was using the Sam Kantimathi situation as a smokescreen to make this change, hoping it would give her and Evans more leverage to keep me out of tournament Scrabble.

Later, Evans and Jennifer used NASPA's poor handling of the Sam Kantimathi situation as a main talking point for why they split off to form their renegade association, CoCo. It has obviously been a sensitive issue for NASPA leadership, given the investigation and the further disciplinary action that was taken against him after he had been reinstated from his suspension for cheating at 2013 Nationals.

Prior to this, Evans and Jennifer took preemptive measures to prevent me from ever being at the same Scrabble tournament as them. From 2017 to 2019 they did this by making all their events small "house tournaments" and gaming the registration systems. But they wanted to grow and start running bigger events, from which it would be more difficult to exclude me, so they split off from NASPA and started their own organization so they could keep out whoever they wanted. However, once they decided to collaborate with WGPO on the 2022 Word Cup, keeping me out was no longer their sole decision. They would have to get WGPO to agree with it.

Evans and Jennifer were working from an entirely false assumption that I wanted to play in any tournament they were involved in running. So it apparently became necessary to convince WGPO to exclude me as well.<sup>4</sup>

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<sup>4</sup> I had been vocal in my opposition to WGPO before, and my principles cannot be bought off by WGPO suddenly getting a cash infusion. Furthermore, there is zero chance that I would have signed up for the 2022 Word Cup, specifically because CoCo was allowed to have a role in organizing and running it.

It is clear from the actions of Steven Pellinen and the WGPO Board that they completely bought the con that Evans and Jennifer sold them.<sup>5</sup> I don't doubt that there were people on the WGPO Board who sincerely believed the statements of Evans, Jennifer, and Lola, and who never suspected that they would lie as drastically as they did. However, it was also to the WGPO Board's political advantage to go along with it. By standing together with CoCo in denouncing and suspending me, WGPO would both curry favor with Evans and Jennifer to strengthen the bond between their organizations and give both organizations a competitive advantage over NASPA by showing that they were tougher on protecting their members from abusers/harassers (both actual and merely accused), an area where NASPA had already shown weakness.

Steven Pellinen's later behavior toward NASPA strongly supports my thesis. First, when I copied him as a courtesy on the email that I sent to NASPA on April 15th notifying them all that I would only be working with NASPA on the disciplinary process, he wrote back that day with a major overstep. He acted as if he should have any role at all in deciding on a timeline for my response to NASPA, and then he asked me to submit some response sooner. What he did was tantamount to a plaintiff telling a defendant in a court case that they need to provide their defense directly to the plaintiff outside the court system and ahead of the schedule of the court.

Second, Steven contacted me on May 27th, again pestering me for a response and threatening that WGPO would have a hearing about me without my defense. Where was the fire? Why was it necessary for WGPO to do anything when I had already communicated that I had no intentions of playing in any of their tournaments, and they knew that NASPA was going to have a hearing, and that they were going to see my defense eventually? Furthermore, why was this not solely NASPA's domain, considering that I only played in NASPA tournaments and the only tournaments relevant to the statements were NASPA tournaments?

I believe the answer to these questions is that Steven and WGPO were trying to strongarm NASPA and demonstrate that they were not beholden to NASPA's timelines. They wanted to act like the only organization in North American Scrabble that matters.

Everything I said about WGPO having no right to have a hearing about me applies just as much to CoCo, but I don't take anything they do seriously. It had already been apparent to me that CoCo is not in any way a professional or unbiased organization.

In early August, Michael Tang made his announcement about the qualification procedures for Alchemist Cup, which had a unique provision that would keep me out of the event based on CoCo's and WGPO's judgments, regardless of what NASPA did. It is highly irregular that WGPO or CoCo would have any role in determining qualifications for international events, since only NASPA has previously had any role in determining American qualifiers for international

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<sup>5</sup> This was of course helped by Lola's involvement. I will deal with her role in all of this later, but keep in mind that Lola did not become involved in any of this until early 2022. Evans and Jennifer had been laying the groundwork for much of what happened to me long before that.



events, and only NASPA is a WESPA-recognized member association. The rule makes even less sense considering that CoCo and WGPO combined have fewer players than NASPA.

Then, an August 24th email I received from Jason Idalski of NASPA attested that Steven Pellinen had been interfering even after WGPO made its decision:

*Steve Pellinen also e-mailed the AB this afternoon asking for an update on your case, accusing both the AB and you of not taking this matter seriously given that we've done nothing since receiving his complaint. The AB has to consider that Steve may be getting ready to point out that WGPO and CoCo has suspended a man alleged of sexual assault for five years while NASPA has sat on its hands for four months, thereby making its clubs and tournaments unsafe for women (unfair as that characterization may be).*

Jennifer made a false claim that I assaulted her while I was in a consensual relationship with her. That claim was not supported by any evidence whatsoever, and she made it six years after we were in a relationship. WGPO and CoCo both decided to suspend me based only on her word when I had not yet said anything in my defense. Then these organizations used those kangaroo-court decisions to exert pressure on NASPA to do the same.

For Steven to accuse me of not taking the matter seriously ignores the fact that I had many legitimate reasons for requiring the amount of time I requested (and was granted) by NASPA to prepare my initial response. Steven may not have known about these reasons, because they were none of his business. My only concern was making sure that NASPA understood that I did, in fact, take the situation seriously and wanted to submit as well-prepared and comprehensive a response as possible. I never failed to meet a deadline imposed by the Advisory Board without requesting and being granted an extension, and when it was made clear to me that I had a final deadline, I met it. Apart from the fact that it was emotionally exhausting and traumatized to have to write the response in the first place, I experienced several personal crises that prevented me from putting my full mental focus on my response. The time I took preparing my response was both justified and approved by NASPA.

But based on what Jason wrote, Steven's attempt to strongarm the Advisory Board was successful. They were afraid of Steven and WGPO telling this bogus story that they had been soft on me and that neither I nor they were taking things seriously, which would make NASPA look worse and both WGPO and CoCo look better. None of this was about fair treatment of me. It was about optics and the political infighting between these organizations.

The most egregious deviation from a fair and proper disciplinary process came just after I had submitted my response, although I did not learn about it until months later. Steve Pellinen, with whom I had shared my response to NASPA, provided it without my or, presumably, the Advisory Board's permission, to Evans, Jennifer, and Lola, and the Board then allowed them to file rebuttals of my response, which they kept secret from me and which formed the basis of their decision to issue my suspension.

## Exhibit 10

When my former lawyer sent a letter to NASPA in November, John Chew refused to give any more detailed explanation of NASPA's rationale for its decision. Without a clear understanding of the basis for my suspension, the ability to appeal the Advisory Board's decision to this Committee becomes almost worthless. Nonetheless, I believe that by taking the opportunity to respond to the September 9<sup>th</sup> statements by Jennifer and Lola, I will once again demonstrate that their allegations are false, that I have not violated NASPA's Code of Conduct, and that my suspension should be immediately lifted.

## **Jennifer's September 9th Statement**

All I have ever cared about in this situation is being able to have fair and equal access to Scrabble tournaments with the best players and not letting relationship drama get in the way of my ability to focus on Scrabble. The only debates I would like to be having are about who should be running our tournaments and leading our organizations and how we ensure fair registration and qualification procedures.

I did write about some of my relationship history with Jennifer in the splenetic.net blog in July 2020, but only insomuch as it pertained to our interaction at the January 2017 New Orleans tournament. I am addressing the entirety of what Jennifer and Lola have written about our past relationships here not because I feel a need to defend myself, but because I want to illustrate the full extent of their lies.

When I wrote splenetic.net, I strove to avoid ad hominem attacks and to keep my criticisms of Evans and Jennifer limited to what was politically relevant to the Scrabble world. I was also, as always, an assiduous steward of truth and corroborated everything that I said to the fullest extent possible with contemporaneous evidence. They and Lola have done no such thing. They have repeatedly made ad hominem attacks, viciously attacked my character, and made things up. I think it is very important to consider the character and the track record of honesty or dishonesty of all parties involved, and that is why I feel I must now show that Jennifer has a long history of dishonesty and lack of ethics that goes beyond what either side has already discussed. One of the reasons that I feel I must do this is that some of the distortions she gives in her most recent statement relate to some of her past terrible behavior.

- Jennifer and I had one conversation about the threatening text message I got from Kenny, but she knew nothing about the situation other than what I told her, and her version of our conversation is a lie that is at odds with all of the facts of that story. Kenny's threat came months after I had any sexual relationship with Sarah. He made it in response to his wild misinterpretation of an approximately five minute long interaction a day earlier that Sarah, I, and another male friend of Kenny's had in a pizzeria, at a time when Sarah and I were both drunk. The other man was calling an Uber for Sarah. Things that I said while I was trying to protect Sarah, because I was unsure whether to trust this man who was asking for her address, were twisted by Kenny, who wasn't even present.

- Jennifer tells the truth that I did call her a “dirty whore” once during sex, though it was not rough sex, and she omits the context of why it happened. On Friday, May 1st, 2015, after I had been away on the west coast for almost a week, Jennifer and I traveled together on a three-day and two-night trip to the Niagara Falls tournament. After we had checked into our bed and breakfast that Jennifer had arranged, at dinner that evening Jennifer revealed to me that she had spent the entire previous week hooking up with another man, and that after we returned home she did not want to date me anymore. What she had done was outside the bounds of our dating relationship as far as I understood it, but her explanation was that she had changed her mind about what her limitations were and had not felt any need to tell me that. Despite the conflict we both felt about the situation, we maintained our plans to stay together. The first time we had sex while on the trip, I called her a “dirty whore” a single time as a way of trying to channel my frustration with her cheating into sexual chemistry between us, but she did not like it and immediately told me not to say such things. So I did not ever repeat the phrase to her.
- Jennifer and I broke up for a while and she continued to see this other man, but in early summer she broke up with him and got back together with me. She told me that she quoted to him the Taylor Swift song lyric, “we are never, ever, ever getting back together.” She mentioned that she had tickets that she had bought for the two of them to go to a video game music concert in Pittsburgh and said that she was going to sell them. In the last week of July, Jennifer and I booked flights and accommodations for a three week trip to Australia together to play in the World Scrabble Championship in Perth, including many nonrefundable costs. A day or two later, she revealed to me that she had not sold the concert tickets and was still planning to go to Pittsburgh with the other guy for the concert, which was happening the very next weekend of August 1st and 2nd.
- Jennifer’s story about my rage in Perth, Australia is a complete lie. To describe my conversation with her that evening as “a screaming torrent of verbal abuse” is simply not accurate. I have already told the true story of that interaction in the splenetic.net blog. She is attempting to rewrite history specifically to undermine the evidence against herself that she admits to, that she point-blank told Judy Romann that she did not have a problem with me and that only Evans did. I am including a photo of a hand-written love letter that Jennifer gave me in December 2015, shortly after we returned from the trip to Australia, which illustrates that the dynamic between us and her feelings about me were completely different than what she has falsely portrayed. For ease of reading, here is the text:

*Dearest Dave,*

*The wisest Scrabbler I know suggested I write to you, rather than further attempt to express myself in self-contradictory circles.*

*Everything about you, and about us, has defied my expectations. From the beginning, I could sense that you would impact me in significant ways. You disrupted my life and continue to surprise me. We have survived heartache and heartbreak, lust and hurt, gratitude and forgiveness. We have come together and split apart, and always I am drawn back to you.*

*After my divorce, I had in mind a logical sequence for what I thought I needed. It involved me dating many men to fill what I perceived as a gap in my experience and self-understanding. Instead, I found myself choosing to spend each spare day with you. Thinking of you makes me smile. When asked if you spark joy for me, I immediately answered, "Yes." There is much that I love about you. You are fiercely intelligent and stimulate me intellectually. I melt under your kisses and tremble when you caress my body. I am attracted to you now more than ever. You help and encourage me; you share my laughter and tears. I can be all of myself with you—elitist and sweet, elated and devastated. You have direction and motivation and strive to improve yourself. I admire your empathy, generosity, and thoughtfulness.*

*In our evolving relationship, you have been kind to me. You have responded to feedback and changed how you interact with me to better meet my needs. You listen and endeavor not to interrupt me, and I notice and appreciate you doing so. I feel heard. You preserve the quiet peace more than before, and more than perhaps feels natural to you, because you know I need it. You remind me that I am beautiful. You started exercising. You take interest in my hobbies, friends, and family. Your words and actions make me feel loved. You supported and comforted me through the hardest year of my life, and I will be forever grateful to you for that. You are special to me, and always will be.*

*At times, I have made mistakes and expressed confused and contradictory emotions. This remains a period of transition and growth for me. I am scared of relationships, but with respect to you, the prospect also excites me. We have cultivated a connection that I want to nurture, not abandon. Our relationship has never been easy, but the experiences we share have been worth the effort. I want to continue to envelope you in hugs and cover your body with soft kisses. I want to cradle your head in my arms, to comfort you when life disappoints, and support the pursuit of your dreams and goals.*

*I don't know what lies ahead for us. For that reason, I wanted to write to you now, after much reflection, when times are good, so that you know what I think of us and how much you mean to me. I love you, sweetie#.*

*Jenn*



December 13, 2015 ~

Dearest Dave,

The wisest Scrabbler I know suggested I write to you, rather than further attempt to express myself in self-contradictory circles.


