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February 11, 2023

## VIA ECOURTS

Hon. David J. Weaver, J.S.C.

Superior Court of New Jersey - Morris County

Morris County Courthouse, Washington & Court Streets

Morristown, New Jersey 07960

**RE: Lauren Kanarek v. Michael Barisone, et al.**  
**Docket No.: MRS-L-2250-19**

**Barisone Motion For Sanctions Against Non-Party Witness**  
**Return Date: February 17, 2023**

Your Honor:

I represent Michael Barisone, a defendant-counterclaim-plaintiff in the above-referenced matter. I am submitting this REPLY letter brief, in lieu of a formal one, in support of the Barisone motion compelling plaintiff's mother (non-party witness Kirby Kanarek) to appear and produced documents in response to a *subpoena duces tecum* I caused to be served back in November 2022.

## PRELIMINARY REPLY STATEMENT

Kirby Kanarek has not voiced any objection to our application to compel her to produce the recordings, transcripts, and relevant communications, she admittedly has in her possession. She has filed no objection; raised no dispute; and given no explanation for her contempt when she failed to answer or appear in response to the subpoena. The only objection seems to be coming

from the plaintiff, through an attorney who does not represent Kirby Kanarek, making arguments without any sworn certification or other form of evidence capable of being considered by this Court.

Plaintiff is presenting a litany of attorney arguments, such as: (1) the falsehood that materials were already produced years ago; (2) the falsehood that the subpoena is overly broad; (3) the falsehood that the materials are not relevant, even for purposes of discovery; and (4) other arguments made by an attorney, without personal knowledge, and without supporting evidence.

The simple facts here demonstrate that Barisone's revised subpoena to Kirby Kanarek should be enforced.

### **REPLY ARGUMENT**

Here are the facts:

1. Barisone is asserting a counterclaim against plaintiff focusing, in part, on plaintiff's surreptitious, unlawful recording of private conversations taking place at Sweet Grass Farm. *See Barisone's Corrected Amended Counterclaim* at page 12, paragraphs 9-12, & *Counterclaim Count 4* at pages 19-21, **Exhibit G** to the Deininger Reply Certification (hereinafter cited as the "Deininger Reply Certif.").
2. Barisone's counterclaim includes an independent cause of action (asserted with leave of this Court) for injury and damages for eavesdrop recordings made in violation of N.J.S.A. §§ 2A:156A-1 *et seq.*, including N.J.S.A. 2A:156A-24. *Id.* at *Counterclaim Count 4* at page 20, paragraphs 45-46, **Exhibit G** to the Deininger Reply Certif.

3. At the criminal trial against Barisone, plaintiff testified under oath that she and boyfriend Goodwin acquired recording devices (two digital audio recorders and a Ring camera) in or about late July 2019, within the eight days before the shooting incident. See March 30, 2022 *Criminal Trial Transcript* page 138 (audio recording devices were ordered on Amazon on “July 31” 2019), & page 145 (purchase and use of video recording device), **Exhibit H** to the Deininger Reply Certif.
4. Also at the criminal trial, plaintiff was confronted with her prior written statement that she had acquired “cameras” back in April 2019, which plaintiff told her friend “Rosanna Williams” that she (plaintiff) purchased and then “planted in the barn” at Sweet Grass Farm.<sup>1</sup> See March 30, 2022 *Criminal Trial Transcript* page 146, line 10, through 149, line 11, and 150-151, **Exhibit H** to the Deininger Reply Certif.
5. So, based on plaintiff’s own testimony under oath, the scope of discovery of audio and video recordings sought from Kirby Kanarek is limited either to recordings made on the farm between the dates of July 31, 2016 and August 7, 2019, or, at most, to recordings made between late April 2019 and August 7, 2019.<sup>2</sup> See March 30, 2022 *Criminal Trial Transcript* pages 138, 145 & 146-149, **Exhibit H** to the Deininger Reply Certif.

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<sup>1</sup> Plaintiff went on to testify that she was lying to Rosanna when she said that, which is one of many instances in which plaintiff impeached her own reputation for truthfulness. See March 30, 2022 *Criminal Trial Transcript* page 150-151, **Exhibit H** to the Deininger Reply Certif.

<sup>2</sup> For the 2019 season, plaintiff returned to Sweet Grass Farm in late April and stayed there until the shooting occurred in August of 2019. See Certification of Steven Tarshis (submitted herewith), at paragraph 7.

6. Plaintiff testified under oath at the criminal trial that she and Goodwin used those devices to make audio and video recording of other peoples' private conversations in which they (i.e. plaintiff and her boyfriend) were not participants. See generally, March 30, 2022 *Criminal Trial Transcript* pages 126 (admitting she made audio recordings of "private conversation where [she] was not a party to"), 134-140 (audio recordings of conversations in which she was not a participant), and 145-149 (video recordings), **Exhibit H** to the Deininger Reply Certif.
7. Plaintiff testified that, once she started making those recordings, Barisone became aware that, somehow, plaintiff was recording his conversations to the point where plaintiff confirmed in a text to her father (non-party Jonathan Kanarek, New York attorney)<sup>3</sup> her impression that "they know we have a bug in the barn." See March 30, 2022 *Criminal Trial Transcript* page 151, line 19, through 153, line 21, **Exhibit H** to the Deininger Reply Certif., and text message exhibit "100-C-8", **Exhibit I** to the Deininger Reply Certif.
8. Plaintiff confirmed in her testimony that she made social media postings about Barisone and his live-in girlfriend (Mary-Haskins), and that she (plaintiff) was declaring "war" with the understanding that she was causing Barisone to experience "paranoia and jealousy". See March 30, 2022 *Criminal Trial Transcript* page 156, line 9, through 158, Line 9, **Exhibit H** to the Deininger Reply Certif.

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<sup>3</sup> Jonathan does not have any license to practice law in New Jersey. Therefore, he is precluded from acting as Kirby's attorney here.

9. In yet another one of her text messages, plaintiff revealed her intention to taunt Barisone and his family by revealing the surreptitiously-made recordings, see Exhibit J to the Deininger Reply Certif., and she professed the mis-guided notion that she somehow had “permission” to “take videos, recordings or anything else” she wanted to do to further her objectives, Exhibit K to the Deininger Reply Certif. It was stalking and harassment like that which led to Barisone’s mental breakdown that the jury found to have constituted “insanity” at the time of the shooting. Id.
10. The discovery provided in this case by plaintiff has been devoid of any copies of any audio or video recordings, and devoid of any transcripts of any of those recordings. See Deininger Certif., at paragraphs 3-6. No such materials have ever been provided by plaintiff, regardless of her attorney’s argument that such materials were “already provided” years ago. Id.
11. One of the recordings which has never been provided to Barisone’s attorneys, by anyone at any time, is plaintiff’s surreptitious recordings of Barisone’s conversations with his attorney, Steven M. Tarshis, Esq. Id.
12. Attorney Tarshis knows, based on his personal knowledge, that plaintiff somehow recorded conversations Tarshis had with Barisone, in the clubroom of the barn building, outside of the presence of plaintiff or Goodwin. See Tarshis Certification, paragraphs 5-13.
13. Kirby Kanarek has stated repeatedly, in public, that she has the recordings; has listened to the recordings; has prepared transcripts of the recordings; and, has reviewed

- professionally-prepared transcripts of such recordings. See Kirby Kanarek Internet postings at **Exhibit D** through **Exhibit E** of the Deininger Reply Certif. and paragraphs 11-15 of that Certification.
14. Plaintiff, as well, has stated publicly, in writing, that such transcripts exist, and that she and her family planned to “send each transcribed audio to the psych ward” at the Ann Klein Psychiatric Hospital, when Barisone was held there following the trial. See **Exhibit F** to the Deininger Reply Certif.
15. Plaintiff has gone so far as to actually quote from the transcripts in her complaint to SafeSport, which was one of the many things she did in her efforts to conduct “war” against Barisone, driving him to such a level of intense mental and emotional distress that he had a mental breakdown that rendered him incapable of forming the requisite *mens rea* to be convicted of any crime in connection with the shooting. See Plaintiff’s SafeSport complaint at footnote “2” on page “4 of 4”, **Exhibit A** to the Deininger Reply Certif.

Those are the facts.

As a matter of law, the scope of discovery extends to all non-privileged documents, information, and things that are (1) evidence relevant to the claims, causes-of-action, and/or allegations at issue in a civil litigation, and/or (2) contain information reasonably calculated to lead to the discovery of relevant evidence. See Court Rule 4:10-2 (a). The recordings and transcripts in Kirby Kanarek’s possession, custody and/or control, are “evidence” directly relevant to Barisone’s counterclaim under N.J.S.A. §§ 2A:156A-1 et seq., including N.J.S.A. 2A:156A-24. Kirby Kanarek’s communications about Barisone, those recordings, and/or the other scope-

limiting topics, are expected to contain information leading to the discovery of additional, relevant evidence.

The Subpoena served upon Kirby Kanarek is limited in scope, not only by its expressed wording but also by the record facts of this case.

Barisone's requests for audio and video recordings, as well as his requests for transcripts of those records, is limited in scope by the fact that (according to plaintiff's sworn testimony) the only recordings were made either between July 31, 2019 and the August 7, 2019 date of the shooting, or, at the most, late-April of 2019 through to the August 7, 2019 date of the shooting.

Barisone's request for Kirby's communications (i.e. texts, emails, etc.) is limited to a finite group of potential discovery, limited in time (January 2019 through September 2019), limited in topic, and limited as to who the communications were with (i.e., plaintiff, her father, her mother, and/or her boyfriend). See Revised Subpoena, **Exhibit A** to the Deininger Certification filed initially in support of this motion (not the reply certification).

The revised subpoena is not overly-broad, is seeking information directly relevant to the claims and allegations in this civil suit, and cannot be fairly characterized as "harassing" or otherwise "improper". Kirby Kanarek never responded to the revised subpoena; never produced any records in response to it; and, instead, has ignored it intentionally. Accordingly, we are respectfully requesting that Kirby Kanarek be compelled to produce the transcripts, the recordings, and the subject communications.

Plaintiff admits readily that Barisone was not at fault in the shooting incident, when such an admission furthers her personal agenda at social occasions. See Tarshis Certification, paragraphs 17-22. What we see going on here is a concerted effort by plaintiff and her parents to obstruct discovery by hiding and failing to produce that which they know to be relevant.

**CONCLUSION**

For the forgoing reasons, the defendant-counterclaim plaintiff BARISONE is requesting that his motion be granted in all respects.

Submitted Respectfully,  
**DEININGER & ASSOCIATES, LLP**

A handwritten signature in black ink, appearing to read 'C. L. Deininger', written over a horizontal line.

Christopher L. Deininger, Esq.

cc: All counsel of record



01013

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*Attorneys for Barisone*

|                                       |   |                                     |
|---------------------------------------|---|-------------------------------------|
| <b>LAUREN KANAREK,</b>                | : | <b>SUPERIOR COURT OF NEW</b>        |
|                                       | : | <b>JERSEY LAW DIVISION – MORRIS</b> |
| <i>Plaintiff,</i>                     | : | <b>COUNTY</b>                       |
| <b>v.</b>                             | : |                                     |
|                                       | : |                                     |
| <b>MICHAEL BARISONE; SWEETGRASS</b>   | : |                                     |
| <b>FARMS, LLC; RUTH COX; JOHN</b>     | : | <b>DOCKET NO.: MRS-L-2250-19</b>    |
| <b>DOES 1-30; ABC CORPORATIONS 1-</b> | : |                                     |
| <b>20,</b>                            | : |                                     |
|                                       | : |                                     |
| <i>Defendants,</i>                    | : |                                     |

**CERTIFICATION OF CHRISTOPHER L. DEININGER, ESQ., IN FURTHER SUPPORT OF BARISONE’S MOTION TO COMPEL DISCOVERY FROM KIRBY KANAREK, & IN OPPOSITION TO PLAINTIFF’S CROSS-MOTION TO QUASH BARISONE’S SUBPOENA TO KIRBY KANAREK**

CHRISTOPHER L. DEININGER, ESQ., of full age, hereby certifies and says the following under penalty of perjury:

1. I am an attorney at law duly admitted in the State of New Jersey, and counsel in the above-captioned matter for defendant-counterclaim-plaintiff MICHAEL BARISONE (“Barisone”).

1. I am making this REPLY certification for two purposes, namely: (a) in further support of the Barisone motion for relief against non-party witness KIRBY KANAREK, plaintiff’s mother, seeking to compel discovery from her as a non-party witness; and (b) in opposition to the plaintiff’s motion to quash Barisone’s subpoena directed at plaintiff’s mother.

