

TABLE OF DEFAMATIONS

This Table tabulates the ~57 incidents (this notation indicating some overlap/duplication) of defamation claimed by Plaintiff in his **Comp (Complaint)**. These are identified by “†” **tag** and “¶” **paragraph number** in Comp (some paragraphs contain multiple tags). The incidents are classified (in both Comp and in this Table) as **DGIMF (Disputed Genuine Issue of Material/False Fact)** and/or **CTXDEFIMPL (Contextually Defamatory Implication)**, which *includes* “‘opinions’ based on false or undisclosed facts”).

ID Comp † ¶	DESCRIPTION OF DEFAMATORY INCIDENT	DEFAMATORY MATERIALLY FALSE CLAIMED/ DISCLOSED STATEMENT OF FACT (DGIMF)	DEFAMATORY IMPLICATION (CTXDEFIMPL) Includes opinion based on false or undisclosed facts
†2	Marshall claims Tuvell is “an academic ” (defaming Tuvell). <i>{Never claimed actionable, because didn’t identify Tuvell to the audience.}</i>	Tuvell is not “an academic.”	“Academicism” is defamatory in the <u>context of the audience</u> , as Marshall explicitly explained.
†8			
†12	Marshall claims Tuvell chose precise divisive issue/subthread (“Left”/“Right” partisan politics). (That accusation defames Tuvell.)	It was others who chose it (Tuvell explicitly refused to engage).	N/A
†14a	Marshall “goes nuclear” against Tuvell: bans him; prevents him from defending himself; issues false posts; disparages Tuvell’s posts; uses incendiary language.	<i>{These introductory comments are prefatory to the subsequent defamatory incidents accused in Comp¶14, and tabulated in this Table infra.}</i>	
†14b			
†14c			
†14d			
†14e			
†14f			
†14Aa	Marshall bans Tuvell from his blog. (Banning someone is defamatory to the target.)	His stated facts underlying the banishment are false (Comp¶14).	He (probably) also had undisclosed facts underlying the banishment.
†14Ab	Marshall calls Tuvell “ special ” (referring to “especially bad behavior” justifying the banning, hence defamatorily to Tuvell).	N/A	“Special” refers to the banishment, hence it implies false/undisclosed underlying facts.

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†14Ba	Marshall “spams” two posts of Tuvell’s, i.e., deletes them as objectionable “spam.” (Accusing someone of “spamming” is defamatory to the target.)	None of Tuvell’s posts could reasonably be called “spam” (however defined).	N/A
†14Bb	Marshall calls Tuvell a “jerk.” (Being a “jerk” is defamatory, but it’s not this mere “insulting” word that’s at issue.)	N/A	“Jerk” refers to the “spam,” which was false/defamatory.
†14Ca	Marshall claims Tuvell “sandbagged” him. (“Sandbagging” is defamatory.)	No “sandbagging” occurred, in any reasonable sense (however defined).	N/A
†14Cb	Marshall calls Tuvell’s posts “whiny.” (Calling posts “whiny” is defamatory.)	N/A	“Whiny” refers to “sandbagging,” which was false.
†14Cc	Marshall claims Tuvell “accused” him of being “obsessed with partisan political topics” (harming Marshall, hence defamatory to Tuvell).	Tuvell’s comment was a <i>private</i> observation/query, not “accusation.”	N/A
†14Cd	Marshall claims Tuvell “linked” to another comment (somehow related to something harming Marshall — which is defamatory to Tuvell).	No such “linking” was ever done.	N/A
†14Ce	Marshall claims Tuvell “caused” him to “miss” something, harming him (which defames Tuvell).	Never happened (refers to the “linking,” which never happened).	Marshall’s claim refers to the “linking,” which was false.
†14Da	Marshall claims Tuvell wrote that his blog advertised itself as covering judicial misconduct and doesn’t , harming him (which defames Tuvell).	Tuvell never wrote anything resembling this.	N/A
†14Db	Marshall claims his blog contains dozens of judicial misconduct/ethics posts (thereby portraying himself to the audience as a expert qualified to “dis” Tuvell’s Judicial Misconduct claims, which defames Tuvell).	No such “dozens of posts” exist (in fact, not even a single judicial misconduct post appears to exist).	Marshall is here falsely (with intent to harm Tuvell) identifying “judicial ethics” with “judicial misconduct.”