Everything about you, and about us, has defied my expectations. From the beginning, I could sense that you would impact me in significant ways. You disrupted my life and continue to surprise me. We have survived heartache and heartbreak, lust and hurt, gratitude and forgiveness. We have come together and split apart, and always I am drawn back to you.

After my divorce, I had in mind a logical sequence for what I thought I needed. It involved me dating many men to fill what I perceived as a gap in my experience and self-understanding. Instead, I found myself choosing to spend each spare day with you. Thinking of you makes me smile. When asked if you spark joy for me, I immediately answered, "Yes." There is much that I love about you. You are fiercely intelligent and stimulate me intellectually. I melt under your kisses and tremble when you caress my body. I am attracted to you now more than ever. You help and encourage me; you share my laughter and tears. I can be all of myself with you — elitist and sweet, elated and devastated. You have direction and motivation and strive to improve yourself. I admire your empathy, generosity, and thoughtfulness.

In our evolving relationship, you have been kind to me. You have responded to feedback and changed how you interact with me to better meet my needs. You listen and endeavor not to interrupt me, and I notice and appreciate you doing so. I feel heard. You preserve the quiet peace more than before, and more than perhaps feels natural to you, because you know I need it. You remind me that I am beautiful. You started exercising. You take interest in my hobbies, friends, and family. Your words and actions make me feel loved. You supported and comforted me through the hardest year of my life, and I will be forever grateful to you for that. You are special to me, and always will be.

At times, I have made mistakes and expressed confused and contradictory emotions. This remains a period of transition and growth for me. I am scared of relationships, but with respect to you, the prospect also excites me. We have cultivated a connection that I want to nurture, not abandon. Our relationship has never been easy, but the experiences we share have been worth the effort. I want to continue to envelope you in hugs and cover your body with soft kisses. I want to cradle your head in my arms to comfort you when life disappoints, and support the pursuit of your dreams and goals.

I don't know what lies ahead for us. For that reason, I wanted to write to you now, after much reflection, when times are good, so that you know what I think of us and how much you mean to me. I love you, sweetie#.

Jenn 

- Jennifer's reference to her letter to Jason Idalski is a repeat of the same insinuation tactic that she used in her previous statement, when she didn't outright say the falsehood that I followed Lola to Portland but did everything possible to imply it. Early in our relationship Jennifer revealed to me that, prior to marrying her first husband, she had been raped by a man. The second paragraph of section 1 of her statement does not mention me, but the placement of it is intentionally designed to deceive the reader into thinking the letter is about me, as is her inclusion of the letter with her statement. She highlights two sentences in the letter. The first is about the man who raped her, and the second is about Sam Kantimathi. Nothing in the paragraph mentioning Jennifer's email to Jason nor in the email itself is about me.
- Jennifer makes many pure appeals to emotion with a lot of details that are not evidence pertaining to me in any way. In her first statement she went on about installing a home security system. I have no desire to go anywhere near her home or ever be in her life again, and if she has built a false story in her head that I am threatening her, that is her prerogative and not my fault. None of those details should in any way be relevant to a judgment about my character or my participation in Scrabble tournaments. Similarly, it doesn't surprise me that she has read books about sexual assault, considering that she has experienced such a thing. A list of titles and a bullet point list of warning signs of intimate partner violence have nothing to do with me, and do not even vaguely resemble evidence.
- Jennifer has repeatedly mischaracterized the nature of our relationship. It's true that during the time we dated, she did not want to be in an exclusive relationship. However, aside from one man she saw in the late spring of 2015, I'm not aware of anyone else she saw with any regularity. I believe that de facto we were both each other's primary partner, even if she didn't want to call it that, for most of a year and half. During this time, unlike what Jennifer says, I was far from controlling. Just the opposite, I was extremely understanding of how reluctant she was to commit, because I myself had experienced something similar in my early dating relationships in the first few years after I had divorced. I bent over backwards not to put pressure on her and just be as supportive a boyfriend as I could be with zero expectations, even as her ambivalence about being in a relationship sometimes tortured me. The letter from her above testifies to the true nature of our relationship, and Jennifer also verbally testified to this when she told me that a British male friend of hers, who never met me and only knew about our relationship from what she told him, advised her that **she was acting crazy and that I was acting like a saint, and that if she did not shape up she was going to lose me.**

This is not a case where the truth is somewhere in between Jennifer's story and mine. The truth is exactly what I tell you, and the relevant parts of her statements are all false. I have provided evidence supporting my statements and proof of many of her lies, and not once has anything I have said ever been shown to be false.<sup>6</sup> She and Evans have not even attempted to defend the unethical behavior I've accused them of, preferring to craft a false and irrelevant narrative to distract from their own misdeeds.

## **An Aside About My Point of View**

I make a very clear delineation between my fantasies and reality. I have had many angry thoughts, and some of them have included violent words and imagery, but none of this means that I am in any way a risk for physical violence. I have never been physically violent in my life. The vast majority of the time when my words to Lola turned in that direction, I was talking about national and worldwide political issues, not about Scrabble tournaments or Scrabble players. I expressed anger at Scrabble players, but I did not usually express violence in those thoughts. There might have been a small number of occasions in which a few words about wanting to do violence to Scrabble players crossed my lips, but that's all it was, a momentary way of getting my anger out verbally.

Forget about violent words for the moment. Let's just talk about my angry words about Scrabble players. The vast majority of the time my anger was not directed toward Evans or Jennifer. I was angry at *everyone else* in the Scrabble world who was taking their craziness seriously, treating me worse on account of their bullying, and being complicit in cutting off my opportunities to get Scrabble games with the other best players. My angry words might have occasionally extended to Evans and Jennifer as well, but it was not the norm.

The only thing that bothered me about Evans and Jennifer was their influence on the rest of my friends. All I wanted was to try to win back and play Scrabble with some of those friends and to protect the sanctity of our tournaments by criticizing Evans, Jennifer, and their organization *politically*. Amid six years of abuse I spoke up about my side of the story exactly once, when I published my blog in July 2020. Afterward, the little bit of anger that I had toward Evans and Jennifer completely disappeared for almost the next two years.

Even after all of the abuse and lawbreaking from April 14th, 2022 onward, I do not hate Evans and Jennifer. I did for much of the last year, but I refuse to stay in a place of permanent hatred the way they have. I do not want to prevent them from playing Scrabble, only from organizing, running, and directing tournaments, because they have proven through their actions that they are completely unfit to be leaders in this community. I want this community to be better than them.

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<sup>6</sup> I have additional evidence which corroborates several parts of the story involving the man Jennifer dated in spring 2015, but it is my judgment that this is getting too far afield of what a Scrabble association should spend its time considering. I will present that evidence at trial if my lawyer deems it worthwhile.



## Lola's September 9th Statement

Lola writes in her September 9<sup>th</sup> statement, "In responding to Dave's claim that my statement is almost all lies, I cannot be completely sure which parts he's arguing against, because his chain of events matches what I have shared, with just a few conflicts and many omissions and misrepresentations." This is what is called gaslighting. The evidence I provided from our text message history shows that she completely lied about the history of our relationship.

I do not want the narrative of this document to get too bogged down in the details of every single lie contained in Lola's statements to NASPA. Let me just draw attention to a few of the more egregious lies from her April 2022 statement.

- About my attempt to visit SLC by car in January 2020, Lola wrote: "He asked if he could come visit me in Utah. I ended up cancelling that. I thought that sounded very uncomfortable and a bit creepy." Nothing in our text message history indicated the least amount of discomfort with the idea. Not only that, but shortly after she canceled *due to her illness and no other reason*, she was the first one to suggest by voice and then the first one to suggest by text message that we make a trip together somewhere else.<sup>7</sup>
- About our time in Puerto Rico Lola wrote, "Other than the obsessive need to help him calm the fuck down, I found I really didn't like him much in person." Contrast that with what she texted me immediately after returning home to SLC: "I should have come to Seattle... Thanks again for the amazing week!"<sup>8</sup> and then two days later: "❤️ Wish I were there"<sup>9</sup> and the following month: "You have made me care very deeply about you."<sup>10</sup>
- About the time between the Puerto Rico trip and us living together in SLC Lola wrote, "When we get home to our respective apartments and a sudden unending lockdown, he does not move the fuck on. He continues to call me to cry and whine and rant, and I am incredibly anxious about the world and everything, and continue to text him. I become increasingly sure it's my job to help him stop being this way." She falsely described our relationship as if I was obsessively bothering her and she did not want the interaction. This is contradicted by hundreds of screenshots of our interaction over that month, of which I have so far only shared a small amount. She was extremely romantic over text communication with me for a month, and she practically begged me to come live with her in Salt Lake City, including mentioning that a personal friend, a coworker, and members of her immediate family wanted me to come.<sup>11</sup>

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<sup>7</sup> Figures 6-10 from "Screenshots of corroborating evidence." Lola's comment in Figure 10 is the first mention in our entire text history mentioning what we had already agreed to verbally, that we would make a trip elsewhere together. If this is disputed, I can release the entire prior text message history to prove it.

<sup>8</sup> Figure 14 from "Screenshots of corroborating evidence"

<sup>9</sup> Figure 15 from "Screenshots of corroborating evidence"

<sup>10</sup> Figure 21 from "Screenshots of corroborating evidence"

<sup>11</sup> Figures 17-20 from "Screenshots of corroborating evidence"



Previously I only called out her lies that I had textual evidence to disprove. Now I'm going to point out some of the other lies she told.

- About our time at the 2022 New Orleans tournament, Lola wrote “he started hovering wherever I was talking to friends, like we were friends and he was waiting for me.” This did not happen a single time. The only time we were near each other with another friend around was when I was talking to Guy Ingram, and she was barely involved in the conversation at all.
- Lola wrote, “On Sunday, I won a game too fast and headed out to the hallway to watch the Twitch stream. He followed me out, made a little small talk, and then launched into a rant, accusing me of all kinds of things, it was the same rage with the shaking and bulging eyes, but he was keeping his volume low.” The only time we were out in the hallway together on Sunday was when we both silently watched the end of Austin Shin’s and Puneet Sharma’s dramatic game. I did not follow her there. We ended up in the same place accidentally. We had zero conversation. The rant that she described never happened.

Now let’s go over all the ways Lola lied in her new statement.

- It’s stupid and not even all that important in the scheme of things, but I don’t believe this conversation about a frozen pizza ever happened. This is just a fabrication to paint a false picture of me showing a lot of rage about something trivial at home, which never happened. When I did express anger, it was only about issues that were very serious to me, which included politics and the mistreatment I’d received in my Scrabble community.
- Everything that Lola writes in the New Orleans section of her new statement is a lie. I already told the true story of what was spoken between us in my September 6th statement, and I included everything. All of her alleged quotes from both of us were never said. All of her representations of our conversations are completely inaccurate.
- Everything Lola wrote in the “Dave’s Direct Treatment of Me” section about our travel to Seattle and living in Seattle is a lie. None of these arguments ever happened. Lola happily traveled with me to Seattle, and she was stressed while we were there because it was difficult to recreate a comfortable working environment for her in my smaller apartment. I worked hard to accommodate her as long as she was there.

It shouldn’t be necessary, but I’d like to address one last time the incident in which I used violent imagery in a political Facebook comment addressed to Darrell Day. A comment which, for what it’s worth, was made in the early days of the pandemic lockdown, when millions of Americans were under extreme mental and emotional stress caused by the failure of political leadership, the stubborn ignorance of so many, and the existential threat of the pandemic. I was certainly not the only person to engage in heated rhetoric on social media during those terrible months. Lola mischaracterizes the relevance of that incident to our relationship and to my character.

## Exhibit 10

- Lola and I did not argue about the Darrell Day incident repeatedly, nor even once. She spent a short amount of time helping me refine my defense on April 17, 2020, and that was it. There were a few times in the next month while I was living with her that I thought back to my feelings about Darrell and that situation and said some angry things about it late at night, but there was no later dialogue between us about it. What she says about her continually making arguments about the Darrell Day story and about me yelling at her to stop bringing it up never happened.
- The Darrell Day email thread that she attached was a real exchange about my response to NASPA. At the top of the email, I explicitly explained that it was my first draft and that I was not going to send it to them in this form. I was sending it to her for the exact purpose of helping me edit it into a reasonable response.<sup>12</sup> My words in that first draft sounded scary. I also had the good sense not to send them to anyone other than the person I was in a romantic relationship with at the time. No one else should have ever seen them, and the only reason anyone did is specifically because Lola is trying to assassinate my character. That first draft does not in any way indicate an intent to be disruptive or violent at a Scrabble event.
- More importantly, this entire episode had already been litigated by NASPA, and a disciplinary decision was enacted. Furthermore, as I've pointed out many times, this wasn't about my relationship with Lola or Jennifer or Evans or anyone else in this story. This was only between me and Darrell Day. Lola, Jennifer, and Evans keep trying to get NASPA to relitigate it.
- Finally, even when I turned off all my internal filters and just spoke my guts without worrying about what other people would think, I included this sentence: "I believe that our tournaments and clubs should remain a sanctuary for the enjoyment of the game and that no one should ever experience physical endangerment in those surroundings." This undermines the false story that all three of them have been trying to write, in which I am supposedly a violent threat to them or anyone else at a Scrabble tournament.