2. The statements I make herein are based upon my personal knowledge, unless noted otherwise.

3. Plaintiff has never produced in discovery any audio or video recordings made on the premises of 411 W. Mill Road, Long Valley, New Jersey (“Sweet Grass Farm”); so, the argument by plaintiff’s counsel that such discovery “has already been provided” is incorrect, based upon my personal, first-hand knowledge. To my knowledge, I have never received from any source, any of the recordings which were taken of the conversations Steven Tarshis, Esq. (one of Barisone’s attorneys) had with Barisone, which plaintiff then made reference to on social media as part of her stalking and harassment of Barisone.

4. Even if plaintiff had produced audio and video recordings to the extent she had them in her possession, Barisone would still seeking that category of discovery from plaintiff’s mother because it likely would include additional items which plaintiff did not produce.

5. Plaintiff has never produced in discovery any transcriptions of audio or video recordings made on the premises of Sweet Grass Farm; so, the argument by plaintiff’s counsel that such discovery “has already been provided” is incorrect, based upon my personal, first-hand knowledge.

6. Even if plaintiff had produced transcripts of audio and video recordings to the extent that plaintiff had them in her possession, Barisone would still seek that category of discovery from plaintiff’s mother because it likely would include additional items which plaintiff did not produce.

7. By way of subpoena *duces tecum*, we are seeking to compel Kirby Kanarek to produce the recordings, and transcripts she has professed publicly to have, documenting the contents of illegal audio recordings made surreptitiously on the premises of 411 W. Mill Road, Long Valley, New Jersey, i.e. Sweet Grass Farm, where the shooting occurred.

8. Annexed hereto as **Exhibit A** is a true and correct, redacted excerpt of Lauren Kanarek's complaint to SafeSport against Mr. Barisone.

9. My understanding and belief is that the SafeSport complaint (and, in particular, the annexed, redacted, type-written *Summary For SafeSport*) was prepared by plaintiff's father and mother, Jonathan and Kirby Kanarek.

10. At the bottom of "Page 4 of 4" of that type-written *Summary For SafeSport*, let me direct the Court's attention to footnote "2" which sets forth what purports to be a transcription of one of the illegal audio recordings made by the Kanarek family. See **Exhibit A**, at "Page 4 of 4."

11. Annexed hereto as **Exhibit B** is a true and accurate, redacted message exchange from the "Moderator" of the Internet website "Chronical of the Horse," where plaintiff Lauren Kanarek and her mother and father regularly posted messages in discussions being held online.

12. Therein, the "Moderator" has confirmed in writing that the account named "Seeker1" is "registered to Kirby Kanarek[,]" plaintiff's mother. See **Exhibit B**.

13. Annexed hereto as **Exhibit C** is a true and accurate, redacted discussion exchange occurring on or about May 11, 2022, in which "Seeker1" (i.e., plaintiff's mother Kirby Kanarek) stated that "I transcribed the tapes myself," referencing the illegal audio recordings made by the Kanarek family.

14. Annexed hereto as **Exhibit D** is a true and accurate, redacted discussion exchange occurring on or about May 22, 2022, in which "Seeker1" (i.e., plaintiff's mother Kirby Kanarek) stated that "They heard the tapes and read the transcripts themselves."

15. Annexed hereto as **Exhibit E** is a true and accurate, redacted discussion exchange occurring on or about June 23, 2022, in which "Seeker1" (i.e., plaintiff's mother Kirby Kanarek)

made the following statement regarding the transcripts she has from the illegally made audio recordings:

I am not at liberty to post the contents of the tapes at this time, but as I have said many times *I listened to and transcribed them*. They [i.e. the illegal recordings] were *also transcribed by formal professional people* and turned over to the prosecutor but I did hear them pretty clearly.

See **Exhibit E** (emphasis supplied).

16. Annexed hereto as **Exhibit F** are true and accurate, redacted copies of two discussions plaintiff Lauren Kanarek had, in which plaintiff as well confirms that she and her family have “transcriptions” of the illegal audio recordings, and that her family “plan[ed] to send each transcribed audio to the state psych ward [i.e. the Ann Klein Center]” where Mr. Barisone is being held.

17. Annexed hereto as **Exhibit G** is a true and accurate copy of Mr. Barisone’s *CORRECTED Amended Answer With Counterclaim* filed in this action, with leave of the Court, in December 2022 (the “Amended Counterclaim”). In the Amended Counterclaim, at paragraphs 9 through 12, is an allegation about the Kanareks’ unlawfully audio recording of Barisone’s private conversations was incorporated expressly into the claims of the Counterclaim:

9. At all times relevant hereto, Kanarek’s purpose was to cause injury, pain, distress, and upset of a severe and significant nature.

10. At all times relevant hereto, Kanarek’s acts, actions and omissions were perpetrated maliciously, intentionally, recklessly and/or negligently.

11. At all times relevant hereto, Kanarek’s wrongful acts, actions, and omissions included, for example, making false accusation of child abuse, false accusations of animal abuse, false accusation of insurance fraud, false reports to agencies providing child-protective-services, and other falsehoods through which her intention was to cause harm.

12. For example, **Kanarek harassed Barisone by utilizing technology to “bug” (i.e., unlawfully [eavesdropping]) upon private conversation Barisone was having; and/or, alternatively, harassed Barisone for purposes of causing him severe and significant emotional distress by claiming that she had unlawful [eavesdropping] of Barisone’s residence and/or business for purposes of stalking him and Barisone Family members.**

See Amended Counterclaim, at Page 12, paragraphs 9-12, **Exhibit G** hereto (emphasis supplied).

18. Plaintiff responded to those allegations in the Amended Counterclaim by denying them, making the bugging and harassment Kanarek caused through that a material factual matter in the case.

19. Also in the Amended Counterclaim, with leave of this Court, Barisone asserted his **“COUNTERCLAIM COUNT 4”** which is a civil action claim and cause of action seeking damages based upon plaintiff’s unlawful making of surreptitious audio and video recordings, on the premises of 411 W. Mill Lane where the shooting occurred.

20. That claim and cause of action is pleaded in the following allegations in the Amended Complaint:

40. Barisone repeats and realleges the all prior allegations of this Counterclaim as though set forth at length herein.

41. Commencing in or about April 2019 and continuing thereafter, Kanarek planned and conspired to unlawfully and tortuously blackmail, intimidate, torment, antagonize, distress and otherwise injure Barisone, for the purpose of destroying Barisone, Barisone’s business, Barisone’s personal relationships, Barisone’s mental and emotional states, and Barisone’s physical wellbeing.

42. **In furtherance of one or more of those unlawful objectives, Kanarek caused wireless recording devices (the “Recording Devices”) to be purchased for the unlawful purpose of planting the devices in areas at Sweet Grass Farm, to make audio recordings of conversations in which the speakers being recorded had reasonable expectations of privacy that no one beyond the actual participants in the conversations would hear or otherwise be privy to what was being said.**

43. **Thereafter, on numerous occasions, Kanarek caused on or more of the Recording Devices to be placed in the barn hidden under benches in the stall area of the barn; in the club room of the barn where people were residing; in Barisone's private office on the far side of the building where the club room was located; and/or in other areas where Barisone had a reasonable expectation of privacy against having his conversations, and/or the conversations of his family and/or guests, subjected to audio recordings by someone who was not a participant in the conversations.**

44. Thereafter, on numerous occasions, Kanarek utilized those surreptitiously-placed Recording Devices to make audio recordings of conversation in which no participants in the conversation had consented to being recorded.

45. **Thereafter, on numerous occasions, Kanarek accessed the surreptitiously-made audio recordings to listen to the recordings; to play the recordings for other persons who were not participants in the conversations recorded; to make copies of the recordings and distribute the recordings to persons who were not participants in the conversations recorded; to gas-light, stalk, and taunt Barsione with things said privately in the conversations recorded; and, to commit other acts, actions, and omissions made unlawful under New Jersey law, including but not limited to N.J.S.A. 2A:156A-24 and/or other laws rules and regulations impacting Kanarek's behaviors.**

46. Pursuant to N.J.S.A. 2A:156A-1 et seq., New Jersey is a "one party" consent state which means that , in order to lawfully record a conversation, one of the parties to the conversation must give consent to the recording.

47. **At the criminal trial which occurred in March-April 2022, Kanarek has made public statement and testified under oath that she caused the Recording Devices to be placed on the property located at 411 W. Mill Lane for the purpose of recording conversations of Barisone and others without their knowledge or consent.**

48. The recordings Kanarek caused to be made were made without any participant in the conversation having given consent to have the conversation recorded.

49. Now and at all times relevant hereto, the spaces where Kanarek caused the Recording Devices to be placed were private property wholly owned by Sweet Grass Farms LLC and leased to Barisone.

50. As a direct, proximate and foreseeable result of Kanarek's unlawful acts, actions, and omissions connected with her surreptitious use of Recording Devices, Barisone was caused injury and resulting damage, including but not limited to serious and severe personal injuries, pain and suffering, emotional distress, has sustained past and future lost income, and other injuries both personal and business in nature.

See Amended Counterclaim, at Pages 19-21, Paragraphs 40-50, **Exhibit G** hereto (emphasis supplied).

21. Plaintiff not only denied those allegations (through which she joined issue creating a material and genuine factual dispute), but moreover she asserted the defense of failure to join an indispensable party but, of course, without identifying who the alleged omitted party might be.

22. Annexed hereto as **Exhibit H** is a true and accurate excerpt of the March 30, 2022, criminal trial transcript in the underlying criminal matter of *New Jersey v. Michael Barisone*, Indictment No. 19-12-00999-I (the "Criminal Matter"). If we are to believe plaintiff's testimony, the recording of conversations at Sweet Grass Farm which she caused to be made occurred over the very-short time period to tens days before the shooting. See Exhibit H.

23. The Criminal Matter ended with a jury verdict for the defense, finding that Barisone was "not guilty" on the counts relating to the alleged shooting at Robert Goodwin (plaintiff boyfriend), and "not guilty by reason of insanity" as to the counts relating to the alleged shooting of plaintiff.

24. Annexed hereto as **Exhibit I** is a true and accurate copy of a text message from the cellular telephone of Robert Goodwin, demonstrating that on "8/5/2019" Goodwin confirmed plaintiff confirmed that there was a "bug [i.e., illegal recording device] in the barn" at Sweetgrass Farm, and plaintiff's understanding that Barisone and his family were aware that their

conversations were somehow being recorded. The document has exhibit sticker “100C8” from the Criminal Matter.

25. Annexed hereto as **Exhibit J** is a true and accurate copy of a text message exchanged between plaintiff and her father (non-party witness Jonathan Kanarek) on “8/5/2019”, in which they discuss taunting Barisone and his lawful guests with the release of some of the illegal recordings. The document has exhibit sticker “200C42” from the Criminal Matter.

26. Annexed hereto as **Exhibit K** is a true and accurate copy of a text message exchanged between plaintiff, Goodwin, and plaintiff’s father (non-party witness Jonathan Kanarek) on “8/5/2019”, plaintiff discusses having “permission” to “take videos, recordings or anything else” she thinks she might need, which Barisone is claiming to have been done illegally and surreptitiously on the premises of Sweet Grass Farm. The document has exhibit sticker “200C43” from the Criminal Matter.

27. Based upon those claims and allegations, Barisone believes that discovery of Kirby Kanarek’s transcripts is appropriate and is anything but a “fishing expedition”, because the recordings and transcripts relate directly as evidence and will likely lead to discovery of additional evidence.

28. Based upon the foregoing, it is Barisone’s position that KIRBY KANAREK is in possession, custody and/or control of recordings her family made at Sweet Grass Farm as well as transcripts of such recordings.

29. Based on the forgoing, it is Barisone’s position that KIRBY KANAREK is in contempt of the SUBPOENA DUCE TECUM, based upon her intentional failure and refusal to produce those recordings and transcriptions.



30. Annexed hereto as **Exhibit L** is a true and accurate copy of my letter addressed to Kirby Kanarek.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

A handwritten signature in black ink, appearing to read 'C. L. Deininger', written over a horizontal line.

