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EVAN RACHEL WOOD

8  
9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
10 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

11 BRIAN WARNER, p/k/a MARILYN  
12 MANSON,

13 Plaintiff,

14 vs.

15 EVAN RACHEL WOOD; ASHLEY GORE,  
16 a/k/a ILLMA GORE,

17 Defendants.  
18

Case No. 22STCV07568

Assigned to Hon. Teresa A. Beaudet, Dept. 50

**DECLARATION OF DEFENDANT EVAN  
RACHEL WOOD IN SUPPORT OF  
OPPOSITION TO PLAINTIFF'S  
EX PARTE APPLICATION FOR LEAVE  
TO SUBMIT THE FEBRUARY 19, 2023  
DECLARATION OF ASHLEY MORGAN  
SMITHLINE IN SUPPORT OF  
PLAINTIFF'S OPPOSITIONS TO  
DEFENDANTS' ANTI-SLAPP MOTIONS**

19 Date: February 28, 2023  
20 Time: 10:00 a.m.  
21 Dept.: 50

22 Action Filed: March 2, 2022  
Trial Date: None Set

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1 that meeting, I had never spoken to Ms. Smithline on the phone. During the October 2020  
2 meeting, Ms. Smithline described abuse that she claimed Mr. Warner inflicted upon her.  
3 Ms. Smithline has always told me that she was abused by Mr. Warner.

4         6.       I had several communications with Ms. Smithline via private messages on  
5 Instagram after *People Magazine* published on or around May 5, 2021 an article about  
6 Mr. Warner's abuse of Ms. Smithline. Attached hereto as **Exhibit B** is a true and correct copy of  
7 excerpts from my May 5, 2021 Instagram communications with Ms. Smithline. Attached hereto as  
8 **Exhibit C** is a true and correct copy of excerpts from my May 10, 2021 Instagram  
9 communications with Ms. Smithline. In the attached Instagram communications, Ms. Smithline's  
10 statements are on the left side of the screen, and my statements are on the right side of the screen  
11 in grey bubbles.

12         7.       I posted a Story on Instagram that included a screenshot of the headline of an  
13 October 3, 2021 article in *Metalhead Zone* entitled "Accuser Admits Marilyn Manson Was  
14 Planning to Kill Evan Rachel Wood." On October 5, 2021, Ms. Smithline sent me an unsolicited  
15 reply to my Instagram Story, stating, "i second that. he said i'm going to kill my ex so many  
16 times!" Attached hereto as **Exhibit D** is a true and correct copy of Ms. Smithline's October 5,  
17 2021 message to me on Instagram. (Again, Ms. Smithline's comments are on the left and mine are  
18 on the right.)

19         8.       I communicated with Ms. Smithline via Instagram on March 12, 2022, after  
20 Mr. Warner filed the present lawsuit. Attached hereto as **Exhibit E** are true and correct copies of  
21 excerpts from my March 12, 2022 Instagram communications with Ms. Smithline.  
22 (Ms. Smithline's comments are on the left and mine are on the right.)

23         9.       Ms. Smithline sent me a message through Instagram on April 27, 2022. We then  
24 had additional communications through Instagram on May 4 and 5, 2022. Attached hereto as  
25 **Exhibit F** are true and correct copies of excerpts from my Instagram communications with

26 ///

27 ///

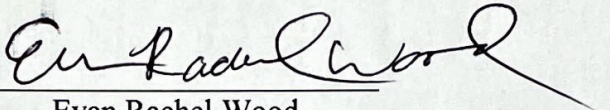
28 ///



1 Ms. Smithline on April 27, 2022, May 4, 2022, and May 5, 2022. (Ms. Smithline's comments are  
2 on the left and mine are on the right.)

3 I declare under penalty of perjury under the laws of the State of California that the  
4 foregoing is true and correct.

5 Executed on February 26, 2023, at Toronto, Canada.

6  
7  
8   
9 Evan Rachel Wood

817944

# EXHIBIT A



"I'm a survivor myself, and it wasn't until very recently that I really came to terms with everything, and was even able to identify what had happened," she said.