Back in August 2021 I wrote a long personal reflection to myself about what was happening to me in my Scrabble community that I've never yet shared with anyone, in particular talking about my grievances with a few of the friends of Evans and Jennifer. Lola isn't even mentioned in it. I just don't think about her that much. I wasn't thinking about her much in New Orleans. Her idea that I was a threat to her was nothing but a product of her own mind.

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<sup>12</sup> Figure 22 of "Screenshots of corroborating evidence"

## Steven's September 9th Statement

Steven writes, "Dave's approach to this is disturbing." The only reason he says this is because he believes the lies that Evans, Jennifer, and Lola have told him, even though I have provided plenty of evidence that they have lied repeatedly.

Steven does not know anything about my "pattern of behavior towards women or [my ability] to control my rage." He barely knows me. The only "evidence" he has about that stuff are the incessant lies he has heard. But he has put himself into a situation where it is in his political interest to believe and support the lies.

I already outlined the role that Steven played in propelling this case forward. Let me just add a few more observations about his behavior here.

Steven was the one who escalated this to NASPA and had all communication with NASPA on behalf of Evans, Jennifer, and Lola. Furthermore, Steven's actions of rushing a WGPO judgment ahead of me presenting my defense and of pressuring the NASPA Advisory Board illustrate that Steven was attempting to use the full weight of WGPO's influence and his personal influence as its President to interfere with my ability to play in NASPA tournaments. This also potentially affects my ability to play Scrabble all around the rest of the world, because NASPA is a WESPA recognized member association.

I cannot blame Steven entirely for the WGPO judgment, as the email said that he abstained from the vote, and it is possible that he did not write the wording of the last email I received from them. However, as President of the organization, he still bears ultimate responsibility for its actions. I have already been over how inappropriate it was for them to cast judgment on me before I had submitted a word in my own defense.

The reason that Jennifer and Lola were able to submit their September 9th responses to my September 6th statement was because Steven Pellinen shared my documents with them, after I had copied him on the email to NASPA. I was true to my word to him back in April, and he used that to assist Jennifer and Lola in cheating NASPA's disciplinary procedures, adding his own poisonous words for good measure.

In early March 2023, my close friend Scott Appel, who was familiar with the ongoing case through me, met with Will Anderson, who serves on the WGPO Board. Scott learned that Will had not seen my September 6th documents disproving all of the April charges against me. Scott passed those documents along to Will himself, allowing Will to read them for the first time. This means that Steven Pellinen immediately shared my documents with the complainants in the case in September 2022, but he never shared those documents with the WGPO Board.

There is no explanation for this other than that Steven wanted to help the complainants win an unjust case and did not want the other leaders of the organization of which he is President to

see the full story, both because my writing proves that their case is a lie and demonstrates the complainants' own wrongdoing.

## **NASPA Advisory Board's Decision**

Prior to September 21st, 2022, I would have said that NASPA had handled this case well and treated me professionally. Of course, I did not know yet that they were withholding the September 9th documents from me. My only small complaint is that they told me that I had no deadline to get them a response, and then they went ahead and put me on the suspended players list before telling me a deadline.

The Board's decision, when it did come, made no sense. The Advisory Board told me that I had violated the code of conduct three times but wouldn't tell me what I did that was a supposed violation. The next paragraph was a vague statement about safety, values, a general pattern of behavior, and a lack of contrition, with no explanation of what the behavior was nor what I was supposed to be contrite for.

The Board threatened me with a lifetime ban and in the next paragraph insinuated that it will potentially twist any communications I make with anyone in the Scrabble community to construe them as harassment.

The Board put ridiculous and insulting conditions on me ever returning to play in its tournaments, including a supposed need to approve my medical care. I've been playing in NASPA tournaments for 20 years with no problems in the tournament room whatsoever. The only basis NASPA has for thinking that I need anger management classes or any other mental health treatment are the words of people with a grudge against me who have spent no time with me for several years.

There is no shame in addressing mental health issues, including anger management, and even though it's no one's business, I'll mention that I've talked to many therapists about anger management. My anger stems more from how abusively the leadership of Scrabble organizations have treated me in 2022 than from how Evans and Jennifer and their friends have treated me for the last six years. But I am in a far better position than any Scrabble organization to make decisions about the best methods of treating my mental health.

I have never violated NASPA's Code of Conduct in any way. The Board says I have to "write a genuine statement of [my] commitment to comply" when it can't even name a single thing that I've done that is in violation. Does NASPA expect that of all its other members who have done nothing wrong?

The Board demanded that I publicly acknowledge wrongdoing. This is likely another attempt to insinuate a connection between me and Sam Kantimathi. When I called for Sam to be banned from the game in a Facebook post, I specifically called out how he should not have been reinstated when he had not apologized for and admitted to cheating. The Board is attempting to

paint me as a hypocrite if I do not myself make a public admission. I would totally admit and apologize for my own wrongdoing, if I had done anything wrong. But I haven't. Sam Kantimathi cheated at Scrabble. That is **true**. I did none of the things that Evans, Jennifer, and Lola accuse me of. They are all **false**.

Despite the Board's wrongheaded decision, the NASPA Executive Committee still has an opportunity to start undoing the damage it caused and righting the ship. NASPA can, if it so chooses, persist in banning me from anything it runs, but if it does, it does not get to write any narrative other than the true one, which is that I have done nothing wrong and that anyone who has done anything to obstruct me from playing tournament Scrabble is behaving unethically.

There is only one path out of this mess and back to morality, and that is:

1. A complete and total public apology to me, including an admission of all of the wrongdoing by NASPA, WGPO, and CoCo toward me, an admission that my only wrongdoing was too harsh a wording of two emails and two text messages sent between December 19, 2016 and January 5, 2017, communications which were a well-intentioned attempt to avoid all of this mess and pain that has been going on for over six years now.
2. Vacating all punishments of me and restoring my status as a full-fledged member of any Scrabble association I choose to play in, with zero conditions on my reinstatement.
3. Removing from any Scrabble leadership or directorship position any person who has been involved in any of the disciplinary decisions against me who is not willing to attach their name to a full public apology to me and a full admission of their wrongdoing and my lack of wrongdoing, aside from what I noted at the beginning of this list.
4. Banning Evans Clinchy, Jennifer Clinchy, Steven Pellinen, and Lola McKissen from ever being in a leadership position in any Scrabble organization and from ever directing a Scrabble tournament again.

Unless and until all of those conditions are met, the current postings on the splenetic.net blog will stay up forever, and I reserve the right to post more information about this story on that website in the future.

I appreciate your consideration of this request for reconsideration. I look forward to rejoining a community that has meant so much to me for so many years.

## SPLENETIC

# The Scapegoat

JUNE 15, 2023 / SPLENETIC

As members of the tournament Scrabble community are aware, both the national and world championships are being held next month in Las Vegas. I have participated in the world championship tournament in every year that it has happened since 2011, and this is the first time since 2001 that the tournament is being held on American soil. After the disruption caused by the pandemic, these two events are a great opportunity for me and other Scrabble players to regain some of what we missed over the last few years.

Unfortunately, I will not be able to participate in either tournament. Last September, I was handed a three-year ban from NASPA. This ban was the culmination of a smear campaign against me by other members of the Scrabble community, specifically Evans Clinchy, Jennifer Clinchy, and Lola McKissen, aided and abetted by Steven Pellinen. I have taken legal action against those individuals, with the exception of Steven Pellinen. I do not want to air my grievances against them here, but I do want to draw the Scrabble community's attention to the irresponsible and unfair way that NASPA (and WESPA) have handled this situation.

What follows is a summary of my interactions with the various Scrabble associations in 2022 and 2023. All of the below except for the last few paragraphs has already been communicated to NASPA, WESPA, and ABSP.

Stand in your truth, fortified by kindness, and tell your story.

Exhibit 11

On April 14, 2022, I received an email from Steven Pellinen, copied to the WGPO Board with the subject heading “Notice of Potential Disciplinary Action”, including five attachments:

1. A more detailed letter from Steven Pellinen
2. A statement from Lola McKissen
3. A statement from Evans Clinchy
4. A statement from Jennifer Clinchy
5. A collection of attached documents (the majority of which is screenshots of my blog at splenic.net)

I believe that this email was the culmination of an attempt to destroy my reputation within the American tournament Scrabble community by spreading defamatory falsehoods. From 2017 to 2019, Evans and Jennifer Clinchy had done many underhanded things to keep me out of NASPA tournaments they organized, and when that wasn't enough, they decided to create a whole separate Scrabble organization, from which I was excluded. I strongly believe that they convinced Steven Pellinen to file this complaint in an attempt to give their personal grudge against me an air of bureaucratic legitimacy. Unsatisfied with excluding me from their new organization, in which I had no interest to begin with, they expanded their efforts to get me banned from all tournament Scrabble. These statements are an attempt to frame me for harassment and other misdeeds by creating a false narrative about me.

It was absurd that I even received this email from WGPO on many grounds. First, the vast majority of the allegations in the documents were about private relationships that should not be the business of any Scrabble organization to cast judgment on. Second, the few allegations that may have been relevant were related to NASPA-sanctioned tournaments, which are the only sanctioned ones that I play in North America. I am not a member of WGPO, and I have had zero interest in playing in any WGPO tournaments.

Later that same day, I received an email from Judy Cole, copied to the Advisory Board at NASPA containing the same five attachments, informing me that Steven Pellinen had sent all of the documents to the NASPA Executive Committee, and that the NASPA Advisory Board wanted my response “within 10 days if possible.”

Exhibit 11



The next morning, April 15th, I responded to NASPA and copied Steven Pellinen personally (but not WGPO) saying I only recognized NASPA as having authority over Scrabble in North America, and that I would only deal with them. I further stated that I would need at least a month to respond, and that I would additionally provide my official response to Steven Pellinen as a personal courtesy to him.

Two people from NASPA replied in agreeable and helpful ways. Steven Pellinen responded, asking me to respond to part of the complaint sooner. I ignored Steven's message. Steven was the plaintiff in the case against me, and it was completely inappropriate for him to circumvent NASPA and ask for a reply sooner, just as it was completely inappropriate for WGPO to contact me in any way whatsoever about this. A few days later, on April 19th, NASPA told me that I had as much time as I needed to respond and to refrain from attending any NASPA clubs or tournaments and from making contact with the complainants until they made their ruling, which I complied with.

On April 25th, I received an email that was caught in my spam filter from [conduct@cocoscrabble.org](mailto:conduct@cocoscrabble.org) telling me that I had until April 28th to respond to them because of this incident report. This email included quotes from an April 14th email that they had allegedly sent me, but I had never received that one.<sup>1</sup> I never responded to any of CoCo's communication, and they sent me another email on May 22nd with their disciplinary decision in an attachment, which banned me from playing in their tournaments for five years.

I had hoped to get my response back to NASPA by late May, but I was unable to do so. I had already booked travel, long before I received the incident report,<sup>1</sup> to go to the UK and Germany to compete in tournaments in both countries that were sanctioned by the Association of British Scrabble Players (ABSP) and WESPA. Technically, this was not within NASPA's purview, but I was completely above board with NASPA in letting them know about my planned travel and intent to play in the tournaments. The NASPA Advisory Board explicitly okayed me playing in the European tournaments before adjudication of my case. These are the only tournaments I played after receiving this incident report, and I have not attended any clubs nor even played Scrabble with anyone online in that time.

## Exhibit 11

Meanwhile, Steven Pellinen emailed me again on May 27th telling me that WGPO was proceeding with a review of my case without my statement, because I had not submitted it on time. I responded, reminding Steven that I would copy him on my response to NASPA and informing him that NASPA had given me no deadline. I further

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pointed out that WGPO had no right to ask me for anything or to have a hearing about me, as I was not playing in their tournaments and had no intention to do so, and that the only tournaments relevant to the incident report were NASPA tournaments. On June 29th, I received an email from Keith Hagel, on behalf of the WGPO Board of Directors, notifying me that I had received a five-year ban.

I had been registered to play in the NASPA Scrabble Players Championship in Baltimore in late July, but because I was not able to get my response to the incident report written in a timely way, I dropped out of the tournament.

On August 8th, Michael Tang made an announcement about the Alchemist Cup 2024, which is an international event pitting teams of the top 5 players from many countries against each other. His announcement included the news that players who were suspended by two out of three Scrabble associations in North America would not be permitted to register for the event, and he specified that he was considering NASPA, WGPO, and CoCo to all count as Scrabble associations for North America. This rule was clearly targeting me, as I was the only person in the world who was suspended by two out of three North American associations. Furthermore, it was unprecedented to consider either WGPO or CoCo as an association for qualifying purposes. Only NASPA had WESPA recognition and had ever been involved in international qualifying before.

(Note also that the exact ways in which Evans and Jennifer had broken NASPA rules in 2017-2019 had the effect of corrupting the qualifying process for the 2018 and 2020 Alchemist Cup tournaments. Evans and Jennifer had organized their own Virtual World Cup in 2020, which was billed as a replacement for the canceled 2020 Alchemist Cup, and they had also cheated me out of a spot in that event.)

On August 24th, I received another email from the NASPA Advisory Board telling me that my name was now on the suspended players list and that I had until two weeks from that date, September 7th, to get a response to NASPA. *The email also mentioned that Steven Pellinen had contacted the Advisory Board and was pressuring them to act sooner.* I responded the next day saying that I would get my response in by September 7th.