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†14E	Marshall claims Tuvell issued bitching comment after bitching comment (defaming Tuvell).	No such “bitching” comments exist, in any reasonable sense (however defined).	N/A
†14F	Marshall claims Tuvell finally revealed his (previously “hidden”) agenda (thereby tricking Marshall, which defames Tuvell).	There never was any “finally” or “hidden agenda” — Tuvell revealed all his reasons for contacting Marshall from the very beginning.	Marshall’s claim falsely implies Tuvell “delayed and kept something hidden,” with intention to harm him.
†14G	Marshall claims he finally got the link to Tuvell’s ethics issue (thereby tricking Marshall, which defames Tuvell).	There was no “finally” — Tuvell supplied the link at the beginning.	(Same as preceding item †14F.)
†14Ha	Marshall claims Tuvell’s issue (“agenda”) is about his own case. (This is in the same context as the “finally” and “hidden agenda” of the preceding two items, hence defamatory to Tuvell.)	Tuvell’s issue is about Judicial Misconduct, with his case (<i>Tuvell v. IBM</i>) as example.	N/A
†14Hb	Marshall claims Tuvell’s website is single-issue (defaming Tuvell, because Tuvell claims his website is about Judicial Misconduct generally).	Tuvell’s website is indeed about Judicial Misconduct, not only <i>Tuvell v. IBM</i> .	In context (see preceding item †14Ha), “single-issue” refers to the <i>Tuvell v. IBM</i> case.
†14Ia	Marshall calls Tuvell’s website (esp. its <i>Tuvell v. IBM</i> case study) a messy post (defaming Tuvell).	The website is not a “messy post” in any sense (however defined).	This is <i>not</i> “opinion based on disclosed true facts,” because Marshall did not actually read Tuvell’s website (per preceding two items †14Ha,Hb).
†14Ib	Marshall claims Tuvell’s website teeters on the edge of madness (defaming Tuvell).	N/A	This is opinion based on false/ undisclosed facts (†14Ha,Hb,Ia).

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†14Ic	Marshall claims the judge decided Tuvell’s case was lousy (defaming Tuvell).	The judge didn’t decide Tuvell’s case (<i>Tuvell v. IBM</i>) at all, but rather a falsely fictionalized case.	The attribution “lousy” (which is Marshall’s, not the judge’s) is opinion based upon false facts (the judge’s and Marshall’s).
†14Ja	Marshall claims he is in good faith .	N/A	The defamatory implication is that Tuvell is <i>not</i> in good faith (see the “Captain sober today” example, OATAnne18).
†14Jb	Marshall claims that Tuvell didn’t have the courtesy or honesty to come right out and say what he wanted (defaming Tuvell).	Tuvell did come right out and say what he wanted.	N/A
†14K	Marshall claims Tuvell’s website claims to be about Judicial Misconduct generally but is only about his case (defaming Tuvell). (This is similar to item †14Hb.)	Tuvell’s website is about Judicial Misconduct generally.	N/A
†14L	Marshall claims Tuvell is a few cherries short of a sundae . (The phrase implies “loathsome mental infirmity,” which is defamatory <i>per se</i> , by OATAnne134(β).)	N/A	In context this relies upon items †14Hb, Ia, Ib, K, which are false.
†14M	Continuing in the context of †14L, Marshall claims this (“few cherries”) became clear in this passage {quoting a long excerpt about Tuvell’s PTSD} ...	A diagnosis of PTSD does not entail loathsome mental infirmity.	Any implication that PTSD implies loathsome mental infirmity is false.
†14Na	Marshall claims Tuvell’s website and his arguments are similar to certain other long rambling things (implying nonsensicality), i.e., other communications via letters, phone calls and emails that he’s received from certain unnamed others. (This defames Tuvell and his website.)	Tuvell’s website and arguments are fully solid/proven, presented on a state-of-the-art professional website, certainly nowise resembling Marshall’s false characterization.	And furthermore, <i>even if</i> Marshall’s slur is viewed as “opinion,” he’s relying on false and/or undisclosed underlying facts, namely the other communications he mentions (to gauge their degree of “similarity”).
†14Nb			
†14Nc			
†14Nd			
†14Ne			