"When it happens it's very complicated; you lie to yourself, you're being lied to, you're being gas-lit in a dangerous situation. You lose a sense of self, and your sense of reality, because you're stuck in this nightmare."



evanrachelwood · Follow



mcaidol ❤️❤️❤️💧

175w



ashleyjorgansmithline when he had me captive in the stupid ballet studio, i cringed hearing him brag about replaying that scene from rules of attraction to you... i thought no one would ever talk about this..

175w

Hide replies



ashleyjorgansmithline @ashleyjorgansmithline @evanrachelwood ... sorry that really hit me hard today.

175w



ashleyjorgansmithline @ashleyjorgansmithline @evanrachelwood ... sorry that really hit me hard today.

175w



robdd8197 Well as just some who follows and believes you are a remarkably intelligent talented lady i was very concerned about you and what i saw on the video, i sincerely hope you are doing well 🙏🙏🙏🙏🙏

175w 1 like



wittycharlie 🙏🙏🙏🙏🙏 thank you.

175w



14,214 likes

MARCH 11, 2019

Comments on this post have been limited.

# EXHIBIT B

1:29

5G E



Instagram User



May 05, 2021



the da said there's nothing  
they'll offer that he'll take. he  
better go for life.

We'll see what happens

May 05, 2021

how are you?




i can't breathe. i have no  
reason to make this up!

Dont let anybody get to you

Just sit in your truth

no one can touch that

But I get it. I really do

It hurts to see how  
though  ss people can be



Message...





# EXHIBIT C

1:30

5G E



Instagram User



yea exactly

defending him i would be ready to leave the country myself.

they dont run stories like this without something to back it up. You are very credible

thank you. they know, we know, sane people know. his fans are just loud. they're really saying, we're winning.

the only winning is in a real legal situation which he WILL NOT win.

but they (his fans) keep going. they could watch him please guilty while beating and raping a 12 year old and say, "he's innocent. where is the proof." it takes a special kind of person to threaten



Message...



1:30

5G E



Instagram User



but they (his fans) keep going. they could watch him please guilty while beating and raping a 12 year old and say, "he's innocent. where is the proof." it takes a special kind of person to threaten rape and abuse victims with rape and abuse.



And a lot of these people he gets to do these things anyway



Yeah that's all garbage



Message...



# EXHIBIT D

1:33

5G E



Instagram User



October 02, 2021



yeah!

October 05, 2021

Replied to your story



Only you  
can see  
this



i second that. he said i'm  
going to kill my ex so many  
times!

Ugh!



October 07, 2021

Reacted to your story



Message...



# EXHIBIT E



1:36

5G E

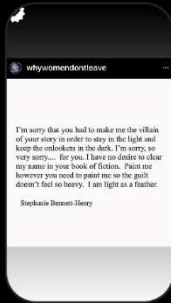


Instagram User



March 12 at 3:08 PM

Replied to your story



Only you  
can see  
this



i'm abusive.



Message...



1:36

5G E



Instagram User



i'm abusive.



People have a lot to say  
about lives they've never  
lived



don't they just.

Block. Ignore. Hand on  
heart. Give yourself love

report blocks deleted



you ok?

Hanging in there. Tired and  
very sad but I'll be ok

vultures.



Message...



1:36

5G E



Instagram User



you ok?

Hanging in there. Tired and very sad but I'll be ok

vultures.

please don't be sad. i love you. you're an amazing mother and friend.

your heart is the size of the ocean.



You ok?



yeah. i'm proud of you.

Same

i really am.

i think you're a fucking warrior!



Message...



1:36

5G E



Instagram User



Same

i really am.

i think you're a fucking warrior!

We're gonna get hit with another wave when the doc comes out which will be hard but I hope it helps open peoples eyes to the truth 🙏

One step closer to freedom

oh it started when he sued. it's been relentless

yep

I havent read anything

they're easily the least important nuts on earth

I cant



Message...