On September 6th, I sent my response to the NASPA Advisory Board, copying it to Steven Pellinen. A day later, Jason Idalski, who had been my main point of contact on the NASPA Advisory Board, informed me that their next meeting would be on September 20th.

## Exhibit 11

On the morning of September 21st, I texted Jason Idalski back to inquire about whether the Advisory Board had made a decision. I did not hear back for several hours. I then texted Stefan Rau, another member of the Advisory Board I know well, asking the same thing. Jason Idalski and Stefan Rau got back to me within ten minutes of each other, each giving me contradictory information.

On September 23rd, I received an email from Jason Idalski, copying both the Advisory Board and Steven Pellinen, informing me that I had been given a three-year ban. The email referred to three violations by me of the Code of Conduct but gave no specifics as to what I had done to violate the Code or what part or parts of the Code I had allegedly violated, other than a reference to Section 2.

On September 25th, I was contacted via Facebook Messenger by Eric Kinderman, a non-voting member of the WESPA board, telling me that NASPA had told them that I was sanctioned for three years but did not give a reason. He suspected foul play. I responded,

*I did submit a defense, and if you read it, it conclusively proves that all the charges against me were false, and also that all three people who submitted statements knowingly and intentionally submitted false information against me. The response they gave me also did not specify what I did that supposedly merited the suspension. All of my communication with the Scrabble associations henceforth will be through my lawyer.*

I also learned around this time that Sue Tremblay, Community Advocate of NASPA, was never informed of the incident report brought against me or the NASPA Advisory Board's deliberations about it. She only learned about the case from me after I had already submitted my response. [According to NASPA's website](#), the Community Advocate's "mandate is to provide a safe environment for members reporting cases of harassment within the association." Sue was always looped into incident reports like this one since her appointment, and she seems to have been intentionally excluded from this process.

On November 8th, 2022, my former attorney sent a letter to the NASPA Advisory Board asking for explanation of the rationale behind their decision and whether there were any additional documents submitted as part of the case that I had not been shown. The letter also doubled as a litigation hold letter.<sup>2</sup>

Exhibit 11

On November 10th, John Chew, the President of NASPA, who serves on both the Advisory Board and the Executive Committee, wrote back notifying me that the Advisory Board would not elaborate on the ruling.

On November 15th, John Chew wrote again, attaching additional statements from Jennifer Clinchy, Lola McKissen, and Steven Pellinen dated September 9th, 2022. These statements contained a large amount of additional defamatory material from Jennifer and Lola. The statement from Steven Pellinen also showed that he was very obviously not an objective third party and was a further scathing criticism of me. Though NASPA's Advisory Board did not meet to consider my case until 11 days later, on September 20th, I was never informed of the additional documents prior to NASPA's verdict. Furthermore, I never would have found out about them if not for the letter from my former attorney.

The submission of the September 9th documents was against the rules of NASPA's disciplinary procedures as far as I understood. Jason Idalski had explained to me over the phone that the disciplinary process was just that the Advisory Board would review the complainants' original statements from April 2022 and my response in a private meeting. Neither I nor the complainants would be at the meeting. There would be no cross-examinations or further rounds of statements.

On April 14th, 2023, I filed a lawsuit in Multnomah County Circuit Court against Evans, Jennifer, and Lola for Defamation, Conspiracy to Defame, Intentional Interference with Economic Relations, Conspiracy to Tortiously Interfere with Economic Relations, Intentional Infliction of Emotional Distress, and Conspiracy to Intentionally Inflict Emotional Distress. I did this, at great personal financial risk to myself, because my reputation has been unlawfully tarnished and I need the Scrabble world to see the truth.

On May 26th, I emailed an appeal to the NASPA Executive Committee in which I thoroughly disproved all of the accusations from the September 9th statements, just as my September 6th response disproved all of the accusations from the earlier statements. Within a few minutes, John Chew emailed me back confirming receipt of the email and saying it would be placed on the next week's agenda.

On May 30th, Judy Cole emailed me saying that the Executive Committee has agreed to hear the appeal but has not yet set a date when to do so.

On June 1st, my attorney emailed both Judy and John, who are presently the entirety of the Executive Committee, asking for the timetable for when a decision can be expected and letting them know that I want to play in the 2023 Scrabble Players Championship and 2023 WESPA Championship in July.

On June 4th, John Chew wrote back to my attorney, "Due to David's eight-month delay in submitting his appeal, the Executive Committee's ongoing planning of our annual championship next month, and the need to perform a thorough and de novo review of the case, we cannot provide a date by which our deliberations will be complete." John was counting eight months from September 23rd, 2022 to May 26th, 2023, even though I did not receive the latter statements made against me until November 15th, 2022. The only party who has made an eight-month delay is NASPA, who has still given neither me nor WESPA any explanation of what I did that merited a suspension.

On June 8th, I emailed my appeal and all previous communication on the case to Mina Le and Wayne Kelly, who put it before the WESPA Executive Committee and ABSP Committee respectively.

On June 11th, Mina notified me that the WESPA Executive Committee is refusing to intervene and letting NASPA address it.

On that same day, Wayne Kelly notified me that ABSP will not reciprocate NASPA's suspension of me. He mentioned that my standing in the UK is "beyond question."

I hope that this situation will be corrected soon, so that I can sit down across the table and play Scrabble again with all of the wonderful people I have enjoyed tournament games with for over twenty years now.

## Footnotes

1. It is possible that the April 14th email was lost in my spam filter, but that seems unlikely to me, because my email provider says that it deletes things from spam after 30 days. I checked the spam filter in late April and saw the April 25th email from CoCo but no April 14th email.
2. On November 11th, 2022, litigation hold letters also went out to Evans Clinchy, Jennifer Clinchy, CoCo, Steven Pellinen, WGPO, and Lola McKissen.



## Exhibit 12

Dave Koenig [REDACTED] 000419

**Re: Complaint**

1 message

**Conduct Team** [REDACTED] oscrabble.org>

Mon, Apr 25, 2022 at 12:00 PM

To: davi [REDACTED]

Cc: conduct-records@cocoscrabble.org

Good morning

We are just reminding you that the ordinary 2 week period for a response statement ends **April 28th**. If you need an extension, though the ordinary timeline for asking for one is one week after notification, we will still consider an extension request at this time.

Regards

The Coco Conduct Team (Mike McKenna, Mary Goulet, Scott Jackson, and Zach Dang) 4/25/22

On Thu, Apr 14, 2022 at 5:08 PM Conduct Team &lt;conduct@cocoscrabble.org&gt; wrote:

Good afternoon

I write on behalf of the Coco Conduct Team. We have received the attached complaint and three supporting statements. **These attachments are provided to you "for your eyes only" (including your own attorney, if any) and are NOT to be published or publicly distributed in any manner.** You may wish to read the Coco [anti-harrasment policy](#) under which the complaint is lodged.

We invite you to provide a **response statement**, to identify witnesses, and to provide any relevant information for the Conduct Team's consideration. You must provide a detailed response to the complainant's allegation and admit, deny, or otherwise respond to each accusation of harassment made in the complaint, or exercise the option at the bottom of this document for older events. If you fail to address a specific allegation which does not fall under the below option, that failure will constitute an admission of the facts as stated in the complaint.

We are required under the policy to make a best-effort to thoroughly investigate within 6 weeks of complaint receipt (31 March 2022). The team has set 2 weeks for you to respond with your **response statement**. If you need more time, please respond in the next week requesting an extension.

**Option:**

- In your response statement, you **may opt** to defer to **address** events older than March 31, 2021 until such time as we might invite a further Response Statement covering events before March 31, 2021.

**Note**

- This deferral option is inapplicable to whether you own <https://splenetic.net/> and any Facebook posts that the Complaint alleges you to have made. If you disclaim ownership of the [splenetic.net](https://splenetic.net/) website and/or of any Facebook post attributed to you in the Complaint, please address this in your **response statement** at this time.



## Exhibit 13

Dave Koenig [REDACTED]

---

**Notice of Potential Disciplinary Action**

---

**Steven Pellinen** [REDACTED] n@gmail.com>

Thu, Apr 14, 2022 at 4:31 PM

To: david [REDACTED]

Cc: wgpo board &lt;wgpo\_board@wordgameplayers.org&gt;

Dave,

See the attached, beginning with the Notification. Please respond within ten days of the date of this notice with anything you would like to be considered by the WGPO Board before it determines what action it will take.

Steve Pellinen

---

**5 attachments****Statement from Evans Clinchy.pdf**

39K

**LolaToWooglesandWGPO.pdf**

56K

**KoenigNotification.pdf**

49K

**J. Clinchy - Statement.pdf**

198K

**J. Clinchy - Attachments.pdf**

9668K



Dave Koenig [REDACTED]

---

## Request for Response to Incident Report

---

Dave Koenig [REDACTED]

Fri, Apr 15, 2022 at 12:08 PM

To: info@scrabbleplayers.org  
Cc: stevenpellinen@gmail.com

Dear Judy and Steve,

I was so upset when I first received the email that I could not even bring myself to read the attachments and asked a close friend to read it first. The fact that I even received this initially as a matter of WGPO business is inappropriate and telling, I think. I have never recognized WGPO as an official Scrabble organization, and I have never intentionally entered a WGPO tournament nor expressed an interest in doing so. (I believe that Winter attempted to get WGPO to rate a casual tournament that a group of us had around the holidays in New Jersey several years ago, but that was entirely his doing.) I had no intention to enter the Word Cup nor to bother any of these people in any way. I have not contacted any of them in a long time and am not in their lives at all. It feels like they are going out of their way to target me.

However, since NASPA has decided to get involved, I feel I must address it. And I will do so through NASPA. Steve, as a courtesy to you, I will pass along the communications I make to NASPA about this matter to you as well, but I only recognize NASPA as having any authority when it comes to competitive Scrabble in North America.

I have done nothing wrong, and I very much welcome the opportunity to tell my side of the story and clear my name. At the heart of this was a huge misunderstanding on Lola's part about our brief interactions at the 2022 New Orleans tournament. If that was all I had to clarify, I could do so fairly soon. However, she and Jennifer both decided to bring large parts of our romantic relationships into their reports and in so doing have greatly widened the scope of allegations against me. I cannot possibly address everything here adequately within ten days time. Not only is there a lot of story to tell, it is also very emotionally difficult for me to tell it. Furthermore, what they have written gives me concern about the legal implications of all of this, and I feel I must consult with a lawyer before I submit any official statements.

I'm going to need at least a month to deal with this, and I intend to get back to you with my statement during the week of May 16th-20th. I will not be playing in any Scrabble tournaments or clubs until well after that time, so I see no need to rush this.

Sincerely,  
Dave Koenig

[Quoted text hidden]

# Exhibit 14



1 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
2 FOR MULTNOMAH COUNTY

3  
4 **DAVID KOENIG**

11 Case No.: 23CV15424

5 Plaintiff

12 **PLAINTIFF’S FOURTH**

6 vs

13 **SUPPLEMENTAL RESPONSE TO**

7 **EVANS CLINCHY**

14 **JENNIFER CLINCHY’S**

8 **JENNIFER CLINCHY and**

15 **REQUESTS FOR PRODUCTION**

9 **BRIANNA (LOLA) McKISSEN**

16

10 Defendants

17

18  
19 Plaintiff responds to Defendant’s Initial Request for Production as follows:

20 **GENERAL OBJECTIONS**

- 21 1. Plaintiff objects to all requests to the extent plaintiff seeks information protected by the  
22 attorney–client privilege, work-product doctrine, or any other applicable privilege.
- 23 2. Plaintiff objects to any portion of these requests that contain instructions, directions,  
24 provisions, or definitions that are inconsistent with or more onerous than the  
25 requirements of the Oregon Rules of Civil Procedure.
- 26 3. Plaintiff objects to any request to the extent it seeks the production of documents that are  
27 not currently in its possession, custody, or control.
- 28 4. Plaintiff’s investigation and discovery are continuing. Plaintiff therefore reserves the right  
29 to supplement its responses after additional discovery has taken place.

1 5. Plaintiff is responding in good faith to these requests as plaintiff interprets and  
2 understands them. If defendant subsequently asserts an interpretation of any request that  
3 differs from plaintiff's understanding, plaintiff reserves the right to supplement responses  
4 or objections herein.

5 Each of these general objections is incorporated into each of plaintiff's specific responses as if  
6 set forth in full below.

7 **REQUESTS**

8 121. Please produce any statement by Evans Clinchy which, according to plaintiff, constitutes  
9 libel per se, as alleged in plaintiff's complaint.

10 RESPONSE: Responsive documents are attached at Bates #011-012:

- 11 ● Plaintiff is "a man who abuses women."
- 12 ● "[H]e has spent hours and hours discussing his intent to kill me"
- 13 ● "[T]his man is now openly discussing how to murder me in cold blood"
- 14 ● "I've seen countless examples of him turning nasty, threatening, or downright horrifying  
15 in confrontations with other Scrabble players"
- 16 ● "[H]e's expressed his urge to shoot up a Scrabble tournament."
- 17 ● "If this man continues to be allowed anywhere near Scrabble, he is a clear threat not only  
18 to my wife and to myself, but to everyone else in the game as well."