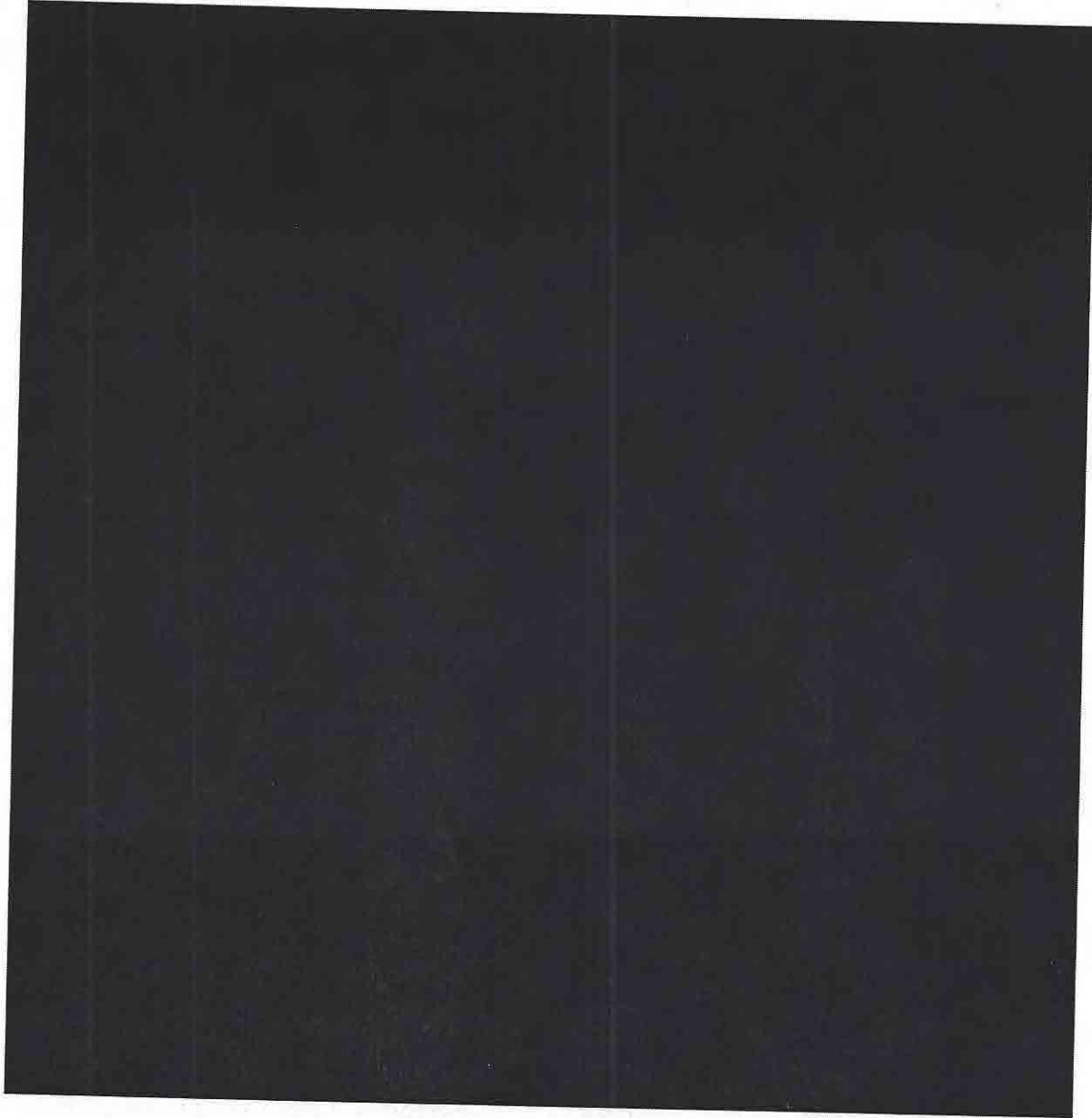
CHRISTOPHER L. DEININGER, ESQ.

Dated: February 9, 2023

**EXHIBIT A**

**SUMMARY FOR SAFESPORT**  
December 1, 2020

**INTRODUCTION**



**BACKGROUND**

Lauren met Barisone, a world-famous Dressage trainer, during the Winter 2018 Equestrian season in Wellington, Florida. [REDACTED]

**SUMMARY FOR SAFESPORT**  
December 1, 2020

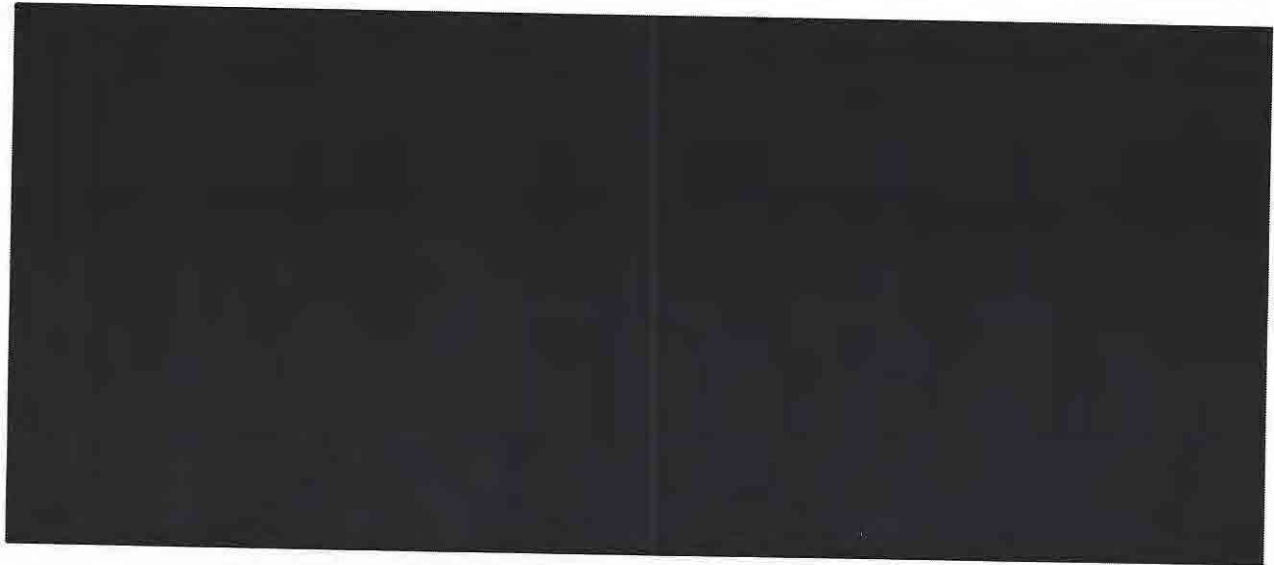
[REDACTED]

[REDACTED]

[REDACTED]

**SUMMARY FOR SAFESPORT**

December 1, 2020



While the criminal case against Barisone for the attempted murder of Lauren and Rob on August 7, 2019 is pending, and the owner of the gun used by Barisone – a woman who was also MHG’s business partner – has been charged with a felony, audio taken at the barn in early August (prior to the shooting) reveals that [REDACTED]. For example, Barisone and MHG discuss:

- [REDACTED] (Audio at 5:08 – 7:30);
- [REDACTED] (Audio at 15:55 – 16:37; 22:03 – 25:20<sup>1</sup>)
- [REDACTED] (Audio at 22:03 – 23:38)
- [REDACTED] (Audio at 26:20 – 28:14)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

<sup>1</sup>Note that *twice* during this excerpt, MHG says, “I will fucking kill her.”

**SUMMARY FOR SAFESPORT**

December 1, 2020

[REDACTED] This plan was clearly laid out and captured by the Audio in early August 2019.<sup>2</sup> [REDACTED]

[REDACTED]

[REDACTED]



<sup>2</sup> Audio at 26:20 – 28:14:

MHG: I wanna get her banned from USEF, I feel like that's the biggest

MB: We're, we're. I'm gonna. I'm dealing with this! ...

MHG: She needs to get banned from USEF. That will be the biggest thing. I'm gonna get her [REDACTED] with USEF.

MB: Then you need to pick up the phone tomorrow and call Murray Kessler and you need to say, what you say is, "Michael Barisone, my boyfriend and partner, called you 4 or 5 days ago and "[REDACTED]

MHG: I think everyone here on this farm needs to file a complaint with USEF? ... Will you all do that?

MB: It's a SafeSport thing. For bullying.

MHG: If everyone here files a complaint ...

MB: Nobody can give a lifetime ban in the horse sports except SafeSport! That's it! ...

MHG: If everyone here plus the list I have all complaint about her. ...

MB: And we have to think about how Steven said to me, and you have to, have to also, think about how [REDACTED] W [REDACTED]

MHG: Oh I just thought of an idea today. ...

MHG: You know what's the most important thing to her? Horses. You gonna get her tomorrow!

**EXHIBIT B**





**EXHIBIT C**

9/14/22, 10:06 AM

942238B0-CEE2-493E-A395-414CCC264587.png

1:25 PM Wed May 11

forum.chronofhorse.com

36%

MENU

# Barisone Aftermath: Not Guilty By Reason of Insa...

Dressage



Reply



Knights\_Mom Sage



Seeker1:

If you taped someone plotting your murder you might get a little nasty.

I don't believe that happened but thanks for the admission of a criminal act.



Seeker1

I transcribed the tapes myself.

240 /

247

May 11



Knights\_Mom Sage

3m ago



Reply



Seeker1

You are an irrational person who will only believe what you want to believe... I accept that and pray for you.

6m



Reply

|   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| R | R | R | R | R | R | R | R |
| E | E | E | E | E | E | E | E |
| D | D | D | D | D | D | D | D |
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| C | C | C | C | C | C | C | C |
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**EXHIBIT D**

9/14/22, 10:07 AM

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7:07 PM Sun May 22

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forum.chronofhorse.com

MENU

# Barisone Safe Sport Update

Dressage



1 Reply



Reply

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED



Seeker1

29m

Didn't you ever wonder why everyone all of a sudden everyone admitted that Michael did it? That is why. They heard the tapes and read the transcripts themselves...

[REDACTED]

3 Replies



Reply

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

**EXHIBIT E**

9/14/22, 10:07 AM

283F13D4-93F7-4F86-8C83-FF6899EDB99E.png

7:56 PM Thu Jun 23

forum.chronofhorse.com

58%

MENU

# Barisone assessment

|   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| R | R | R | R | R | R | R | R |
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| A | A | A | A | A | A | A | A |
| C | C | C | C | C | C | C | C |
| T | T | T | T | T | T | T | T |
| E | E | E | E | E | E | E | E |
| D | D | D | D | D | D | D | D |



Seeker1



Knights\_Mom

5m

I am not at liberty to post the contents of the tapes at this time, but as I have said many times I listened and transcribed them. They were also transcribed by formal professional people and turned over to the prosecutor but I did hear them pretty clearly.

1 Reply



Reply



trubandloki Schoolmaster

4m



Seeker1:

[REDACTED]

**EXHIBIT F**

December 18, 2021

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

1 Reply

Reply

La-LaPopRider Halfway Bronzed

1h

Scribbler:

You might even find a bunch of them were inaudible

Nothing we have is "inaudible." Everything we have has transcripts with exact time stamps. Our own, a few separate expert forensic transcriptions - which, with complete neutrality, match the others. There are originals of everything plus, numerous copies which (a select few) have removed and/or separated voices so that each person's voice is distinct in that which the specific person speaking is suggesting. Anything which can be heard with a "naked ear," from somewhere within the area which "anyone walking by, through, or around" could reasonably be expected to overhear.

they do exist.

No transcriptions needed.... though

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED



9/14/22, 10:06 AM

088D10D1-607B-4117-997F-C70493FBFE61.jpeg

3:09 AM Fri May 13

100%

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Replies

Pt.1



Lauren Kanarek · 6h ago

|   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|
|   |   | R | R | R | R | R |
|   |   | E | E | E | E | E |
| D | D | D | D | D | D | D |
| A | A | A | A | A | A | A |
| C | C | C | C | C | C | C |
| T | T | T | T | T | T | T |
| E | E | E | E | E | E | E |
| D | D | D | D | D | D | D |

... We do plan to send each transcribed audio to the state psych ward. ... reason 4 people weren't charged with "

**REDACTED**

**REDACTED**

**REDACTED**

https://m:

**REDACTED**

**REDACTED**

**REDACTED**

**EXHIBIT G**



8. Denied, because Barisone was found “not guilty” and/or “not guilty by reason of insanity” on all counts, following a jury trial which went to verdict in his favor on or about April 14, 2022.

9. Barisone is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and leaves plaintiff to her proofs.

10. Barisone is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and leaves plaintiff to her proofs.

11. Barisone is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and leaves plaintiff to her proofs.

**COUNT ONE**

**(Strict Liability)**

12. Barisone repeats and realleges each of his prior responses as though set forth at length herein.

13. Denied..

14. Barisone admits that he use to stay at the farm part of the year and was operating his business there, up until 2019; but otherwise denies the allegations which include legal conclusions as to which no responses is required.

15. Denied.

16. Denied.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against PLAINTIFF LAUREN KANAREK, dismissing her claims with prejudice, and awarding MICHAEL BARISONE such other relief as may be just and proper.