Table of Defamations (4 / 7)

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†14Oa		“First time,” if factual statement, requires proof (it may be false).	“First time,” if opinion (e.g., exaggeration), relies on (false or) undisclosed facts.
†14Ob	Marshall claims this is the first time (†14Oa) someone has abused (†14Ob) his blogsite for a personal agenda (†14Oc). (The “first time” is defamatory to Tuvell, as are the other two statements.)	N/A	“Abuse” refers to the panoply of “sandbagging” (†14Ca), “delayed linking” (†14Cd, Ce), “false representation” (†14Da), “hidden agenda” (†14F), etc., etc. — which are all false.
†14Oc		N/A	“Personal agenda” is dealt with in †14F,Ha.
†14Od	Marshall claims Tuvell was dishonest . (Defamatory to Tuvell.)	Whether intended as fact or opinion, this refers to item †14Ob, which is false.	
†14Oe	Marshall claims Tuvell misrepresented his purpose . (Defamatory to Tuvell.)	Whether intended as fact or opinion, this refers to †14Ob,Od, which are false.	
†14Of	Marshall claims Tuvell used a charming device to insult his integrity . (Defamatory to Tuvell, no matter what “device” is supposed to mean.)	If intended as fact, there was no such “device,” or insult.	If intended as opinion, this relies on some undisclosed “device” and insult.
†14Og		N/A	Not “obvious;” relies on false fact.
†14Oh	Marshall claims it is obvious (†14Og) that Tuvell (in his original private email to Marshall) wanted to check to see whether Marshall’s sympathies would lie with his cause (†14Oh). (Defamatory to Tuvell.)	Tuvell’s original email was sent to “check” on the scope (design vs. implementation) of Marshall’s blogsite (not to check on his sympathies).	N/A

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†14Oi	Marshall claims he can't be bought (referring to †14Oj). (Defamatory to Tuvell.)	N/A	This "opinion" is based upon undisclosed/false facts concerning bribery/fraud.
†14Oj	Marshall claims Tuvell was "obviously" looking for a cheap/free expert opinion , but was underhandedly trying to get it without paying for it. (Defamatory to Tuvell.)	This accusation of attempted theft of valuable professional services is false.	The "opinion" word "obviously" is based upon the false accusation.
†14Ok	Marshall claims Tuvell wanted to use Marshall's valuable work-product (expert opinion) in his crusade against the judge . (Defamatory to Tuvell.)	Falsity: it was <i>impossible</i> (per Judicial Misconduct process rules) to inject any work-product of Marshall's into that process.	"Crusade" is an "opinion" word which is based on various false facts of Marshall's (see the panoply listed in †14Ob).
†14Ol			
†14Pa	Marshall calls Tuvell " desperate asshole " for misrepresenting his motives . (Defamatory to Tuvell)	N/A	Whatever else Marshall accuses Tuvell of, the charge of "desperation" relies on facts undisclosed/false.
†14Pb		As factual statement, "misrepresentation of motives" is factually false.	As "opinion," "misrepresentation of motives" relies on other false facts/opinions (see the panoply listed in †14Ob).
†14Qa	Marshall claims Tuvell earned the ultimate ban (whatever "ultimate" means, Marshall doesn't define it, but see †14Qb).(Defamatory to Tuvell.)	For "banning," see †14Aa.	The "opinion" about "earning" and "ultimate" rely on undisclosed facts (certainly, nothing in this Table discloses how/why Tuvell "earned" either).

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†14Qb	Marshall states the Tuvell will not be reinstated (perhaps this is what “ultimate” means in †14Qa). (Defamatory to Tuvell.)	Marshall prevents Tuvell from trying to “rehabilitate” himself in the eyes of the audience, thereby enhancing/ perpetuating the defamation.	N/A
†14Qc	Marshall threatens to delete all comments of Tuvell’s, if he submits one more comment. (Defamatory to Tuvell.)	This reinforces the defamatory retaliation of †14Qb.	N/A
†14Qd	Marshall deplores Tuvell’s lingering stench on his blogsite.	N/A	This over-the-top “opinion” is based upon, and emphasizes, various other undisclosed/false facts/opinions (see the panoply listed in †14Ob).
†14Qe			