19 122. Please produce any statement by Jennifer Clinchy which, according to plaintiff,  
20 constitutes libel per se, as alleged in plaintiff's complaint.

21 RESPONSE: Responsive documents are attached at Bates #021-028, 233-237:

- 22 ● "David Koenig has  
23 1. Coerced me to have sex with him after I repeatedly told him No.

- 1 2. Harassed, threatened, and stalked multiple women.
- 2 3. Orally expressed homicidal intent, including a desire to kill my husband and commit a
- 3 mass shooting at a Scrabble tournament.”
- 4 ● Plaintiff is “a man with a pattern of sexually aggressive behavior toward women”
- 5 ● Plaintiff “state[d] that my husband and I deserved to die.”
- 6 ● “Dave has explicitly stated that he wants me dead, wants to kill my husband, and wants to
- 7 shoot up a Scrabble tournament.”
- 8 ● “I am particularly concerned about the safety risk to all members of the Scrabble
- 9 community if Dave commits a mass shooting at a tournament.”
- 10 ● Plaintiff “is threatening the lives of other people.”
- 11 ● Plaintiff “was controlling.”
- 12 ● “On more than one occasion, however, he coerced me to have sex with him after I had
- 13 explicitly told him that I did not want to have sex.”
- 14 ● “On one occasion that I remember vividly, I repeatedly and unambiguously told him that
- 15 I did not want to have sex because I knew it would hurt. He responded by trying to pull
- 16 my clothing off and fondle me. He didn’t stop his advances despite me repeatedly saying
- 17 I didn’t want to have sex. After fighting his advances for thirty minutes, I got exhausted
- 18 of telling him No and concluded that he would not stop until he got what he wanted. I
- 19 stopped saying No and lay down defeated while he penetrated me. It hurt. I dissociated
- 20 from my body and lay like a dead fish staring blankly up at the ceiling until he was
- 21 done.”
- 22 ● “Dave sent me an email demanding that I meet with him (alone) in person.”
- 23 ● “I moved across the country, in part to get away from Dave.”

- 1 ● “Dave communicated threats to me via third parties.”
- 2 ● “For years, I have... feared that Dave will try to hurt or kill me or my husband.”
- 3 ● “A mass shooting of the kind that Dave has envisioned would be relatively simple to
- 4 execute and difficult to prevent.”
- 5 ● “Dave had consistently told her that he wanted to kill my husband by hitting him in the
- 6 head with a cast iron frying pan.”
- 7 ● The entire recounting of the conversation about Sarah, “Specifically, he told me that it
- 8 wasn’t rape because both he and Sarah were very drunk when they had sex...”
- 9 ● “Lola dated Dave for two months, and that was enough to make her afraid that he might
- 10 kill her.”
- 11 ● “I dated Dave off and on for two years. It is the full history of that time with him, marked
- 12 by repeated instances of sexual aggression with physical pain and unhinged verbal abuse,
- 13 that made me afraid of him.”

14

15 123. Please produce any statement by Brianna McKissen which, according to plaintiff,

16 constitutes libel per se, as alleged in plaintiff’s complaint.

17 RESPONSE: Responsive documents are attached at Bates #013-20, 30-34, 244-255

- 18 ● Plaintiff is “an actual psychopath”
- 19 ● Plaintiff is a threat to “shoot down” “a whole random tournament of Scrabble players.”
- 20 ● Plaintiff is “going to kill someone someday.”
- 21 ● Plaintiff is “incredibly delusional.”
- 22 ● “I have listened to at least a hundred hours of insane murder fantasies.”

- 1 ● “I’d have to lie there listening for hours and hours while he shouted about how much this  
2 woman and her husband deserved to die and how he would want to carry that out.”
- 3 ● “He forced me to listen to all of the ways and how badly he wanted the deaths of Jennifer  
4 and Evans for over a hundred hours.”
- 5 ● “I’ve been afraid for my life for 2 years, over and over certain I’m going to die at his  
6 hands.”
- 7 ● Plaintiff “was stalking” “this other married girl.”
- 8 ● “Dave’s loneliness and ostracism are caused by Dave’s continued use of intimidation, not  
9 just against women, but against many players.”
- 10 ● Plaintiff “said that if someone makes him angry, they are required to face his anger and  
11 listen to him verbally abuse them.”

12

13 124. Please produce any statements to third parties by Evans Clinchy which, according to  
14 plaintiff, Evans Clinchy knew were false, as alleged in plaintiff’s complaint.

15 RESPONSE: Responsive documents are attached at Bates #011-012:

- 16 ● “I’ve seen countless examples of him turning nasty, threatening, or downright horrifying  
17 in confrontations with other Scrabble players”
- 18 ● “I understand that there’s a narrative out there in the Scrabble community that I have  
19 somehow turned other players against David Koenig - that because of some deep-seated  
20 anger or hatred that I feel, I’ve led some sort of campaign of ostracism to keep him out of  
21 the Scrabble community. That narrative is false.”
- 22 ● “I have tried very hard to avoid doing anything at all to antagonize DK.”

- 1 ● Plaintiff “attempted to register for a house tournament that Jennifer and I were hosting”  
2 in 2018.
- 3 ● “But rather than malign him for this behavior, publicly or privately, I have held back for  
4 five years. I’ve avoided attacking his character.”
- 5 ● “The most hostile thing I’ve done to DK, if you could even call it that, is remain silent.”
- 6 ● The insinuation that Evans Clinchy and Jennifer Clinchy were directors of the online club  
7 is false: “He tried to play in our online club, even though he knows he is not welcome to  
8 play Scrabble events we direct.”
- 9 ● “I have worked hard to avoid provocation.”
- 10 ● “I have been around this man for 14 years now.”

11

12 125. Please produce any statements to third parties by Jennifer Clinchy which, according to  
13 plaintiff, Jennifer Clinchy knew were false, as alleged in plaintiff’s complaint.

14 RESPONSE: Responsive documents are attached at Bates #021-028, 233-237

- 15 ● “David Koenig has
- 16 1. Coerced me to have sex with him after I repeatedly told him No.  
17 2. Harassed, threatened, and stalked multiple women.”
- 18 ● Plaintiff is “a man with a pattern of sexually aggressive behavior toward women”
- 19 ● “I attempted to end my informal relationship with Dave on at least five occasions.”
- 20 ● Plaintiff “communicated threats to me via third parties.”
- 21 ● Plaintiff moved to Portland at a time when Brianna McKissen already lived there.
- 22 ● Plaintiff subjected defendant to "a screaming torrent of verbal abuse" following a dinner  
23 in Perth, Australia in November 2015.

- 1 ● Plaintiff “was controlling.”
- 2 ● “On more than one occasion, however, he coerced me to have sex with him after I had
- 3 explicitly told him that I did not want to have sex.”
- 4 ● “On one occasion that I remember vividly, I repeatedly and unambiguously told him that
- 5 I did not want to have sex because I knew it would hurt. He responded by trying to pull
- 6 my clothing off and fondle me. He didn’t stop his advances despite me repeatedly saying
- 7 I didn’t want to have sex. After fighting his advances for thirty minutes, I got exhausted
- 8 of telling him No and concluded that he would not stop until he got what he wanted. I
- 9 stopped saying No and lay down defeated while he penetrated me. It hurt. I dissociated
- 10 from my body and lay like a dead fish staring blankly up at the ceiling until he was
- 11 done.”
- 12 ● “Dave sent me an email demanding that I meet with him (alone) in person.”
- 13 ● “I moved across the country, in part to get away from Dave.”
- 14 ● “Dave communicated threats to me via third parties.”
- 15 ● “For years, I have... feared that Dave will try to hurt or kill me or my husband.”
- 16 ● The entire recounting of the conversation about Sarah, “Specifically, he told me that it
- 17 wasn’t rape because both he and Sarah were very drunk when they had sex...”
- 18 ● “I hoped that by exchanging occasional friendly messages and behaving civilly toward
- 19 Dave, he would not be angry with me.”
- 20 ● The insinuation that her 2018 letter to Jason Idalski was about me.

21

22 126. Please produce any statements by Brianna McKissen which, according to plaintiff, Brianna  
23 McKissen knew were false, as alleged in plaintiff’s complaint.

1 RESPONSE: Responsive documents are attached at Bates #011-020, 233-236:

- 2 ● Plaintiff said, “I’m writing a book proving it, and what I really want is for [Jennifer  
3 Clinchy] to be so humiliated that she kills herself.”
- 4 ● Plaintiff “showed zero interest in me as a human being.”
- 5 ● Plaintiff “is going to kill someone someday.”
- 6 ● Plaintiff is “incredibly delusional.”
- 7 ● “I have listened to at least a hundred hours of insane murder fantasies.”
- 8 ● “I’d have to lie there listening for hours and hours while he shouted about how much this  
9 woman and her husband deserved to die and how he would want to carry that out.”
- 10 ● “He forced me to listen to all of the ways and how badly he wanted the deaths of Jennifer  
11 and Evans for over a hundred hours.”
- 12 ● “He continues to call me to cry and whine and rant.”
- 13 ● Plaintiff “was stalking” “this other married girl.”
- 14 ● Plaintiff “was sure [Conrad and he] were such great friends.”
- 15 ● Plaintiff said Defendant was “responsible for Woogles allowing CoCo club to exist.”
- 16 ● Plaintiff said Defendant let CoCo ban him from their online club.
- 17 ● Defendant told Plaintiff “that I believe Conrad is protecting me.”
- 18 ● Defendant told Plaintiff “that I do think he’s an actual psychopath.”
- 19 ● Defendant told Plaintiff “that I’m terrified of him.”
- 20 ● Defendant told Plaintiff “that I owe him absolutely nothing.”
- 21 ● Defendant asked Plaintiff “to leave me alone” at the January 2022 New Orleans  
22 tournament.
- 23 ● Plaintiff said “I feel more betrayed by you than by anything Jennifer and Evans did.”



- 1 ● Plaintiff is a threat to “shoot down” “a whole random tournament of Scrabble players.”
- 2 ● Plaintiff hovered around Defendant and her friends during the January 2022 New Orleans
- 3 Scrabble tournament.
- 4 ● Plaintiff followed Defendant into a hallway during the January 2022 New Orleans
- 5 Scrabble tournament.
- 6 ● Plaintiff ranted at Defendant during the January 2022 New Orleans Scrabble tournament.
- 7 ● “I’ve been afraid for my life for 2 years, over and over certain I’m going to die at his
- 8 hands.”
- 9 ● Plaintiff submitted pull requests to Woogles.
- 10 ● Plaintiff “WILL try to get you to make me let him have access to me.”
- 11 ● Plaintiff and Defendant argued about the Darrell Day incident repeatedly.
- 12 ● The psychopath jokes that plaintiff made in a screenshot of a text conversation
- 13 “originated from me trying to make light when I tried to tell him the impact the fits of
- 14 rage had on me.”
- 15 ● “I even told him that I was afraid of what would happen if someday he became angry
- 16 with me and decided I had betrayed him. He said he would never hurt me, because I
- 17 could never do anything to him like what he believed they had done.”
- 18 ● Plaintiff “was in a rage from a few sentences into speaking.”
- 19 ● Plaintiff said, “Have you been spreading Chel’s lies?”
- 20 ● Plaintiff showed any “anger in New Orleans.”
- 21 ● Defendant told Plaintiff, “I think he’s a psychopath, and that I don’t want anything to do
- 22 with him.”

- 1 ● “This is not the conversation and is false.” in response to Plaintiff’s true account of a  
2 conversation.
- 3 ● Defendant said “From your perspective” to Plaintiff at January 2022 New Orleans  
4 tournament.
- 5 ● Defendant repeated “From your perspective” to Plaintiff at January 2022 New Orleans  
6 tournament.
- 7 ● “It is completely false that I said nothing.”
- 8 ● “I tell him that I don’t owe him anything. That I have already paid so much for trying to  
9 help him. I tell him I’ve lost my ability to trust people or date, that I’ve lost my faith in  
10 humanity, that I don't trust my judgment in people, and that I feel completely destroyed. I  
11 tell him all I want is for him to leave me alone. I tell him he has my sympathies for his  
12 pain as always, that I think they're going to start clocks, and I walk into the playing room.  
13 He says behind me, ‘Thank you. I won’t bring this up again’ and I say, ‘Well, I would  
14 certainly appreciate that.’ with what I felt was very obvious anger.”
- 15 ● Defendant was not supportive to the publishing of the blog.
- 16 ● “I then encouraged him to write a separate thing, explaining instead why a third  
17 organization was bad for Scrabble, which he also said missed his point.”
- 18 ● “Dave’s loneliness and ostracism are caused by Dave’s continued use of intimidation, not  
19 just against women, but against many players.”
- 20 ● “During our relationship, he lost his temper at me about me quite often. As I’d  
21 mentioned, he yelled at me when I expressed concern about what had happened on  
22 Facebook about Darrel Day. Fairly consistently, me expressing my anxiety about the  
23 relationship caused him rage. After we left for Seattle this increased significantly. He

1 yelled at me in the car on the way there about my health problems and needing to stop to  
2 move around. He flew into a rage about me trying to tell him about similar terrain when  
3 he'd wanted me to be focused on seeing the Columbia River Valley. He was also furious  
4 on that trip that I'd thought he'd like a band that he was certain he wouldn't like, because  
5 I described it as complex when what he liked these days was simple. After arriving, he  
6 yelled at me about where I'd moved the sharpie that belongs where he'd left it on the  
7 counter in front of the dish drainer, and about my anxiety when I grew concerned about a  
8 broken microphone on my work computer soon after we got to Seattle. The last argument  
9 I mention was triggered by him screaming at me on the street because I had asked if we  
10 could stop and grab the things we needed when we walked by the grocery store, and he  
11 said we would on the way back. When I attempted to go in as we passed back on the way,  
12 he started shouting that he'd already said he didn't want to go and it should have been  
13 obvious he said that to appease me since it was ridiculous to run errands on a walk and I  
14 should have understood that. A few hours later, he yelled at me and called me stupid in  
15 front of people online playing Codenames, because I had guessed Octopus for Wet when  
16 it was obviously Fall he intended. For many hours after, I tried to explain why that wasn't  
17 okay behavior and that I could not possibly read his mind."