**COUNT TWO**

**(Negligence)**

17. Barisone repeats and realleges each of his prior responses as though set forth at length herein.

18. Denied.

19. Denied.

20. Denied.

21. Denied.

22. Denied.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against PLAINTIFF LAUREN KANAREK, dismissing her claims with prejudice, and awarding MICHAEL BARISONE such other relief as may be just and proper.

**COUNT THREE**

**(Negligence as to Barisone)**

23. Barisone repeats and realleges each of his prior responses as though set forth at length herein.

24. Denied.

25. Denied.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against PLAINTIFF LAUREN KANAREK, dismissing her claims with prejudice, and awarding MICHAEL BARISONE such other relief as may be just and proper.

**COUNT FOUR**

**(Assault and Battery as to Barisone)**

26. Barisone repeats and realleges each of his prior responses as though set forth at length herein.

27. Denied.

28. Denied.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against PLAINTIFF LAUREN KANAREK, dismissing her claims with prejudice, and awarding MICHAEL BARISONE such other relief as may be just and proper.

**COUNT FIVE**

**(Negligence as to Ruth Cox, Etc.)**

29. Barisone repeats and realleges each of his prior responses as though set forth at length herein.

30. The allegations in the paragraph do not pertain to Barisone and, therefore, no response is required. Otherwise, denied.

31. The allegations in the paragraph do not pertain to Barisone and, therefore, no response is required. Otherwise, denied.

32. The allegations in the paragraph do not pertain to Barisone and, therefore, no response is required. Otherwise, denied.

33. The allegations in the paragraph do not pertain to Barisone and, therefore, no response is required. Otherwise, denied.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against PLAINTIFF LAUREN KANAREK, dismissing her claims with prejudice, and awarding MICHAEL BARISONE such other relief as may be just and proper.

**COUNT SIX**

**(Negligent Infliction of Emotional Distress)**

34. Barisone repeats and realleges each of his prior responses as though set forth at length herein.

35. Denied.

36. Denied.

37. Denied.

38. Denied.

39. Denied.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against PLAINTIFF LAUREN KANAREK, dismissing her claims with prejudice, and awarding MICHAEL BARISONE such other relief as may be just and proper.

**COUNT SEVEN**

**(Intentional Infliction of Emotional Distress)**

40. Barisone repeats and realleges each of his prior responses as though set forth at length herein.

41. Denied.

42. Denied.

43. Denied.

44. Denied.

45. Denied.

46. Denied.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against PLAINTIFF LAUREN KANAREK, dismissing her claims with prejudice, and awarding MICHAEL BARISONE such other relief as may be just and proper.

**COUNT EIGHT**

**(Punitive Damages)**

47. Barisone repeats and realleges each of his prior responses as though set forth at length herein.

48. Denied.

49. Denied.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against PLAINTIFF LAUREN KANAREK, dismissing her claims with prejudice, and awarding MICHAEL BARISONE such other relief as may be just and proper.



**COUNT NINE**

*[Not Labeled]*

50. Barisone repeats and realleges each of his prior responses as though set forth at length herein.

51. The allegations in the paragraph do not pertain to Barisone and, therefore, no response is required. Otherwise, denied.

52. The allegations in the paragraph do not pertain to Barisone and, therefore, no response is required. Otherwise, denied.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against PLAINTIFF LAUREN KANAREK, dismissing her claims with prejudice, and awarding MICHAEL BARISONE such other relief as may be just and proper.

**SEPARATE DEFENSES**

**FIRST SEPARATE DEFENSE**

The Complaint fails to state claims and/or causes of action upon which relief could be granted.

**SECOND SEPARATE DEFENSE**

Defendant was not competent at the time of the alleged incident and, as a result, should have no liability to Plaintiff for her injuries, by reason of Barisone's mental state and/or condition which included but was not limited to temporary insanity, battered-person-syndrome cause by Plaintiff's campaign of emotional battery against Defendant and/or persons in his care.

**THIRD SEPARATE DEFENSE**

Alternatively, Plaintiff's claims and/or prayers for relief are barred by application of principles of self-defense and defense of others, including adults, teenagers, children and/or horses using the farm.

**FOURTH SEPARATE DEFENSE**

Injuries and damages sustained by the Plaintiff are the result, in whole and/or material part, of the Plaintiff's own acts and omissions, including but not limited Plaintiff's acts and omission which constituted the root cause of an alleged injury, and/or Plaintiff's negligent, reckless, and/or intentional failure to avoid injuries she sustained.

**FIFTH SEPARATE DEFENSE**

Plaintiff's claims are barred by her own intervening intentional, reckless, malicious, and/or negligent acts, actions and/or omissions.

**SIXTH SEPARATE DEFENSE**

Plaintiff's claims and damages are barred, and/or must be reduced, by application of principles of comparative negligence and/or comparative fault, including but not limited to the law as expressed under the New Jersey Comparative Negligence Act.

**SEVENTH SEPARATE DEFENSE**

In the event that it is determined that this Defendant has liability to Plaintiff for her injuries and/or damages (which liability is denied), this Defendant is entitled to a credit, set off, and/or other reduction with respect to any and all collateral source payments Plaintiff received as a result of the incident(s), in accordance with N.J.S.A. § 2A:15-97.

**EIGHTH SEPARATE DEFENSE**

Plaintiff's claims are barred by application of the legal doctrines and principles, including but not limited to the estoppel, release, waiver, and/or binding admissions against interest.

**NINTH SEPARATE DEFENSE**

Plaintiff's alleged injuries and damages are the result of the acts and omissions of persons or entities other than the Defendant, including but not limited to acts and omissions by Plaintiff and/or third-party persons or entities over which Defendant had no control.

**TENTH SEPARATE DEFENSE**

Plaintiff's claims are barred, in whole or in part, by Plaintiff's negligence, neglect, and/or failure to act reasonably, timely, and/or appropriately.

**ELEVENTH SEPARATE DEFENSE**

Plaintiff's claimed injuries and damages, in whole or in part, are the direct and proximate result and consequence of Plaintiff's unreasonable failure to take advantage of preventative or corrective opportunities; her unreasonable failure to avoid harm; and/or her unreasonable failure to mitigate injury and damages.

**TWELFTH SEPARATE DEFENSE**

All or some of Plaintiff's claims are barred because the Defendant owed no duty to Plaintiffs, and/or because the Defendant was excused from such duties based upon Plaintiff's acts and omissions.

**THIRTEENTH SEPARATE DEFENSE**

Any duty owed to the Plaintiff by the Defendant was discharged and/or excused.

**FOURTEENTH SEPARATE DEFENSE**

Plaintiffs' alleged injuries and damages were not proximately caused by any act or

omission of the Defendant.

**FIFTEENTH SEPARATE DEFENSE**

Plaintiffs' claims are barred and/or any recovery must be reduced, based upon the doctrines of offset, recoupment, and/or Plaintiffs' duties to the Defendant.

**SIXTEENTH SEPARATE DEFENSE**

Plaintiff assumed the risk of conduct for the incident out of which this Complaint has arisen.

**SEVENTEENTH SEPARATE DEFENSE**

Plaintiff was unlawfully at the premises where the incident occurred, making unlawful use of it at the time the incident occurred, and therefore should be barred from recovery.

**EIGHTEENTH SEPARATE DEFENSE**

Defendant reserves the right to amend this answer to assert additional separate defenses and/or modify or withdraw those already asserted.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against PLAINTIFF LAUREN KANAREK, dismissing her claims with prejudice, and awarding MICHAEL BARISONE such other relief as may be just and proper.

**DEININGER & ASSOCIATES, LLP**  
*Attorneys for Barisone*



By: \_\_\_\_\_  
Christopher L. Deininger, Esq.

Dated: December 5, 2022

**ANSWER TO CROSSCLAIMS**

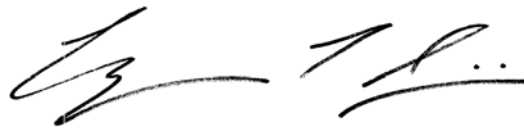
MICHAEL BARISONE, by and through his attorneys Deininger & Associates, LLP, as and for his answer to any and all crossclaims asserted against him, states as follows:

1. Defendant denies all cross claims, including but not limited to all crossclaims for contribution and indemnification, that have been or will be asserted against him.

2. Defendant incorporates all of his separate defenses to the complaint as separate and affirmative defenses to all crossclaims that have been or will be asserted against him.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against any and all CROSS-CLAIM PLAINTIFFS, dismissing their claims with prejudice, and awarding MICHAEL BARISONE such other relief as may be just and proper.

**DEININGER & ASSOCIATES, LLP**  
*Attorneys for Barisone*



By: \_\_\_\_\_  
Christopher L. Deininger, Esq.

Dated: December 5, 2022

**CROSSCLAIMS FOR CONTRIBUTION & INDEMNIFICATION**

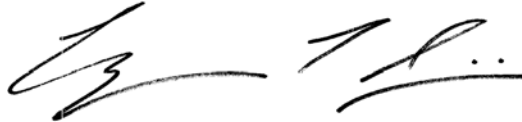
1. MICHAEL BARISONE hereby makes a claim for contribution pursuant to the Joint Tortfeasors Contribution Law, N.J.S.A. 2A:53-1 et seq., against any and all co-defendants. Alternatively, MICHAEL BARISONE contends that in the event that proofs develop in discovery or at trial to establish a basis for liability on the part of any other defendant, and such defendant or

defendants enter into a settlement agreement, in whole or in part with plaintiff, then MICHAEL BARISONE asserts a claim for credit reducing the amount of any judgment in favor of Plaintiff against him to reflect the degree of fault to the settling defendants pursuant to Young v. Latta, 123, N.J. 584(1991).

2. Without admitting any liability herein, MICHAEL BARISONE claims complete common law and contractual indemnification from all co-defendants.

**WHEREFORE**, MICHAEL BARISONE demands judgement in his favor, and against any and all co-defendants, jointly and severally, and awarding him damages for contribution and/or indemnification, including but not limited to attorney's fees, litigation expenses, and costs of suit, and awarding him such other relief as may be just and proper.

**DEININGER & ASSOCIATES, LLP**  
*Attorneys for Barisone*



By: \_\_\_\_\_  
Christopher L. Deininger, Esq.

Dated: December 5, 2022

**AMENDED COUNTERCLAIM AGAINST PLAINTIFF**

Defendant MICHAEL BARISONE (“Barisone”), by and through his attorneys, Deininger & Associates, LLP., as and for his Counterclaim against plaintiff LAUREN KANAREK (“Kanarek”), says as follow:

**FACTS COMMON TO ALL COUNTS**

1. At all times relevant hereto, Barisone was and remains a resident of Palm Beach County, Florida, currently held in a New Jersey State psychiatric facility located in Morris County, New Jersey.

2. Upon information and belief, Kanarek is not a resident of Morris County, New Jersey but, rather, lives a transient lifestyle in which she resides in many locations including, but not limited to , from time to time, Morris County, New Jersey.

3. Kanarek has a criminal history which, upon information and belief, includes a charge and/or conviction for criminal assault.

4. Kanarek has a history of illegal drug use including, upon information and belief, heroin.

5. Kanarek has a history of tortious and/or criminal, antisocial behavior, including but not limited to stalking; bullying; threats of harm, injury, and mayhem against persons she chooses to target; threats against public figures; gaslighting; fraud; false reports; and other behaviors which are harmful, injurious, and destructive to the people she victimizes.

6. Upon information and belief, there is a dozen or more families, persons and businesses in the United States who were victimized by Kanarek through abuse, stalking, crime, and/or other forms of serious abuse, prior to August 2019 when Kanarek turned her sights upon Barisone.

7. At all times relevant hereto, Kanarek was and remains a significant user of various forms of social media including Facebook through which, upon information and belief, Kanarek has more than 10,000 Facebook “Friends,” messenger communication contacts, chats, and like online activities (collective, whether on Facebook and/or other platforms, “Facebook”).

8. For purposes of causing personal injury to Barisone, his business, injury to his good name and reputation, and/or injury to the like interests of Barisone’s girlfriend and other people close

to Barisone (collectively, the “Barisone Family”), Kanarek perpetrated a campaign against Barisone and the Barisone Family, which included, without limitation, Kanarek’s utilization of Facebook to publish, promote, and disseminate statements, accusations, and falsehoods that were explicitly threatening; explicitly and/or implicitly threatening injury and violence; causing the subject to be stalked; causing the subject to be bullied; harmful; deceptive; deceitful; false; causing the subject serious and severe emotional pain and distress; harming the subject’s good name and/or reputation; causing the subject to be “destroyed”; harming the subject’s family and friends; and/or that otherwise were grossly inappropriate, harmful, and/or injurious.