1:37

5G E



Instagram User



yep

I havent read anything

they're easily the least  
important nuts on earth

I cant

ignorance is killing the  
planet.

The truth shall set you free



Message...



1:37

5G E



Instagram User



i just keep saying

Thats why a lot of really  
brave people, yourself  
Included, have been telling  
brutal truths

but first it'll piss you off. he'll  
plead guilty and they'll say  
he's kidding.

some can't be saved.

it makes you question  
humanity.

just know that YOU set me  
free.

by listening.



i love you.



Back atcha



Message...





# EXHIBIT F

1:39

5G E

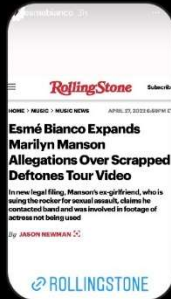


Instagram User



April 27 at 11:53 PM

Replied to your story



Only you  
can see  
this

i moved to london this  
johnny depp media circus  
we're so triggering



May 04 at 12:23 AM



Message...



1:39

5G E



Instagram User



May 04 at 8:53 AM

Are you reading what people send you?

Dont

Turn everything off except for people you follow

There are companies abusers hire whose job it is to pose as fans and flood the accounts of victims. They may not be real people messaging you.

Do what you gotta do and take care of yourself but definitely keep that in mind when you think people hate you. They dont 💙

If you read those messages and comment you are poisoning yourself



Message...



1:39

5G E



Instagram User



Do what you gotta do and take care of yourself but definitely keep that in mind when you think people hate you. They dont 💙

If you read those messages and comment you are poisoning yourself

Im sorry you are struggling. Its not easy

May 04 at 11:05 AM

Sending you love and good energy

i don't comment. but look at the hate people have in this public case. i'm out.



May 05 at 9:24 AM

You gotta do whats best for you 💙



Message...



1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 At the time of service, I was over 18 years of age and not a party to this action. I am  
4 employed in the County of Los Angeles, State of California. My business address is 11766  
5 Wilshire Boulevard, Suite 750, Los Angeles, CA 90025-6543.

6 On February 27, 2023, I served true copies of the following document(s) described as  
7 **DECLARATION OF DEFENDANT EVAN RACHEL WOOD IN SUPPORT OF  
8 OPPOSITION TO PLAINTIFF'S EX PARTE APPLICATION FOR LEAVE TO SUBMIT  
9 THE FEBRUARY 19, 2023 DECLARATION OF ASHLEY MORGAN SMITHLINE IN  
10 SUPPORT OF PLAINTIFF'S OPPOSITIONS TO DEFENDANTS' ANTI-SLAPP  
11 MOTIONS** on the interested parties in this action as follows:

12 Howard E. King, Esq.

*Attorney for Plaintiff*

13 John G. Snow, Esq.

*Brian Warner, p/k/a Marilyn Manson*

14 Jackson S. Trugman, Esq.

15 **King, Holmes, Paterno & Soriano, LLP**

16 1900 Avenue of the Stars, 25th Floor

17 Los Angeles, California 90067

18 Telephone: (310) 282-8989

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22 Margaret Ziemianek, Esq.

*Attorney for Defendant*

23 Lawrence M. Cirelli, Esq.

*Ashley Gore a/k/a Illma Gore*

24 G. Thomas Rivera III, Esq.

25 **Hanson Bridgett LLP**

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lcirelli@hansonbridgett.com

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Additional email for service:

destebanez@hansonbridgett.com

21 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the  
22 document(s) to be sent from e-mail address MSanks@kwikhlaw.com to the persons at the e-mail  
23 addresses listed in the Service List. I did not receive, within a reasonable time after the  
24 transmission, any electronic message or other indication that the transmission was unsuccessful.

25 I declare under penalty of perjury under the laws of the State of California that the  
26 foregoing is true and correct.

27 Executed on February 27, 2023, at Santa Monica, California.

28 

Mary L. Sanks