- 18 ● Plaintiff "said that if someone makes him angry, they are required to face his anger and  
19 listen to him verbally abuse them."
- 20 ● Defendant "asked [Plaintiff,] 'based on just the eight weeks I was dating you, maybe  
21 [Jennifer Clinchy] was just scared of you. Did you ever yell at her?' He said, yes, he  
22 'chewed her out all the time' but that she 'appreciated it because she made horrible  
23 decisions about her personal life.'"

1 ● “In New Orleans, it seemed like the rage was still getting worse, as some of it was now  
2 attached to the girl from Maryland.”

3

4 127. Please produce any statement to third parties by Evans Clinchy which, according to  
5 plaintiff, Evans Clinchy made with reckless disregard for the truth of the statements, as alleged in  
6 plaintiff’s complaint.

7 RESPONSE: Responsive documents are attached at Bates #011-012:

8 ● Plaintiff “deliberately and maliciously sought to harass and threaten my once-partner,  
9 now-wife Jennifer.”

10 ● Plaintiff “has spent hours and hours discussing his intent to kill me, including specific  
11 details about the weapon he’d use and the method he’d employ.”

12 ● Plaintiff “is a clear threat not only to my wife and myself, but to everyone else in the  
13 game as well.”

14 ● Plaintiff “has expressed his urge to shoot up a Scrabble tournament.”

15 ● “I’m repaid with the knowledge that he may kill me.”

16

17 128. Please produce any statement to third parties by Jennifer Clinchy which, according to  
18 plaintiff, Jennifer Clinchy made with reckless disregard for the truth of the statements, as alleged  
19 in plaintiff’s complaint.

20 RESPONSE: Responsive documents are attached at Bates #021-028, 233-237

21 ● Plaintiff “[o]rally expressed homicidal intent, including a desire to kill my husband and  
22 commit a mass shooting at a Scrabble tournament.”

- 1 ● Plaintiff “has explicitly stated that he wants me dead, wants to kill my husband, and
- 2 wants to shoot up a Scrabble tournament.”
- 3 ● Plaintiff “is threatening the lives of other people.”
- 4 ● Plaintiff “wants me and my husband dead and wants to shoot up a tournament.”
- 5 ● Plaintiff “wanted to kill my husband by hitting him in the head with a cast iron frying
- 6 pan.”
- 7 ● Plaintiff’s “intent in publishing his manifesto was...that I would kill myself.”
- 8 ● “Lola dated Dave for two months, and that was enough to make her afraid that he might
- 9 kill her.”

10

11 August 14th, 2023.

12

/s/ David Koenig

13

14

15

16

17

Plaintiff, representing *pro se*

**PROOF OF SERVICE**

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I certify that I caused this document to be served via e-mail on:

Defendants Jennifer and Evans Clinchy  
% Atty: Michael Fuller  
Olsen Daines  
US Bancorp Tower  
111 SW 5th Ave., Suite 3150  
Portland, Oregon 97204  
[michael@underdoglawyer.com](mailto:michael@underdoglawyer.com)

Defendant BriAnna (Lola) McKissen  
% Atty: Ashley L. Vaughn  
Dumas & Vaughn  
3835 NE Hancock St., Suite GLB  
Portland, Oregon 97212  
[Ashley@DumasandVaughn.com](mailto:Ashley@DumasandVaughn.com)

August 14th, 2023.

/s/ David Koenig

A large black rectangular redaction box covers the signature and name of the plaintiff. The redaction is composed of two overlapping rectangular blocks.

Plaintiff, representing *pro se*

000454  
Dave Koenig [REDACTED]

---

## Request for Response to Incident Report

---

**Terry Kang Rau** [REDACTED]

Mon, Jul 18, 2022 at 2:38 PM

To: Dave Koenig [REDACTED]

A couple immediate thoughts: I find Lola's behavior to you post-SLC to be confounding. If she was that terrified of you, why would she continue contact? The "hundreds" of hours of rants seemed like a stretch. If she found it unbearable to listen to, why did she allow it to continue? Why did she drive with you back to Portland? **Is she alleging something analagous to Stockholm Syndrome?**

You know very well that I am friends with Jennifer and Evans, but I also consider you a friend. You have never wronged me, though I have to admit, I was not fair to you in my Facebook post criticizing you. Sometimes, we all let our tempers get the best of us, and I regret having posted that publicly.

When Shelley betrayed me, I expressed the hope that she would get run over by a mack truck. That is a sentiment that I've shared with a few who I consider close friends. My wishing her death in a moment of feeling extreme hurt and betrayal should not be interpreted as my being a threat to her. I can see why, in the context of an intimate relationship with Lola, you felt you could vent about Jennifer and Evans. If I were Lola, the solution would have been simple: the second I felt uncomfortable, I would have said, "Listening to this makes me scared. Please stop." Instead, she let you, in her words, rant for hundreds of hours? That's hard to believe or understand.

[Quoted text hidden]

# Exhibit 16



Chris Lipe

The statement that Dave was excluded from the VWC is flat out false. Mina please correct this factual error in your post.

Like Reply 1y



Mina Le

Chris, my evidence for that statement is a face-to-face (Google Hangouts) conversation I had with Jenn and Evans a few months ago in which they stated that Dave could only play CoCo events if Jenn and Evans are not organizing or directing them. This conversation is documented in Dave's essay.

Like Reply 1y



Chris Lipe

This restriction only applies to in-person events, and given the extensive violation of Jenn's boundaries helpfully documented in Dave's post - - and demonstrated by Dave's post -- the restriction is, to any reasonable person, eminently justifiable. It does not apply to virtual events where Dave's physical presence cannot be interpreted as threatening to Jenn.

Like Reply 1y



Dave Koenig

Chris Lipe are you representing CoCo?

Like Reply 1y



Chris Lipe

Absolutely not. Just correcting the factual record.





**Rob Robinsky**

March 14 · 🧑 (from 2022)

# Exhibit 18

000487

Scrabble lovelies who play (or are willing to play) Collins - won't you come to Minneapolis in May? I miss y'all's faces and would love to see you!

👍 Marsh Richards, David Benjamin Firstman and 5 others

24 Comments

👍 Like

💬 Comment



**Dave Koenig**

Not if CoCo's name is on the tournament. 🙄

Like Reply 5w

^ Hide 22 Replies



**Mark Zees**

**Dave Koenig** very sad that you're still banned by that organization 🙄🙄🙄

Like Reply 5w



**Chris Lipe**

**Mark Zees** He's not banned by the organization

Like Reply 5w



**Mark Zees**

**Chris Lipe** really?

Like Reply 5w



**Dave Koenig**

**Mark Zees**, please keep him talking as much as possible 👍

Like Reply 5w



**Chris Lipe**

**Mark Zees** Really.

Like Reply 5w



**Mark Zees**

**Chris Lipe** so why is he refused attendance at Coco tournaments when he tries to register for them

(I really hope you're not deliberately being facetious in this conversation)

Like Reply 5w



**Chris Lipe**

**Mark Zees** Attendance at tournaments is at the discretion of organizers of those tournaments. There is no organizational ban in place. If certain organizers refuse entry to certain players, you'd have to ask them why. It's the same policy as with NASPA ... **See more**

Like Reply 5w Edited



**Mark Zees**

**Rob Robinsky** ...If **Dave Koenig** registers for your Minneapolis tournament, will he be allowed to play?

Like Reply 5w



**Rob Robinsky**

**Mark Zees** As Chris stated above, organizers are given discretion when it comes to refusing entrants. I can only speak for myself and my approach as an organizer, and not for others or for CoCo as an entity.

(editing comment here because I hit enter in... **See more**

Like Reply 5w Edited

👍 6



Expansion of comment on previous page

Like Reply 7w



**Chris Lipe**  
Mark Zees Attendance at tournaments is at the discretion of organizers of those tournaments. There is no organizational ban in place. If certain organizers refuse entry to certain players, you'd have to ask them why. It's the same policy as with NASPA or any other organization.

Like Reply 7w Edited



## Exhibit 19

Dave Koenig [REDACTED] 000489

---

**Re: Part II: The Fallout - Invitation to view**

---

Brian Bowman [REDACTED]

Sat, Jul 11, 2020 at 5:47 PM

To: Dave Koenig [REDACTED]

Hey. This isn't a proper set of notes or anything, I barely skimmed the second section because my mind was just reeling with my own personal experiences with some of the principals.

**If you think there was a whisper campaign to blacklist you, I can offer some confirmation that there probably was.**

Between 2012 and 2015 I was part of a secret Facebook group that contained several members of your story. It started as a mean-gossip/ bawdy-humor group and evolved into a kind of support group where people shared very intimate details of their lives-- I learned about people's hookups, breakups and confrontations in close to real time. In retrospect, there were probably some things I said there that I would not be proud of. At the time the group had 10 members; they were very much NASPA power users, including Evans, Jason B., Chris L., and Kate F-C (so I'm not surprised that New Orleans and Niagara Falls turned out to be eventful venues). Ironically, I left the group because there was NASPA drama going on at the time, and I was trying to convince them that we *\*should\** use our clout in the community to start a separate Scrabble organization. I don't remember exactly what I said, but I left the group in a pique. After cooling off for a few weeks, I requested to be let back into the group (such requests had been accomodated before). I later found out from Jason B. that Evans had vetoed my return. I wasn't totally sure if it was something I said, or if he had just decided that I wasn't cool enough to talk to anymore-- I had fairly recently shared a post about my *\*lack\** of sexual experience, and wondered if that was the deciding factor. Evans does seem like the kind of person to decide firmly and finally that a person is totally worthless. After my expulsion from the group, my relationship with all the people in the group cooled. I think this probably had a lot to do with my leaving Scrabble. I remember the feeling at Fort Wayne Nationals of being surrounded by people yet being totally alone: the friends I had come up with in the game had quit, or at least weren't there in a playing capacity, and this new group of close friends I had made had shunned me.

All of this is to say that it's a safe bet that Jason was talking to Jennifer and Evans about this in New Orleans, he probably was (before, during, and after the encounter), and furthermore, the conversation was probably kicking around amongst other people inclined to view you unfavorably. I don't know what's happened to the membership of the group since I left, but I've clicked on the URL a couple of times and it still looks active (the group description has changed). I do suspect that Jennifer is in the group now and perhaps some of the other people in that CoCo sphere. I feel a little bit sheepish about supporting CoCo and tossing them a small donation as an olive branch to Evans for finally doing what I had suggested years before.

Anyway, I will give this closer reading and toss some notes your way.

Brian

I

On Sat, Jul 11, 2020 at 5:14 PM Dave Koenig (via Google Docs) [REDACTED] wrote:

## Exhibit 20

000418

Date: 14 April 2022

To: David Koenig

Subj: Notification of Potential Disciplinary Action

From: Steve Pellinen, President WGPO, Board Member CoCo, member NASPA

I recently became aware of some alleged disturbing behavior on your part. In following up I discovered two matters that alarmed me and brought me to the point of deciding to file complainant reports with three of our North American Scrabble® organizations (CoCo, WGPO, NASPA) and one international organization (WESPA).

You have apparently threatened violence against three persons in particular, and also against unspecified persons and members of the larger Scrabble® community. These could be characterized as terroristic threats and may be deserving of more serious charges.

My second concern is your alleged behavior towards Lola (BriAnna) McKissen, Jennifer Clinchy and Evans Clinchy. The accounts of your treatment of these three over a number of years are very credible and disturbing. It appears that you have committed a number of organizational code of conduct violations as well as predatory behavior towards the two women.

Each organization will follow its own process in reviewing my complaint and requiring any response. Please note that during this process there will be no contact or communication between you and Lola, Jennifer or Evans. As complainant I am your point of contact with respect to any questions or clarifications you may have with respect to the WGPO complaint. If appropriate, I will forward any communications you make with me. I will also recuse myself from relevant decisions or votes to be made by boards or committees of which I am a part.

Attached: Materials and letters submitted to each organization by Steve Pellinen as complainant

## Exhibit 21



Michael Tang

Aug 8 · 

example: if a player plays 50 games with Organization A, 49 games with Organization B, and 50 games with Organization C, only A and C will be averaged for the player's qualifying rating)

Alchemist will run the qualification process, using data from relevant country rating databases

Players must be able to provide proof of connection to an eligible country and eligible Scrabble organization.