9. At all times relevant hereto, Kanarek’s purpose was to cause injury, pain, distress, and upset of a severe and significant nature.

10. At all times relevant hereto, Kanarek’s acts, actions and omissions were perpetrated maliciously, intentionally, recklessly and/or negligently.

11. At all times relevant hereto, Kanarek’s wrongful acts, actions, and omissions included, for example, making false accusation of child abuse, false accusations of animal abuse, false accusation of insurance fraud, false reports to agencies providing child-protective-services, and other falsehoods through which her intention was to cause harm.

12. For example, Kanarek harassed Barisone by utilizing technology to “bug” (i.e., unlawfully eves drop) upon private conversation Barisone was having; and/or, alternatively, harassed Barisone for purposes of causing him severe and significant emotional distress by claiming that she had unlawful eves-dropping of Barisone’s residence and/or business for purposes of stalking him and Barisone Family members.

13. As another example, Kanarek threatened physical violence and harm by and through her internet posting that her “weapons [were] hot” (a phrase indicating that she had a firearm, loaded



with ammunition, and its chamber hot) and she was coming for Barisone and/or Barisone Family members.

14. At the time she made that threat, Kanarek was known to be familiar with firearms, to have claimed and/or actual access to a firearm, and to have used a firearm in the past for purposes of shot at her boyfriend and/or his motorcycle while she was in a fit of rage.

15. At all times relevant hereto, Kanarek had a duty to Barisone and the Barisone Family members to refrain from stalking, harming, harassing, threatening, threatening-with-violence, demeaning, injuring, and/or damaging the persons Kanarek was victimizing (including, most notably, Barisone).

16. At all times relevant hereto, Kanarek materially breach her duty(ies) to Barisone and the Barisone Family members, through the acts, actions, and omissions referenced above.

17. As a direct and proximate result and consequence of Kanarek's wrongful acts, actions, and omissions, Kanarek cause injury to Barisone including but not limited to: (a) placing him in fear for his life and physical wellbeing; (b) placing him in fear for the lives and physical wellbeing of Barisone Family members; (c) placing him in fear for the lives and physical wellbeing of Barisone's business staff, clients and the horses owned and/or boarded by Barisone at his dressage farm; (d) emotional distress, including emotional distress with physical manifestations; (e) traumatic stress; (f) emotional breakdown; (g) post-traumatic stress; (h) battered-person-syndrome; (i) psychiatric ailments and eventual breakdown; (j) destruction of his state of mental peace, tranquility, enjoyment and stability; (k) injury to his business; (l) injury mental state; (m) unlawful invasion of his privacy; (n) property damage; (o) irreparable harm; (p) financial harm; (q) physical harm; and (r) other injuries.

**COUNTERCLAIM COUNT 1**  
**(Negligent Infliction of Emotional Distress)**

18. Barisone repeats and realleges the all prior allegations of this Counterclaim as though set forth at length herein.

19. Kanarek was negligent towards Barisone, and breached duties owed to him, including but not limited to duties identified above.

20. As a direct, proximate and foreseeable result of Kanarek's negligence and/or carelessness, Kanarek cause Barisone to be injured by and through severe emotional distress.

21. As a direct, proximate and foreseeable result of Kanarek's negligent acts, actions, and omissions, Barisone sustained serious and severe personal injuries, disability, pain and suffering, emotional distress, has sustained past and future lost income, and other injuries both personal and business in nature.

**WHEREFORE,** MICHAEL BARISONE demands judgment against LAUREN KANAREK for compensatory damages, punitive damages, interest, costs of suit; preliminary and permanent injunctive relief in the form of restraints barring LAUREN KANAREK from making posts about or referencing Barisone on the World Wide Web, and/or through any and all forms of social media, and/or otherwise stalking, harassing, and/or seeking to cause harm or injury to Barisone; and such other relief this Court deems just and proper.

**COUNTERCLAIM COUNT 2**  
**(Intentional Infliction of Emotional Distress)**

22. Barisone repeats and realleges the all prior allegations of this Counterclaim as though set forth at length herein.

23. Kanarek has a lengthy history of antisocial cyber activities, including but not limited to cyber stalking; cyber threats of harm, injury, and mayhem against persons she chooses to target; cyber threats against public figures; and other behaviors which are harmful, injurious, and destructive to the people she victimizes.

24. There is a dozen or more families, persons and businesses in the United States who were victimized by Kanarek through abuse, stalking, crime, and/or other forms of serious abuse, prior to August 2019 when Kanarek turned her sights upon Barisone.

25. Kanarek's extensive history of cyber-abuse against her numerous victims establishes a pattern, practice, and modes operandi of Kanarek's intentional, tortious, harmful conduct against Barisone and others.

26. Kanarek intentionally inflicted severe emotional distress upon Barisone; maliciously inflicted severe emotional distress upon Barisone; recklessly inflicted severe emotional distress upon Barisone; and/or knew or otherwise should have known that emotional distress was the likely result of her acts, actions, and omissions directed at Barisone, Barisone Family members, Barisone's business, and/or the persons who associated with Barisone through his work in the field of dressage.

27. As a direct, proximate, and foreseeable result of Kanarek's conduct, Barisone suffered extreme emotional distress and harm.

28. Kanarek's conduct was extreme and/or outrageous.

29. Kanarek's conduct was the cause of Barisone's emotional distress.

30. The emotional distress Barisone suffered is severe.

31. As a direct, proximate and foreseeable result of Kanarek's acts, actions and/or omissions, Kanarek cause Barisone to be injured by and through severe emotional distress.

32. As a direct, proximate and foreseeable result of Kanarek's acts, actions, and omissions, Barisone sustained serious and severe personal injuries, disability, pain and suffering, emotional distress, has sustained past and future lost income, and other injuries both personal and business in nature.

**WHEREFORE,** MICHAEL BARISONE demands judgment against LAUREN KANAREK for compensatory damages, punitive damages, interest, costs of suit; preliminary and permanent injunctive relief in the form of restraints barring LAUREN KANAREK from making posts about or referencing Barisone on the World Wide Web, and/or through any and all forms of social media, and/or otherwise stalking, harassing, and/or seeking to cause harm or injury to Barisone; and such other relief this Court deems just and proper.

**COUNTERCLAIM COUNT 3**  
**(Negligence)**

33. Barisone repeats and realleges the all prior allegations of this Counterclaim as though set forth at length herein.

34. As stated previously, Kanarek had duties to Barisone which she breached materially, causing Barisone injury and damages.

35. For example, in or about the beginning of August 2019, Kanarek knew, was aware of, and/or should have known, that her harassment of Barisone and/or Barisone Family members had caused Barisone to suffer a mental, psychiatric, and/or emotional breakdown.

36. In or about the beginning of August 2019, Kanarek knew, was aware of, and/or should have known, that due to Barisone's injured mental, psychiatric, and/or emotional state, Kanarek's continued harassment of and caustic interaction with Barisone was more likely than not to devolve

into a confrontation involving a significant risk of physical injury and/or harm to the herself, Barisone, and/or other persons on the farm.

37. One of Kanarek's duties was Kanarek's duty care to cease and desist in her harassment, confrontation, and/or other caustic interactions with Barisone.

38. As a direct, proximate and foreseeable result of Kanarek's negligence and/or carelessness, Kanarek cause Barisone to be injured, pain, suffering, and damages.

39. As a direct, proximate and foreseeable result of Kanarek's negligent acts, actions, and omissions, Barisone sustained serious and severe personal injuries, pain and suffering, emotional distress, has sustained past and future lost income, and other injuries both personal and business in nature.

#### **COUNTERCLAIM COUNT 4**

##### **(Civil Action For Damages Arising From Unlawful Recording of Private Conversations)**

40. Barisone repeats and realleges the all prior allegations of this Counterclaim as though set forth at length herein.

41. Commencing in or about April 2019 and continuing thereafter, Kanarek planned and conspired to unlawfully and tortuously blackmail, intimidate, torment, antagonize, distress and otherwise injury Barisone, for the purpose of destroying Barisone, Barisone's business, Barisone's personal relationships, Barisone's mental and emotional states, and Barisone's physical wellbeing.

42. In furtherance of one or more of those unlawful objectives, Kanarek caused wireless recording devices (the "Recording Devices") to be purchased for the unlawful purpose of planting the devices in areas at Sweet Grass Farm, to make audio recordings of conversations in which the speakers being recorded had reasonable expectations of privacy that no one beyond the actual participants in the conversations would hear or otherwise be privy to what was being said.

43. Thereafter, on numerous occasions, Kanarek caused on or more of the Recording Devices to be placed in the barn hidden under benches in the stall area of the barn; in the club room of the barn where people were residing; in Barisone's private office on the far side of the building where the club room was located; and/or in other areas where Barisone had a reasonable expectation of privacy against having his conversations, and/or the conversations of his family and/or guests, subjected to audio recordings by someone who was not a participant in the conversations.

44. Thereafter, on numerous occasions, Kanarek utilized those surreptitiously-placed Recording Devices to make audio recordings of conversation in which no participants in the conversation had consented to being recorded.

45. Thereafter, on numerous occasions, Kanarek accessed the surreptitiously-made audio recordings to listen to the recordings; to play the recordings for other persons who were not participants in the conversations recorded; to make copies of the recordings and distribute the recordings to persons who were not participants in the conversations recorded; to gas-light, stalk, and taunt Barsione with things said privately in the conversations recorded; and, to commit other acts, actions, and omissions made unlawful under New Jersey law, including but not limited to N.J.S.A. 2A:156A-24 and/or other laws rules and regulations impacting Kanarek's behaviors.

46. Pursuant to N.J.S.A. 2A:156A-1 et seq., New Jersey is a "one party" consent state which means that , in order to lawfully record a conversation, one of the parties to the conversation must give consent to the recording.

47. At the criminal trial which occurred in March-April 2022, Kanarek has made public statement and testified under oath that she caused the Recording Devices to be placed on the property located at 411 W. Mill Lane for the purpose of recording conversations of Barisone and others without their knowledge or consent.

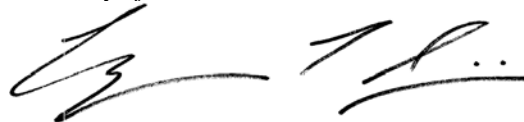
48. The recordings Kanarek caused to be made were made without any participant in the conversation having given consent to have the conversation recorded.

49. Now and at all times relevant hereto, the spaces where Kanarek caused the Recording Devices to be placed were private property wholly owned by Sweet Grass Farms LLC and leased to Barisone.

50. As a direct, proximate and foreseeable result of Kanarek's unlawful acts, actions, and omissions connected with her surreptitious use of Recording Devices, Barisone was caused injury and resulting damage, including but not limited to serious and severe personal injuries, pain and suffering, emotional distress, has sustained past and future lost income, and other injuries both personal and business in nature.

**WHEREFORE,** MICHAEL BARISONE demands judgment against LAUREN KANAREK for compensatory damages, attorney's fees and litigation expenses, statutory damages, punitive damages, interest, costs of suit; preliminary and permanent injunctive relief in the form of restraints barring LAUREN KANAREK from making posts about or referencing Barisone on the World Wide Web, and/or through any and all forms of social media, and/or otherwise stalking, harassing, and/or seeking to cause harm or injury to Barisone; and, such other relief this Court deems just and proper.

**DEININGER & ASSOCIATES, LLP**  
*Attorneys for Barisone*



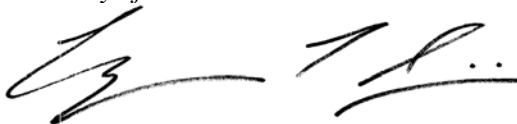
By: \_\_\_\_\_  
Christopher L. Deininger, Esq.

Dated: December 5, 2022

**NOTICE OF ALLOCATION**

Pursuant to R. 4:7-5, this answering defendant hereby advised that if any co-defendants presently named or hereafter named, who are not represented by this law firm, settle the within matter prior to the conclusion of trial, the liability of any settling co-defendant(s) shall remain at issue and the defendants shall seek an allocation of the percentage of fault, negligence, and/or other liability by the finder of fact against each and every settling co-defendant and/or a credit in favor of this answering defendants consistent with such allocation.

**DEININGER & ASSOCIATES, LLP**  
*Attorneys for Barisone*



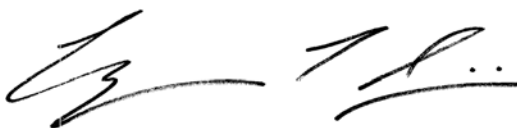
By: \_\_\_\_\_  
Christopher L. Deininger, Esq.

Dated: December 5, 2022

**JURY DEMAND**

This Defendant demands a trial by jury as to all claims, issues, and causes of action arising in this civil action.