Eligible Scrabble organizations are defined as WESPA member organizations, as well as any other organizations hereby approved by Alchemist:

USA = WGPO, CoCo (in addition to WESPA member organization NASPA)

Players must reside in the country they're representing, or hold citizenship / appropriate permanent residency for that country as of June 30, 2024.

Players must be in good standing (not suspended or banned) with a majority of eligible organizations for the country they represent. Alchemist reserves the right to verify standing with players and organizations.

50 players who qualify will receive formal invitation to compete in Alchemist Cup 2024 for a prize money to be announced on September 9, 2024.

For avoidance of doubts, there will be NO registration fees for Alchemist Cup 2024.



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000490

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# Exhibit 22



**Portia Zwicker**  
U.S. Northeast representative  
2023-08-01~2025-07-31



**Lila Crotty**  
U.S. South representative  
2023-08-01~2025-07-31



**Heidi Robertson**  
Canadian representative  
2023-08-01~2025-07-31



**Josh Greenway**  
2022-08-01~2024-07-31

**Andy Hoang (EX)**  
2022-08-01~2024-07-31



**Jason Idalski (EX)**  
2022-08-01~2024-07-31



**Stefan Rau (SM)**  
2022-08-01~2024-07-31



**Peter Sargious**  
2022-08-01~2024-07-31

## Composition

The members of the Executive Committee sit on the AB as ex officio members, and its chair is the AB's chair.

000491

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# Exhibit 22



**Mina Le**  
*U.S. South representative*  
2016-08-06~2018-07-31



**Rich Baker**  
*ex officio*  
2016-11-29~2019-07-20



**Rich Baker**  
*cochair*  
2019-07-20~2019-12-19



**Rich Baker**  
*ex officio*  
2019-12-19~2021-06-30



**Rich Baker**  
*U.S. West representative*  
2021-07-01~2023-07-31



**Peter Sargious**  
*Canadian representative*  
2017-07-22~2019-07-31



**Peter Sargious**  
*Canadian representative*  
2019-08-01~2022-07-31



**Stefan Rau (SM)**  
*U.S. Northeast representative*  
2017-07-22~2019-07-31



**Stefan Rau (SM)**  
*U.S. Northeast representative*  
2019-08-01~2022-07-31



**Bruce D Ambrosio**  
*U.S. West representative*  
2017-07-22~2019-07-31



**Jennifer M Lee**  
*U.S. West representative*  
2018-08-01~2019-06-19



**Lila Crotty**  
*U.S. South representative*  
2018-08-01~2020-07-31



**Lila Crotty**  
*U.S. South representative*  
2020-08-01~2023-07-31

César Del Solar  
September 5, 2022

To whom it may concern,

I have known Dave Koenig since around 2006 or 2007, shortly after I started playing Scrabble, and have considered him a friend since then. I have hosted him a few times in the various cities I lived in, I have met his friends, we've played Scrabble, gotten drinks, etc. for years. He was a guest at my wedding. We've even had a couple of disagreements that were quickly patched up.

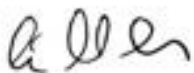
I believe that he has been very wronged by the CoCo leadership, who have reacted far in excess to the admitted mistakes he made in communicating with Jennifer Clinchy back around 2016-2017 or so. As a result, he has been increasingly ostracized by the Scrabble community. He has documented all of this saga in a blog around then, replete with full conversations with all the relevant parties, and having read all of it, I still believe that it was a severe overreaction. I would also like to state that this appears to be a pattern with the CoCo leadership, and because my example is not directly related to this matter, I have attached it as an addendum to this letter.

As a result of this increasing ostracism and his anger to it, I understand that he expressed violent fantasies to Lola McKissen. I would like to posit that there is no one who wouldn't have violent fantasies after being subjected to this mistreatment, and that furthermore, there is a *very* large difference between "venting" in anger and actually making a plan and acting on these angry fantasies. There are jokes around going "postal" in major tv shows, movies, and throughout all media, and I strongly believe that Dave is not a violent person and would not do anything close to the fantasies he expressed to a trusted person in a moment of anger.

I would also like to state for the record that Lola is a good friend of mine and a team member of Woogles, and I have gotten to know her over the last couple of years of working in this capacity. She has expressed privately to me her misgivings about Dave, and the trauma she feels from their relationship, and I do believe that she feels traumatized and afraid of him. However, I don't believe that this merits Dave receiving a suspension from any major Scrabble organization in the country, and I also believe that he has enough documentation to make his point that Lola, perhaps unwittingly, misrepresented some aspects of their relationship. There have to be other solutions. At any given time a Scrabble gathering contains plenty of people who cannot stand each other, and we cannot ban people based on a popularity contest.

Finally, I'd like to state that all matters concerning myself or my application (Woogles.io) in Dave's "The Defense" document are accurate.

Sincerely,



César Del Solar



## Addendum: Re: CoCo leadership's pattern of ostracism

My wife Mina Le and I have been subject to attempted ostracism ourselves from the CoCo leadership. I have been friends with Evans since 2007, and we have roomed together at tournaments, eaten together, etc. I have also been friendly with Jenn for years and have worked with her on Aerolith features for her tournaments, setting up their CoCo club and various tournaments on Woogles, and even building an entire new feature (WordSmog) for their Clabbers tournament. But during the time of Sam Kantimathi's suspension saga (around 2018-2019 or so), Evans and Jenn largely stopped communicating with my wife and me, despite the fact that we were all friends and had gone out to meals together in the past at tournaments. Jenn had taken umbrage to a private NASPA Advisory Board message that Mina had sent in support of not increasing Sam K's suspension further (which, by the way, was sent with her having incomplete information about his transgressions), and thus this means that we must both be unfriended.<sup>1</sup>

One of our mutual friends spread this private AB message on a public forum (Facebook) in response to Mina's Rose Award win; it could only have come from a member of the advisory board at the time, and thus I know they have been spreading rumors about my wife. Several of our mutual friends barely speak to us anymore. Furthermore, we tried to have a video chat with Evans and Jenn to patch this up, in which Mina cried her heart out to them, apologizing for the message she had sent; but they still expressed in no uncertain terms that they (paraphrasing here) don't really want to be friends with people who don't have the exact same values that they do. I assume this means we must not be friends with Dave K if we want to be friends with Evans/Jenn. Additionally, when they started moving their online clubs/tournaments to using Woogles, they expressed to Conrad that they were uneasy with "César and Mina's involvement with Woogles" (Note that she is not at all involved with the platform other than being my wife, and I have only repeatedly helped them out with whatever they wanted in the past). Even despite all of this, we still played several of their online CoCo tournaments during the pandemic, and I built the above mentioned features for them. My wife and I repeatedly streamed ourselves playing their tournaments while they continued to avoid acknowledging us. I remember on at least two occasions we "raided" their stream with a couple of dozen watchers, to zero acknowledgement from them, when this is a standard courtesy.

I don't feel any anger about this – in fact, I feel sadness, hurt, and exclusion from not only the CoCo leadership, but from several of our mutual friends, due to their rumor spreading. The pandemic was already isolating enough, but it does not feel good to know that there are a number of people, including friends that I was very close to, that are spreading rumors about myself and my wife. I wish this could be patched up and the rift disappear, but I am merely writing it in support of my assertion that I have noticed a pattern of ostracism from the CoCo leadership with people that they do not like, and I believe this is happening again.

---

<sup>1</sup> Evans unfriended both of us on Facebook and he completely ignored a messages that my wife had sent to him about it. Evans and Jenn no longer speak to us nor do they even acknowledge my existence on forums like Twitch. Evans recently (within the last week) rudely insulted my wife, by saying, on a private Facebook Messenger thread, that all of the WESPA executive committee, with the exception of Chris Lipe, "sucks" and have their "heads permanently up their asses", for not granting them WESPAC 2023; this is despite the fact that, as I understand, they submitted their proposal several months after the deadline.



Dave Koenig 000443

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**Inquiry re: David Koenig**

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**Chris Lipe** [redacted] Thu, Jun 22, 2023 at 7:10 PM  
To: Marc Mohan <marc@veritelawcompany.com>, David Koenig [redacted]  
Cc: wespacom@googlegroups.com

Dave,

The WESPA Executive Committee has received your request for an appeal on your matter and decided that, unfortunately, per WESPA Rule 6.5(c), we may not evaluate the merits of an appeal until after the appeal process with your national association is complete.

Respectfully,  
Chris Lipe  
WESPA Chair  
[Quoted text hidden]



Dave Koenig 000445

---

## NASPA Ban Follow Up

---

Chris Harrison [redacted]  
To: "davidewkoenig@gmail.com" [redacted]

Sat, Jul 1, 2023 at 10:47 AM

Hi Dave,

The ABSP committee met today so I am just following up on my previous communication with you.

I am happy to confirm that the current NASPA ban will not extend to your participation in exclusively ABSP rated events so you remain welcome to enter any of these. For these such events only rated by the ABSP, we have not and will not advise organisers of your NASPA ban.

For events which are rated under both ABSP and WESPA systems - typically those wanting to attract a more global field, WESPA will not sanction the participation of any currently banned NASPA player and so an organiser who applies for ABSP rating for one of these events will be informed of the ban and you will not be able to participate.

I hope this clarifies our current position, and also that any appeal with NASPA/WESPA can be concluded speedily.

Kind Regards,

Chris Harrison  
ABSP Committee



## Exhibit 26

Dave Koenig [REDACTED]

---

**NASPA Advisory Board Decision**

---

Jason Idalski [REDACTED]

Fri, Sep 23, 2022 at 12:08 PM

To: David Koenig [REDACTED], ab@scrabbleplayers.org

Cc: Steven Pellinen [REDACTED]

Good morning, Dave.

The NASPA Advisory Board has reviewed and considered all the evidence received in your case. We have determined, largely through your own submissions, that **at least three of your actions were in violation of section 2 of NASPA's Code of Conduct.**

More generally, AB members were concerned by a **general pattern of behavior and lack of contrition** that we feel warrants measures to protect the safety of our members and uphold the values of our community.

We are hereby imposing a three-year suspension, to begin today (September 23, 2022).

Effective immediately, should we receive any subsequent, substantiated complaint that you have engaged in intimidation, threats, harassment or any related behavior, you will be subject to extreme sanctions, up to and including a lifetime ban from NASPA.

This is a "one strike" warning, and we advise that you be extremely cautious about your communications with other Scrabble players, lest your words or actions be construed as harassment.

In addition to the three-year suspension, you will not be allowed to resume NASPA club and tournament play until you have satisfied the following conditions:

- Complete an anger management program – the details of which must first be approved by the AB
- Write a genuine statement of your commitment to comply with NASPA's Code of Conduct
- Remove the offending blog posts (Parts I and II) from [splenetic.net](https://www.splenetic.net)

Once the AB deems these conditions to be met, and you are once again allowed to attend tournaments, you will need to further adhere to the following requirements upon registration:

- Register during the first half of the registration period
- Notify the tournament directors of your disciplinary status

NASPA's mission is to provide all participants and officials with a safe and harassment-free experience at our clubs and events. The AB feels that the disciplinary/protective measures stated herein are fair, and necessary to foster a sense of safety and wellbeing for our members.

On behalf of the Advisory Board, I anticipate your acceptance of these conditions.



Eric Kinderman

Exhibit 27

Remove Watermark Wondershare PDFelement

000427

9/25/22, 5:39 AM

It would be useful to know if your 3 year suspension is because you would not respond. NASPA sent a missive to WESPA saying you have been sanctioned for 3 years and they did not state the reason! We're like, what's the fucking reason! We can't just blindly follow "no reason stated." I smell bullshit, with you being treated unfairly, but I don't know the situation.

I did submit a defense, and if you read it, it conclusively proves that all the charges against me were false, and also that all three people who submit statements knowingly and intentionally submitted false information against me. The response they gave me also did not specify what I did that supposedly merited the suspension. All of my communication with the Scrabble associations henceforth will be through my lawyer.

\*who submitted

I knew I smelled the odour of bullshit!! Very sorry to hear about your treatment, Dave! Would you mind if I copy what you said here and passed it along to the WESPA committee? This whole thing stinks, and I told Chris this already.

I won't say any more. Only through my lawyer.

No need to say more. I think the WESPA committee should know about your treatment and your plans. Doesn't sound like this has been a "fair trial."

**Snell & Wilmer**

1455 SW BROADWAY, SUITE 1750  
PORTLAND, OR 97201  
503.624.6800 P  
503.624.6888 F

**Exhibit 28**

**Clifford S. Davidson**  
**(503) 443-6099**  
csdavidson@swlaw.com

November 8, 2022

**BY FIRST CLASS MAIL AND EMAIL**

NASPA Advisory Board  
NASPA  
PO Box 12115  
Dallas, TX 75225-0115  
ab@scrabbleplayers.org

To The NASPA Advisory Board:

My name is Cliff Davidson. David Koenig has engaged me in connection with the three-year suspension you have imposed based on false accusations by a group of players who have intentionally excluded and maligned David.

The Board informed David of his right to appeal the suspension. The problem is that in order to appeal we need to understand more about the basis for the Board's decision. To that end, I write with the following questions:

1. **What are the specific things that David did that constituted Code of Conduct violations?**  
To the extent you are citing violations of provisions that are unavailable through the NASPA website, please send a copy of such provisions.
2. You have requested that David display contrition. **Contrition for having done what?**
3. **What is the "general pattern of behavior" referenced in your notification to David of the suspension, and what specific acts evidence that alleged pattern?**
4. Were there any other documents submitted, or statements made, to the Board that have not been shared with David? If so, why, and may we please see those documents or statements?