**DEININGER & ASSOCIATES, LLP**  
*Attorneys for Barisone*



By: \_\_\_\_\_  
Christopher L. Deininger, Esq.

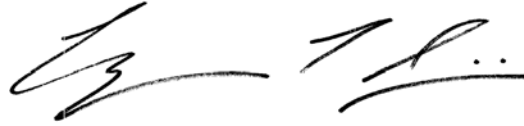
Dated: December 5, 2022



**DEMAND FOR STATEMENT OF DAMAGES**

Pursuant to the Rules of this Court, R. 4:5-2, the Defendant / Counterclaimant demand that Plaintiff provide a statement as to her damages, within five (5) days.

**DEININGER & ASSOCIATES, LLP**  
*Attorneys for Barisone*



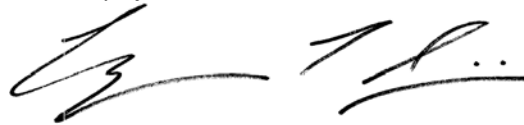
By: \_\_\_\_\_  
Christopher L. Deininger, Esq.

Dated: December 5, 2022

**DESIGNATION OF TRIAL COUNSEL**

Christopher L. Deininger, Esq., and Edward J. Bilinkas, Esq., are hereby designated as trial counsel for defendant-counterclaim-plaintiff MICHAEL BARISONE.

**DEININGER & ASSOCIATES, LLP**  
*Attorneys for Barisone*



By: \_\_\_\_\_  
Christopher L. Deininger, Esq.

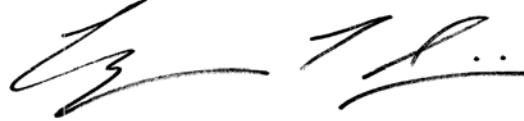
Dated: December 5, 2022

**CERTIFICATION**

I hereby certify that there are no other pending actions between or among interested parties which presently involve the subject matter of this action. I further certify that there are other pending action related to certain transactions and occurrences referenced in this action, namely Sweet Grass Farms, LLC et al. v. Michael Barisone et al., pending in New Jersey Superior Court,

Morris County, Chancery Division, and *State of New Jersey v. Michael Barisone*, pending in New Jersey Superior Court, Morris County, Criminal Division. This matter is still under investigation by the undersigned. I further certify that the matter in controversy is not the subject of any arbitration proceedings. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

**DEININGER & ASSOCIATES, LLP**  
*Attorneys for Barisone*



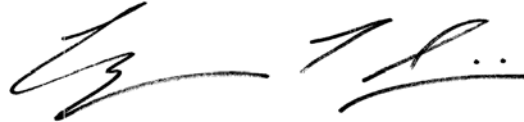
By: \_\_\_\_\_  
Christopher L. Deininger, Esq.

Dated: December 5, 2022

**CERTIFICATION UNDER R. 4:5-1(b)(3)**

I certify that confidential personal identifying information has been removed from the documents now submitted to the Court, and will be redacted from all documents submitted in the future in accordance with R. 1:38-7(b).

**DEININGER & ASSOCIATES, LLP**  
*Attorneys for Barisone*



By: \_\_\_\_\_  
Christopher L. Deininger, Esq.

Dated: December 5, 2022

**EXHIBIT H**

**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 1

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, CRIMINAL PART  
MORRIS COUNTY  
INDICTMENT NO. 19-12-00999-I  
APP. DIV. NO.

|                      |   |                 |
|----------------------|---|-----------------|
| STATE OF NEW JERSEY, | ) |                 |
|                      | ) | TRANSCRIPT      |
| Plaintiff,           | ) | of              |
|                      | ) | TRIAL TESTIMONY |
| vs.                  | ) | of              |
|                      | ) | LAUREN KANAREK  |
| MICHAEL L. BARISONE, | ) |                 |
|                      | ) |                 |
| Defendant.           | ) |                 |

Place: Morris Co. Courthouse  
Washington & Court Sts.  
Morristown, N.J. 07963

Date: March 30, 2022

BEFORE:

HONORABLE STEPHEN J. TAYLOR, P.J.S.C., AND JURY

TRANSCRIPT ORDERED BY:

MARK K. SILVER, ESQ. (Schenck Price Smith &  
King, LLP, 220 Park Avenue, P.O. Box 991,  
Florham Park, New Jersey 07932)

Transcriber Catherine Weigel  
ELITE TRANSCRIPTS, INC.  
14 Boonton Avenue  
Butler, NJ 07405  
(973) 283-0196  
Audio Recorded  
Operator, Alicia Roberts

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 2

APPEARANCES:

CHRISTOPHER SCHELLHORN, ESQ.  
ALEXANDER BENNETT, ESQ.  
Prosecutors for the County of Morris  
Attorney for the Plaintiff,  
State of New Jersey

EDWARD J. BILINKAS, ESQ.  
(Law Offices of Edward J. Bilinkas)  
Attorney for the Defendant

CHRISTOPHER L. DEININGER, ESQ.  
(Deininger & Associates, LLP)\_  
Attorney for the Defendant

3

|                |                       | I N D E X |       |          |              |
|----------------|-----------------------|-----------|-------|----------|--------------|
|                |                       | Direct    | Cross | Redirect | Recross      |
| Witness        |                       |           |       |          |              |
| FOR THE STATE  |                       |           |       |          |              |
| Lauren Kanarek |                       | 4         | 85    |          |              |
| Exhibit        |                       |           |       |          | Ident. Evid. |
| S-402B         | Facebook post 5-13-18 |           |       |          | 16           |

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 3

4

1 State v. Barisone

2 THE COURT: Mr. Schellhorn, call your next

3 witness, please?

4 MR. SCHELLHORN: Your Honor, the State calls

5 Lauren Kanarek.

6 THE COURT: All right. Lauren Kanarek. All

7 right, Ms. Kanarek, please remain standing. Place your

8 left hand on the Bible, if you would. Please raise

9 your right hand. Thank you. Listen to my court clerk.

10 L A U R E N K A N A R E K, STATE'S WITNESS, SWORN

11 THE CLERK: Please state your name and spell

12 your last name for the record.

13 THE WITNESS: Lauren J. Kanarek. Last name

14 is spelled K-a-n, as in Nancy, a-r-e-k.

15 THE CLERK: Thank you.

16 THE COURT: All right. Ms. Kanarek, you may

17 have a seat. In response to questions please keep your

18 voice up nice and loud. That microphone does not

19 amplify, it -- it only records. So we have jurors

20 seated in the first two rows of the gallery, as well as

21 in the jury box, so keep your voice up nice and loud.

22 If you don't understand a question just indicate you

23 don't understand and I'll have counsel rephrase, and if

24 you hear during your testimony one of the attorneys

25 object please don't answer or stop answering until The

Court rules on the objection, all right?

5

1 State v. Barisone

2 THE WITNESS: Okay. Thank you, Judge.

3 THE COURT: Go ahead, Mr. Schellhorn.

4 MR. SCHELLHORN: Thank you, Your Honor.

5 DIRECT EXAMINATION BY MR. SCHELLHORN:

6 Q Good morning, Ms. Kanarek, can you please

7 introduce yourself again to the jury?

8 A Yes. My name is Lauren Kanarek.

9 Q And that actually doesn't amplify at all, it

10 just picks up a little. You don't have to lean in.

11 Don't worry about that.

12 A Okay.

13 Q How old are you?

14 A I am 41.

15 Q Where do you currently live?

16 A I currently live in Florida, at Loxahatchee,

17 Florida.

18 Q Do you know Michael Barisone?

19 A I do.

20 Q Do you see him in court today?

21 A I do.

22 Q Can you identify him for the record by an

23 article of clothing that he's wearing?

24 A Yes, he is wearing a white shirt and yellow-ish

25 tie.

THE COURT: Identifying the defendant Mr.

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STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022  
Testimony Only of Lauren Kanarek

Sheet 64

126

State v. Barisone

1 THE COURT: He's looking at something  
2 completely different.  
3 THE WITNESS: Oh, okay. I'm sorry, I'm  
4 sorry.  
5 MR. BILINKAS: I'm -- I'm referring to --  
6 THE COURT: In fact, why don't -- why don't  
7 you take that away --  
8 THE WITNESS: Okay. Okay, yeah, I wasn't  
9 sure if I was supposed to be --  
10 THE COURT: -- so we don't have that mistake,  
11 again, and have her looking, if you're not referring to  
12 it.  
13 THE WITNESS: Here you go.  
14 MR. BILINKAS: Thank you.  
15 THE WITNESS: No problem.  
16 BY MR. BILINKAS:  
17 Q Now at some point you start illegally  
18 recording private conversations, correct?  
19 MR. SCHELLHORN: Objection.  
20 THE COURT: Also a conclusion, Mr. Bilinkas.  
21 BY MR. BILINKAS:  
22 Q Did you record private conversations where  
23 you were not a party to?  
24 A Yes.  
25 Q Now at some point in time -- and -- and

127

State v. Barisone

1 correct me if I'm wrong --  
2 A Uh-huh.  
3 Q -- I believe on August 3rd you tell the  
4 Washington Township Police Department that you've  
5 recorded secret conversations, correct?  
6 A Yeah, I told the police that I was recording  
7 things, yes.  
8 Q But you also lied to the police about that  
9 recording, did you not?  
10 A I don't know what capacity -- in what capacity  
11 you're talking about, so no, I would say no.  
12 Q Did you tell the police that an attorney gave  
13 you permission to record?  
14 A I don't recall, but I was speaking with attorneys,  
15 and --  
16 Q What attorneys were you speaking to?  
17 A I guess I could tell you their names, but stuff,  
18 I'm sure, is privileged. Ed David. My father was a  
19 retired attorney. Um, there's someone else. Oh, I  
20 don't know that they're involved at this time. I don't  
21 remember, there was definitely somebody else, I  
22 believe, but certainly those two people. One is a  
23 current attorney, one is a retired attorney, and we  
24 discussed the location, what the expectation of privacy  
25 might be, the reason for which --

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 65

128

State v. Barisone

1 Q And the legality?

2 A -- and the legality, of course. It wasn't like a

3 decided thing before a judge, but we discussed those

4 possibilities so we could avoid doing something

5 illegal.

6 Q All right, so -- and, again, correct me if

7 I'm wrong -- is it your testimony that your father told

8 you you could legally tape the private conversation

9 that you were not a party to?

10 MR. SCHELLHORN: Objection, it's hearsay.

11 THE COURT: What's the basis for your

12 objection?

13 MR. SCHELLHORN: It's hearsay.

14 MR. BILINKAS: It's not offered for the truth

15 of the matter, Judge.

16 THE COURT: What's it offered for then?

17 MR. BILINKAS: It has to do with why she did

18 this.

19 THE COURT: I'll allow it, not -- not for the

20 truth?

21 MR. BILINKAS: Correct.

22 THE COURT: Just her state of mind.

23 BY MR. BILINKAS:

24 Q It -- it's your sworn testimony that your

25 father told you, a lawyer, that you can put a recorder

129

State v. Barisone

1 someplace and record private conversations when you're

2 not there.

3 A No, it's not.

4 Q Is that it? Is that --

5 A No, it is my sworn testimony that either my father

6 or the lawyer that we had obtained expressed that it

7 was their belief that the location in which the device

8 is placed, and the reason for which it was placed

9 there, seeing as though it was considered my property,

10 was not breaking any laws. We specifically sought out

11 this instruction, or counsel, to be sure that we were

12 not going to be breaking any laws by doing this.

13 Q Okay. I'm asking you --

14 A We weren't trying to --

15 Q All right.

16 A -- you know, shoot anyone or kill them, we just

17 wanted to do things the legal way.

18 Q I'm asking you specifically was it your

19 father --

20 THE COURT: She just said -- that's asked and

21 answered. She said twice now either the father or the

22 lawyer.

23 BY MR. BILINKAS:

24 Q Okay. Are you aware of the fact that I have

25 a tape recording of the meeting between you, Robert

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**Testimony Only of Lauren Kanarek**

Sheet 66

130

State v. Barisone

1 Goodwin, your father, and your attorney Edward David,  
 2 where you're discussing tape recording?  
 3 A I am not aware of what you have, but we had many  
 4 conversations, so if you have a conversation then you  
 5 have a conversation. We had many.  
 6 Q I have a conversation --  
 7 THE COURT: All right. No, Mr. Bilinkas,  
 8 you're not offering evidence.  
 9 MR. BILINKAS: Judge -- may I be heard,  
 10 Judge?  
 11 THE COURT: All right, let's take our  
 12 afternoon break, members of the jury. Take 20 minutes,  
 13 we'll resolve this issue, then we'll resume.  
 14 You may step outside, ma'am.  
 15  
 16 THE WITNESS: Okay, thank you.  
 17 (Jury excused)  
 18 (End of requested portion)  
 19 (Off the record. Back on the record.)  
 20 (Jurors present in the courtroom)  
 21 THE COURT: All right, the jury's back in.  
 22 Please be seated, everyone. We'll proceed. Officer,  
 23 can you bring the witness in, please?  
 24 COURT OFFICER: Give me one moment, Judge.  
 25 THE COURT: Okay. All right, you may have a

131

State v. Barisone

1 seat, ma'am.  
 2 THE WITNESS: Thank you, Judge.  
 3 THE COURT: All right, we'll resume cross-  
 4 examination by Mr. Bilinkas.  
 5 MR. BILINKAS: Thank you.  
 6 THE COURT: Go ahead, sir.  
 7 BY MR. BILINKAS:  
 8 Q Ms. Kanarek, I'd like to talk to you about  
 9 these tape recordings. On August 3rd Michael Barisone  
 10 calls 911 and the police arrive, correct?  
 11 A Well, I am assuming, yes.  
 12 Q And after they talk to him they come and talk  
 13 to you, correct?  
 14 A Probably. They didn't always, but I am assuming.  
 15 Q At some point they talked to you, correct?  
 16 A Yeah, at some point the police talked to us.  
 17 Q And on that day you told the Washington  
 18 Township Police Department that you were secretly  
 19 recording private conversations, correct?  
 20 A Correct.  
 21 Q Did they ask you any questions as to how you  
 22 were doing this?  
 23 A Um, I don't recall. I just remember something  
 24 about just make sure it's something that you own,  
 25 because -- oh, make sure it's not attached to a phone

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Testimony Only of Lauren Kanarek

Sheet 67

132

State v. Barisone

1 or in a living residence, because they could be  
 2 considered wiretapping, and I said, no, they're not  
 3 there, it's some-- someplace that it would be  
 4 considered my property, and it's not attached to a  
 5 phone or his living quarters, or anything like that,  
 6 and they said okay.

7 Q So it -- it's your testimony that the  
 8 Washington Township Police Department is discussing the  
 9 legality of what you need to do to take a recording?

10 A No, it's my testimony that they were offering  
 11 insight into what to be careful about. If that's an  
 12 action you're going to take they're saying just make  
 13 sure that whatever you do you don't do these things  
 14 because they're definitely illegal.

15 Q Okay.

16 A So --

17 Q That's what -- you were told they were  
 18 definitely illegal.

19 A Or they're definitely -- definite --

20 MR. SCHELLHORN: Judge -- Judge, I'm going to  
 21 object. We -- we just talked about this at the break.

22 MR. BILINKAS: This -- this is what was told  
 23 to her, Judge.

24 THE COURT: Fine. By the police.

25 MR. BILINKAS: By the police.

133

State v. Barisone

1 THE COURT: If you frame -- if you frame the  
 2 question that way --

3 MR. BILINKAS: Yes.

4 THE COURT: -- about what the police said, is  
 5 fine, but not -- not anything further than that.

6 MR. BILINKAS: Correct.

7 BY MR. BILINKAS:

8 Q So the police told you you can't record in  
 9 someone's private areas, correct?

10 A In someone's like private home, or like you can't  
 11 bug a phone, so you follow those instructions.

12 Q Did they ask you specific questions on -- on  
 13 how and where you were doing your recordings?

14 A No, but I was sort of like telling them because I  
 15 wanted them -- I wanted them to know. I don't remember  
 16 how far into it I went, but I -- I wanted to be sure.  
 17 Like, as I said a moment ago, that I wanted to make  
 18 sure everything we were doing was legal --

19 Q Okay.

20 A -- and we were going about it the right way.

21 Q Okay. And -- and at any point in time since  
 22 this incident has the Morris County Prosecutor, or any  
 23 representative, ever questioned you about where you put  
 24 these recordings and what the circumstances were behind  
 25 them?

**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 68

134

State v. Barisone

1 A I believe so.

2 Q Who?

3 A Who -- who -- what? I'm sorry.

4 Q Who did you talk about these recordings about

5 in the Prosecutor's Office?

6 A I don't know within their office. I'm sure just -

7 - I -- the -- um, just -- I'm not sure what the title

8 is. Christopher Schellhorn, um --

9 Q Did you tell --

10 A I don't remember, whoever else in their office.

11 Q Did you tell Christopher --

12 A It was brought up. I didn't go further than that,

13 really.

14 Q Did you tell Christopher Schellhorn where you

15 planted all the recordings that you made regarding this

16 case?

17 A I don't believe I -- I specifically discussed

18 where they were. We didn't really want to like get

19 into that. We were discussing more the fact that I was

20 almost murdered than where was some recording on -- in

21 -- you know, or where it was placed.

22 Q Okay. Well, isn't it a fact that you did

23 record conversations in a private residence?

24 A No, that is not a fact.

25 Q Did you record conversations in the

135

State v. Barisone

1 clubhouse?

2 A No.

3 Q Did you record conversations in either the

4 residence, where Michael Barisone lived, or the stable

5 area where he lived a week or so before the shooting.

6 A Well, sir, no, he never lived in the stable area

7 ever. He lived in the clubhouse, which there was no

8 recording there, but, yeah, your second -- the second

9 portion of your, I guess, questioning is not accurate,

10 so if maybe you could ask it again? Michael Barisone

11 never lived in the stables.

12 Q Well, he lived in the club area, correct?

13 A Which is separate from the stables, to be clear.

14 Q Correct.

15 A Correct.

16 Q And is it your sworn testimony --

17 A Uh-huh.

18 Q -- that you never recorded any conversations

19 in the club area?

20 A That's correct, unless it was recorded on our

21 person, and it's one of us speaking, and we were in the

22 club area, which we were not during that time, so I

23 would have to say, yes, it's correct that there was no

24 conversations in the club area recorded.

25 Q Right. I've been provided over 70

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 69

State v. Barisone

136

1 recordings.  
 2 A Okay.  
 3 Q Where were those recordings made?  
 4 A My locker.  
 5 Q Every single one?  
 6 A No, not every single one. Some were in our own  
 7 house, some were in -- I don't know. I don't know else  
 8 they were there. I know where they weren't, I can tell  
 9 you that. I know where they were not, and I know that  
 10 they were in my locker, and we were recording like an  
 11 open space where anybody could be at any time.  
 12 Q Well, again, when you say an open space --  
 13 A Uh-huh.  
 14 Q -- is it your testimony that you secreted a  
 15 recording in an area where you or Robert Goodwin were  
 16 not present?  
 17 A Well, we were present because we had horses  
 18 stabled there, so.  
 19 Q Well, when you say present I mean present  
 20 during the actual conversation.  
 21 A Yes, if you're asking if there was conversations  
 22 that happened while we were not in the actual stable  
 23 area, yes, there were conversations that happened  
 24 during that time, correct.  
 25 Q Okay. And you've indicated that you didn't

State v. Barisone

137

1 do that in the club area, correct?  
 2 A Yes.  
 3 Q How about Michael Barisone's private office?  
 4 Did you or Robert Goodwin ever put a recorder in  
 5 Michael Barisone's private office and record private  
 6 conversations?  
 7 A No, his office is in the clubhouse, in the club  
 8 area.  
 9 Q It's a separate --  
 10 A And as I just said --  
 11 Q -- room, correct?  
 12 A Sorry, say -- say it again? I missed that.  
 13 Q His office is a separate room from the club  
 14 area, correct?  
 15 A His -- his office is literally inside the club  
 16 area. There's a door, but it's in the club area.  
 17 Q Okay.  
 18 A And, again, since that was also their living area,  
 19 no, we did not go ever in the living area and record  
 20 anything.  
 21 Q Okay.  
 22 A It was in my locker or in the area we were living  
 23 at the house. So, again, to answer your question, it  
 24 will be no. I'm sorry if maybe I'm being confusing.  
 25 Q Okay. So, again, in a roundabout way you

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 70

138

State v. Barisone

1 answered my question. I'm just going to ask you  
 2 specifically --  
 3 A Uh-huh.  
 4 Q -- irrespective of how the room is  
 5 positioned, did you ever secretly record private  
 6 conversations in Michael Barisone's office?  
 7 A No.  
 8 Q Ms. Kanarek --  
 9 A Yes?  
 10 Q -- who got this recorder?  
 11 A My boyfriend ended up buying it.  
 12 Q Rob Goodwin, correct?  
 13 A Yes.  
 14 Q And when did he get that recorder?  
 15 A It was ordered on the morning of August 31st at  
 16 around 8:07 a.m., from Amazon.  
 17 Q August 31st?  
 18 A I'm sorry, July 31st, July 31st.  
 19 Q It arrived the next day?  
 20 A I believe it arrived the next day, correct,  
 21 overnight.  
 22 Q And so is it your recollection that over 70  
 23 recordings were made from that point on to the time of  
 24 the shooting?  
 25 A There were two devices, I believe. I could be

139

State v. Barisone

1 wrong. I don't know how many recordings there are, but  
 2 there could be a hundred, but still, the fact remains,  
 3 this is where they were and this is where they were  
 4 not. They were in my locker, they were in the house  
 5 that we were living in, we were talking to ourselves,  
 6 we have that on record. But where they were not was in  
 7 anybody else's living quarters, including the club--  
 8 clubroom, or any other living residence in the barn,  
 9 whatsoever, unless that living residence belonged to a  
 10 horse, which it didn't. It was in my locker, end of.  
 11 Q Now you just mentioned that there were two  
 12 devices.  
 13 A Correct, I -- I believe so. I wasn't in charge of  
 14 them, but yes.  
 15 Q Okay. Who was in charge of them?  
 16 A My boyfriend was in charge of them, but we both  
 17 knew where they were.  
 18 Q Okay. And you were the one instructing him  
 19 where to put the device, correct?  
 20 A We would discuss it together. There was -- there  
 21 was no like I'm instructing him or he's instructing me.  
 22 We had a specific reason for them or my wanting them to  
 23 be in my locker, a very specific reason. I guess he  
 24 had a reason, too. But, nevertheless, like I said,  
 25 that's -- that's where they were put, a locker which I

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STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022  
Testimony Only of Lauren Kanarek

Sheet 71

140

1 State v. Barisone  
 2 was paying for, which was my property.  
 3 Q Did you turn over both of those recordings to  
 4 the Prosecutor's Office?  
 5 A We turned over everything. I was -- again, I was  
 6 shot and dying, the police collected what they  
 7 collected. I was in the hospital for three weeks, in a  
 8 coma four days. I don't know what happened during  
 9 those times -- during that time, but certainly I had no  
 10 knowledge of what the police were doing, or any other  
 11 office was doing, but I do know that we turned over  
 12 everything that we had, because it was taken upon  
 13 search and seizure of the crime scene that,  
 14 unfortunately, your client committed.  
 15 Q Okay. Now with -- with regards to these tape  
 16 recordings --  
 17 A Uh-huh.  
 18 Q -- when you recorded something did you bring  
 19 it back to your house and listen to what was on the  
 20 tape?  
 21 A Sometimes.  
 22 Q Now how did you listen to those recordings at  
 23 your house? What device did you use?  
 24 A I don't remember. A computer, I think. I think  
 25 you just put it in the computer and it plays.  
 Q And you could also delete things off that

141

1 State v. Barisone  
 2 what you recorded, correct?  
 3 A I have no idea. I'm pretty sure you could do it  
 4 any way. Anybody could delete something. But our goal  
 5 wasn't to delete things, it was to get the information  
 6 we were trying to get, which was we thought vital to  
 7 our life, and ended up exactly coming to fruition, so a  
 8 few days -- just a few days later, in almost the exact  
 9 way, I would say, it was heard on those audios.  
 10 Q So --  
 11 MR. BILINKAS: If I could have a moment,  
 12 Judge.  
 13 BY MR. BILINKAS:  
 14 Q Did you ever put a recording on the porch?  
 15 A I'm not sure which porch you're referring to?  
 16 Q The porch in front of the stables.  
 17 A The porch in front of -- no, on the porch, no.  
 18 Like I said -- and I just -- I don't mean to like sound  
 19 like I'm being rude, or repeating myself, or anything  
 20 like that.  
 21 Q You're not, you're not, don't worry about  
 22 that.  
 23 A I just to let you know the only place that the  
 24 recorders were ever placed in that barn area at all was  
 25 in my paid-for locker, that's it. Otherwise it was on  
 our person or in the apartment that we were living, and