Additionally, David reserves all rights with respect to the false statements that appear to have led to his suspension. Unfortunately, he might have no choice but to clear his name and pursue

NASPA Advisory Board  
November 8, 2022  
Page 2

damages through legal action—not necessarily against NASPA, but possibly. Accordingly, you are hereby notified that you should preserve all documents relating to David, complaints about him, and your suspension of him. This includes both hardcopy and electronically stored information such as emails, SMS/text messages, and public or private communications through social media platforms. Please deactivate any auto-delete functions that might delete or overwrite relevant information. Failure to preserve evidence may result in legal sanctions.

Thank you very much for your attention. I look forward to your response by November 14, 2022.

Very truly yours,

Snell & Wilmer

*/s/ Clifford S. Davidson*

Clifford S. Davidson





## Exhibit 29

Dave Koenig [REDACTED]

---

**Sent on behalf of David Koenig; document preservation notice**

---

John Chew [REDACTED]

Thu, Nov 10, 2022 at 9:24 AM

To: Dave Koenig [REDACTED]

Cc: "Davidson, Clifford" &lt;csdavidson@swlaw.com&gt;, info &lt;info@scrabbleplayers.org&gt;

Dear David,

Thank you for confirming that Mr. Davidson is representing you.

Regarding his earlier requests, I can see if any documents the Advisory Board (AB) considered were not forwarded to you, and then share any I find with you.

The AB will not however elaborate on their ruling, as their part in our disciplinary/appellate process ended with their issuing their decision, which included everything that they wanted to express. Please rest assured though that a deeper understanding of the AB's reasoning is unnecessary to your possible appeal of its decision, as the EC would be examining your case *de novo*.

Regards,  
John

[Quoted text hidden]

--

John Chew \* +1 416 876 7675 \* <http://www.posffit.com> \* [REDACTED]  
(math-related) [REDACTED] (NASPA business) [info@scrabbleplayers.org](mailto:info@scrabbleplayers.org)



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THE Healthy

RD.COM → Knowledge → Grammar & Spelling

# 13 Obscure Scrabble Rules Serious Players Need to Know



**PJ Feinstein**

Updated: Dec. 01, 2022

If you want to up your game and start thinking—and playing!—like a tournament player, make sure you're familiar with these lesser-known Scrabble rules.

*Our editors and experts handpick every product we feature. We may earn a commission from your purchases.*

1 / 13

Exhibit 30

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MATTHEW COHEN/RD.COM

## Scrabble rule: Tournament players use glossy tiles

The tile sets you buy at your local store likely have engraved letters, which aren't legal in tournament play. "Players could braille the letters or at least know when they are drawing a blank," says David Koenig, who has played tournament Scrabble since 2002 and is ranked in the top ten players in North America. Tournament-legal tiles have letters that can't be identified by touch, and players must hold the bag above eye level when drawing tiles. Besides [Scrabble](#), these are [the classic board games you should own](#).

---

2 /13

## Exhibit 30

**SLATE**

A HIT OF SCHADENFREUDE

000478

BROW BEAT

# Don't Panic: Proper Nouns Will Not Be Allowed in Scrabble

BY JOSH LEVIN

APRIL 06, 2010 • 2:36 PM

*A guest post from **Slate** contributor Stefan Fatsis:*

No, world, the rules of Scrabble are not changing.

Despite what you may have heard this morning on [NPR](#) or read on [Kotaku](#) or [CBS](#) or learned from the [BBC](#) or the [Telegraph](#), the companies that own Scrabble — the word game to which I have devoted thousands of hours of my adult life — have not decided to allow proper nouns to desecrate the 15-by-15 board. But it sure makes for a good story. “Mattel changes the rules of Scrabble for the first time since 1948,” the [London Times](#) trumpeted. “*Beyonce on a triple-word score?*” asked the [Daily Mail](#).

Put a sock in it. Here's what's actually happening. Mattel, which owns the rights to Scrabble outside of North America, is introducing a game this summer called Scrabble Trickster. The game will include cards that allow players to spell words backward, use proper nouns, and steal letters from opponents, among other nontraditional moves. The game will not be available in North America, where rival toy company Hasbro owns Scrabble. Hasbro, I'm told, has no plans for a similar variation.

Trickster will enter a pantheon of Scrabble spinoffs. A round of [Scrabble Sentence Cube Game](#), anyone? No? How about [Scrabble Overturn](#)? Or [Super Scrabble](#)? Or [Scrabble Up](#)? These games were all attempts to get a public that loves something classic to buy something else that resembles the classic — or at least includes its name — and they all pretty much failed. (I won't even bother linking to Simpsons, Shrek, National Parks, Chicago Cubs, and other Scrabble novelty editions.)

That's the problem with brilliant inventions: A lame knockoff looks like a lame knockoff. New York architect [Alfred Butts](#) invented Scrabble in the 1930s and 1940s and it exploded in popularity in the early 1950s. There was a reason: Scrabble is just about perfect. It balances luck and skill, risk and reward. It's knuckle-chucking competitive. And it exploits something fundamental to us all: language. For Hasbro and Mattel, Scrabble is an annuity. But there isn't much room for growth. Spinoffs are a cheap way to gin up some extra sales, especially when you don't need to pull a board game out of the closet, or even rely on the rights-holder, in order to [play it online](#).

## Exhibit 30

000479

So how did this latest games marketing gimmick turn into a global foofaraw? A combination of deceptive corporate shilling and media incompetence. The news of the game, I'm told, first appeared as four lines in a toy industry trade magazine. Then the British media started calling Mattel, and the company appears to have done nothing to disabuse gullible reporters of the idea that a Major Change is occurring. In the *Daily Mail*, a Mattel spokesman implied that the rules of the game had officially been changed. Mattel would still sell a Scrabble with the "old rules," but this new and improved game would help "level the playing field" between "experienced players with a vast vocabulary" and "players with a love of celebrity or football." Reporters didn't bother calling the Mattel executive in London who oversees competitive Scrabble play outside North America. In the United States and Canada, reporters mostly didn't even make the distinction between Mattel and Hasbro, the game's dueling corporate overlords.

As for the notion of permitting "proper nouns" in Scrabble, well, let's take a peek inside the Official Word List, the rulebook for club and tournament play in North America. JAPAN is in there! Can't be! Well, it's defined in the Official Scrabble Players Dictionary as "to coat with a glossy, black lacquer." What about TEXAS? It's the uppermost structure on a steamboat. "Are they going to start allowing words like FRISBEE, KLEENEX, XEROX, FEDEX, and BENADRYL?" my expert-level Scrabble-playing friend David Koenig asked in mock horror on Facebook this afternoon.

He was kidding. They're all acceptable words in Scrabble, too.

*Stefan Fatsis is the author of Word Freak: Heartbreak, Triumph, Genius, and Obsession in the World of Competitive Scrabble Players.*

---

## SLATEGROUP

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## Exhibit 30

# SLATE

000480

 A HIT OF SCHADENFREUDE

 GAMING

## ***Geocache?!***

The word that won Scrabble's new-word contest is totally useless in Scrabble.

BY STEFAN FATSIS

APRIL 10, 2014 • 6:50 PM

Exhibit 30

000481



There's a new word in town. Exhibit 30



Photo by William B. Plowman/Getty Images

000482

When Hasbro last week revealed the 16 finalists in its add-a-word-to-Scrabble contest, devotees of geocaching—the game in which people hunt for hidden treasures using GPS-enabled devices—noticed that *geocache* was among the contenders. Word spread quickly in the geocaching community. Shortly after first-round voting began, the Geocaching.com Twitter feed asked its 56,000 followers: “Should ‘geocache’ count in Scrabble? Say heck yeah! Comment ‘Geocache’ on Hasbro’s FB page.”

*Bitcoin* didn’t stand a chance. And, thanks to a steady get-out-the-vote campaign by geocachers on Twitter and Facebook and in news groups, neither did the Scrabble-friendly words *ew* in the semifinals and *zen* in the finals. Like the undefeated Connecticut women’s basketball team, *geocache* barely broke a sweat. “We didn’t push the gas pedal all the way to the floor,” Eric Schudiske, social media and public-relations manager for the geocaching website, told me. “But we wanted to make sure our community was aware of a moment in time that we could be part of something larger.”

As much as I and other lexicographical diehards wanted this contest to be about words, the outcome confirmed it was about publicity. Hasbro reaped millions of dollars worth of media exposure—the winning word was revealed on *Good Morning America* on Thursday—for a classic brand that’s hard to market. Merriam-Webster, which publishes the Official Scrabble Players Dictionary, got free advertising for a new, fifth edition to be released this summer. And the geocaching community—bigger and better organized than cosplay aficionados or bitcoin hoarders—got itself in a dictionary and onto national television.

And Scrabble? “We’ve been so punked,” expert-level player Chris Lipe wrote on the Facebook page of the North American Scrabble Players Association, or NASPA, a player-run group licensed by Hasbro that oversees Scrabble clubs and tournaments.

Many serious Scrabble players opposed the contest from the start. Scrabble has a formal process for updating its lexicon: adding words found in the standard college dictionaries that the game uses as lexical source books. None of the 16 words in the contest met that criterion. But the contest was endorsed by NASPA and the words were vetted by Merriam-Webster as on their way to inclusion someday. Scrabble players grudgingly recognize that Hasbro owns the game, even if its interest in the competitive culture has declined drastically, so most players were willing to go along with the contest. And once they did, many—including me—rooted for a word that actually would make a difference in how the game is played.

## Exhibit 30

000483

GEOCACHE isn't that word. According to NASPA co-president John Chew, the probability of drawing GEOCACHE from a full bag of 100 tiles (98 letters and two blanks) is about 1 in 563,033. "This places it between LITTLEST and STATUTES (1/562,961) and IODOFORM/IODOPHOR/OILPROOF/OOSPORIC (1/563,275) in the 76th percentile of eight-letter words," Chew wrote. By comparison, the probability of drawing the most common eight-letters words—NOTARIES/SENORITA, ORIENTAL/RELATION, and others—is about 1 in 6,992

Put another way, there are 29,766 eight-letter words currently acceptable in Scrabble. GEOCACHE would rank 22,684th in terms of probability. Expert player Matt Canik noted that words such as CAZIQUES, XANTHOMA, and ZIGGURAT are about as likely to be drawn as GEOCACHE. (Scrabble players write words from the game in uppercase; a lowercase letter denotes a blank.)

In GEOCACHE's defense, the word is a potential extension for ACHE and CACHE. If a player were to open a game with CACHE, with the first C on the double-letter score square, a G-E-O front-extension to the triple-word score square would net 48 points. Earlier this week, an expert named David Koenig was playing a game on Facebook when he held the letters A, C, E, G, O, and both blanks. He slotted GEOCACH through the second C and took a screenshot (and then played COAGEnCy in the same place).

## Exhibit 30



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David Koenig

But in terms of how Scrabble is played, either of the losing short words would have been a better choice.\* A lowercase *zen*—which is to be added to Merriam-Webster's unabridged online dictionary later this year—would have been just the 25<sup>th</sup> three-letter word containing a Z in tournament Scrabble (but only the 24<sup>th</sup> in the *OSPD*; LEZ is excluded because it's defined as an offensive term). *Ew* would have been even more dramatic. While any new two-letter word expands hooking and scoring possibilities, *ew* also would have severely reduced the defensive value of the W, the front side of which no longer could have blocked words starting or ending with an E.

With the new word made permissible for the five-day, 31-game National Scrabble Championship in August, players would have had just four months to adjust their brains to playing and defending against *ew*. Not an insurmountable challenge but, believe it or not, a significant one; when you play as much Scrabble as competitive players do, incorporating major changes—like the addition of QI and ZA in 2005—takes time. So some experts were relieved when GEOCACHE won.

## Exhibit 30

“On one hand, I’m disappointed that EW—which I’ve long felt should be in the list of two-letter interjections along with AH, AW, EH, ER, HM, MM, OH, OI, OW, OY, SH, UH, UM—didn’t make it,” expert Brian Galebach wrote on the NASPA Facebook page. “But on the other

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hand, I'm glad that a word which will have pretty much zero impact on the game was chosen, given the way that Hasbro is forcing the acceptability of this one word at Nationals on us." NASPA's other copresident, Chris Cree, was concerned about the short turnaround time for *ew* to be playable at the championship. He voted for GEOCACHE over both short words.

I would have preferred *ew* or *zen*; more short words equals more dynamic play. I also think GEOCACHE was a weak choice for the contest because the nouns GEOCACHING and GEOCACHERS were already slated to join the Scrabble list this summer (they were added to *Merriam-Webster's Collegiate Dictionary* in 2012). But I'm willing to extend a hand to the verb GEOCACHE, along with its -CACHES, -CACHED, and -CACHING forms, and invite geocachers to use their GPS devices to find a Scrabble tournament. Despite its limited utility in Scrabble, GEOCACHE is a worthy word, with citations dating to 2000 and a robust subculture with undeniable social media pull.

**\*Correction, April 18, 2014:** *This piece originally misstated that the word zen lost in the semifinals of the add-a-Scrabble-word contest. It lost in the finals. (Return.)*

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## Exhibit 30