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 72

142

State v. Barisone

1 that's it.  
2 Q Now whose telephone number is 973-713-7703?  
3 A My father.  
4 Q And that's one of the persons that you claim  
5 gave you a legal opinion with regards to recording,  
6 correct?  
7 A One of the people. I -- like I, again, said I  
8 don't really remember which said what or who said who.  
9 Q Did you?  
10 A But I certainly spoke to my father a few times and  
11 we discussed things.  
12 Q Do you remember your dad saying on August  
13 2nd, 2019 --  
14 MR. SCHELLHORN: Objection.  
15 MR. BILINKAS: It has to do directly with  
16 this issue, Judge, regarding --  
17 THE COURT: But it doesn't matter. It's  
18 still the rule of evidence. Isn't that a hearsay  
19 statement?  
20 MR. BILINKAS: Judge, I -- I believe it's  
21 permissible to impeach her. There's a discussion with  
22 her father regarding admissibility.  
23 THE COURT: But isn't this what we discussed  
24 at the break?  
25 MR. BILINKAS: No, Judge, this is a specific

143

State v. Barisone

1 statement which contradicts what she said.  
2 (Sidebar held off the record.)  
3 BY MR. BILINKAS:  
4 Q Ms. Kanarek --  
5 THE COURT: Hold on. The objection's  
6 overruled, so go ahead and ask the question in this one  
7 area.  
8 BY MR. BILINKAS:  
9 Q Ms. Kanarek, your father's number is 973-713-  
10 7710, correct?  
11 A Correct.  
12 Q Did you have a discussion with him on that  
13 day with regards to the --  
14 A On what day? I'm sorry.  
15 THE COURT: That -- that hasn't been made  
16 clear what day it is.  
17 BY MR. BILINKAS:  
18 Q That -- that's on August 2nd, 2019 at 9:24  
19 p.m.  
20 A Possibly.  
21 Q With regards to him questioning the  
22 admissibility of you making these records.  
23 A Yes, if he was questioning the admissibility  
24 rather than legality of it, then I'm guessing we  
25 probably spoke of whether after these recordings had

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 73

144

State v. Barisone

1 been recorded whether or not they might be admissible  
 2 in a court of law. Since you just mentioned the word  
 3 admissibility I'm merely pointing out that I don't  
 4 think we were talking about like is this legal, is it  
 5 not legal. We may have been, but I think the -- the  
 6 real crux of what we were discussing was just like you  
 7 said a minute ago, the admissibility of it, meaning  
 8 will this be admissible at a later date, if that's what  
 9 you're asking, which it seems to be that is. But I  
 10 could be wrong, sorry.

11 Q Okay. So you were giving your father copies  
 12 of these recordings, correct?

13 A I don't remember. I don't really know how I would  
 14 share them. I'm really not that tech savvy, honestly.

15 Q But isn't it a fact that you're aware that  
 16 your boyfriend Robert Goodwin had given your father a  
 17 number of these texts, and you were aware -- no texts,  
 18 recordings -- and you were aware of that?

19 A Well, on August 2nd, like I said, it was ordered  
 20 the morning of July 31st, they arrived probably the  
 21 next day, if we're lucky, so by August 2nd I can't  
 22 imagine there would have been very many recordings by  
 23 that time, so I don't know what he could have sent in  
 24 that one -- like that time period, or like the small  
 25 period of time, to my father, but I can't say he

145

State v. Barisone

1 hasn't. So maybe he did. I honestly don't know. It  
 2 wasn't me, if that -- if that -- if it happened.

3 Q And when you use the term admissibility --

4 A Yes.

5 Q -- that had to do with the lawsuit that you,  
 6 your father and Robert Goodwin were talking about  
 7 filing against Michael Barisone, correct?

8 A Probably, and no just that, but probably some  
 9 other things, too.

10 Q Now you also made videos -- put video cameras  
 11 places, correct?

12 A In our living space, yes. We were planning to go  
 13 away the following week, with Michael, in fact, to a  
 14 show, which I had signed up for, and it's on the USGF  
 15 website, you can check it. I had entries for a show  
 16 the following Wednesday where Michael was to take me to  
 17 a show, the one we were discussing earlier, in  
 18 Saugerties, New York, calls HITS -- HITS on the Hudson  
 19 -- and we wanted to have surveillance in the house for  
 20 when we went away, since there was tension on the farm,  
 21 you know, people going back and forth with their moods  
 22 and tempers. So all I knew is I had a show, I wanted  
 23 to have surveillance in our house that we were renting,  
 24 and we had cameras, Blink cameras, I believe, in the  
 25 house for when we were not home. That was the purpose

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 74

146

State v. Barisone

1 of them, so yes to that question.  
2 Q And when you say, or said, in certain posts,  
3 that you have eyes and ears everywhere --  
4 A Yes.  
5 Q -- that can't be detected, where were the  
6 eyes? Are those the videos you just --  
7 A The eyes are in -- in our house, which if no one's  
8 living there why would they be detected unless  
9 someone's coming in? They shouldn't be.  
10 Q Who's Rosanna Williams?  
11 A A good friend of mine. Also, she is one of the  
12 best international horse sales people maybe on -- in  
13 the world, and I had purchased three of my  
14 international competition horses from her, and we just  
15 -- we're very good friends and, also, a business  
16 friend, as well.  
17 Q Okay. Now when did you get these cameras  
18 that you're talking about?  
19 A I didn't get them, my boyfriend did. I don't  
20 remember what date, but somewhere around the same time  
21 as audios.  
22 Q Same time, that would be after --  
23 A Somewhere -- somewhere around the same time as  
24 audios.  
25 Q And you're sure of that.

147

State v. Barisone

1 A No, I'm not sure of that. That's why I said I'm  
2 not sure, I didn't get them.  
3 Q Okay. Where did he get them at?  
4 A I think he ordered them online, like a person  
5 would do, I'm guessing.  
6 Q Well, do you remember having a conversation  
7 on April 20th with Ms. Williams saying --  
8 A On April 20th? I just wanted to be sure.  
9 Q April 20th, 2019, Justin --  
10 MR. SCHELLHORN: Judge, I think -- I think if  
11 the intention is to refresh her recollection, which  
12 she's saying she doesn't remember, she could certainly  
13 be shown something to see if that refreshes her memory  
14 --  
15 THE COURT: That's the way to do it.  
16 MR. SCHELLHORN: -- but I don't think it's  
17 appropriate to read it in the record.  
18 (Attorneys confer regarding exhibit)  
19 BY MR. BILINKAS:  
20 Q All right. I'm showing you a text message --  
21 and the number, Prosecutor, is 93-11, April 20, 2019.  
22 I'm going to ask you to look at item number 93-11.  
23 A April 20, '19 did you say?  
24 Q Yep.  
25 A Okay.

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 75

148

State v. Barisone

1 Q I'd ask for you to read that.  
2 A I --  
3 THE COURT: Just read it to yourself.  
4 MR. BILINKAS: To yourself.  
5 THE WITNESS: Oh, okay.  
6 THE COURT: Just to refresh your memory.  
7 THE WITNESS: Just the little yellow Post-It  
8 thing?  
9 MR. BILINKAS: No. Can I just point it right  
10 out to her, Judge --  
11 THE WITNESS: Just to make sure I've --  
12 MR. BILINKAS: -- to save some time?  
13 THE COURT: Yes, go ahead, point it out where  
14 you want her to read.  
15 THE WITNESS: Okay. This is to Rosanna,  
16 correct?  
17 MR. BILINKAS: Yes.  
18 BY MR. BILINKAS:  
19 Q This is you talking, correct?  
20 A Okay. Yes. Okay, I read it.  
21 Q You bought cameras --  
22 A No, I said that I did to my friend months before,  
23 so -- but there was no cameras purchased.  
24 Q So you lied to your friend about purchasing  
25 cameras --

149

State v. Barisone

1 A Yeah.  
2 Q -- because you thought Justice (sic) was a  
3 threat -- Justin was a threat?  
4 A Yeah. We're -- I feel like she was worried about  
5 me. To make her feel better I said, don't worry, we  
6 have cameras, we're fine. We later did get cameras,  
7 but it wasn't until months after.  
8 Q But you'll agree that there was a text  
9 message between you and Ms. Williams, where you  
10 indicated on April 20th, 2019 that you bought cameras  
11 last night to plant in the barn --  
12 THE COURT: Mr. -- Mr. Bilinkas, you just  
13 refreshed her recollection.  
14 MR. BILINKAS: I -- I know, Judge, but it's --  
15 --  
16 THE COURT: I know, but now -- now --  
17 MR. BILINKAS: Now I'm impeaching her with  
18 her  
19 -- her recollection because it says here they planted --  
20 --  
21 THE COURT: No, no, don't -- don't -- don't  
22 read it. That's the whole issue.  
23 MR. BILINKAS: Okay. Judge, she --  
24 THE COURT: And you just have to impeach her  
25 credibility, right?

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STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022  
Testimony Only of Lauren Kanarek

Sheet 76

150

1 State v. Barisone  
2 MR. BILINKAS: Yes.  
3 THE COURT: And refresh her recollection.  
4 MR. BILINKAS: Right. I re--  
5 THE COURT: And you're saying her last  
6 statement that she said is not accurate --  
7 MR. BILINKAS: Yes.  
8 THE COURT: -- about what's in there?  
9 MR. BILINKAS: Yes -- yes, Judge, abs--  
10 absolutely.  
11 BY MR. BILINKAS:  
12 Q Did you tell her that you planted cameras in  
13 the apartment and the barn?  
14 A Is this the thing you just showed me?  
15 Q Yes, the thing you --  
16 MR. SCHELLHORN: Judge, it doesn't say the  
17 apartment, it says our apartment.  
18 THE WITNESS: Yes, exactly.  
19 MR. BILINKAS: Our apartment.  
20 MR. SCHELLHORN: He's leaving out key words -  
21 -  
22 THE WITNESS: Yes.  
23 MR. SCHELLHORN: -- every time that he reads  
24 these text messages to the witness.  
25 MR. BILINKAS: Judge, that --  
THE COURT: All right. All right, Mr.

151

1 State v. Barisone  
2 Schellhorn, if -- if you have an issue it's not to be  
3 said in front of the jurors, all right?  
4 MR. SCHELLHORN: I understand.  
5 THE COURT: I -- I understand, but just say  
6 you want to be heard at sidebar. And you have to make  
7 sure you read everything accurately.  
8 MR. BILINKAS: Yes, Judge.  
9 BY MR. BILINKAS:  
10 Q On that day to Ms. Williams did you say  
11 Justin is a threat, a big one. We bought cameras last  
12 night at Home Depot to plant in the barn and in our  
13 apartment, so we can only see what Justin is doing and  
14 saying?  
15 A Yes, I said, I wrote that, I lied to my friend so  
16 she wouldn't be worried. There was a situation with  
17 Justin that she knew about. I didn't want her to  
18 worry. I just told her don't worry about it, got  
19 cameras, handled, and that was it.  
20 Q Now at some point you know that Michael  
21 Barisone knows that you're recording him, correct?  
22 A Yes, but five months later, or four months later.  
23 That was April, correct? So the -- the shooting -- the  
24 day he came to shoot us and kill us that was August 7th  
25 -- um, August 7th. So, yeah, so several months later  
is when we purchased the cameras, if that's what you're

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 77

152

State v. Barisone

1 asking. Was that was you asked?  
 2 Q Okay. I -- I have no idea what --  
 3 THE COURT: What -- what -- I --  
 4 MR. BILINKAS: Okay.  
 5 THE COURT: Hold on. Just listen to the  
 6 question and try to answer only the question.  
 7 THE WITNESS: Okay.  
 8 THE COURT: As I said earlier, if you don't  
 9 understand --  
 10 THE WITNESS: Yes.  
 11 THE COURT: -- just say I don't understand  
 12 and he'll rephrase.  
 13 THE WITNESS: Okay.  
 14 THE COURT: All right?  
 15 THE WITNESS: Yes, Your Honor.  
 16 MR. BILINKAS: I'll rephrase it, Judge.  
 17 THE COURT: I think you should. Go ahead.  
 18 BY MR. BILINKAS:  
 19 Q You -- at some point you buy cameras,  
 20 correct?  
 21 A Yes.  
 22 Q At some point you start tape recording  
 23 private conversations, correct?  
 24 A By cameras, yes. Tape recording private  
 25 conversations. Yes, I guess that would be an accurate

153

State v. Barisone

1 statement, yes.  
 2 Q Okay. And at some point prior to the  
 3 shooting, after you started tape recording private  
 4 conversations, you became aware that Michael Barisone  
 5 believed, or knew, that you were doing that to him.  
 6 A I'm -- I'm guessing. I told the police. I'm  
 7 guessing. I don't know -- I don't know what he was  
 8 aware of. I have no way of knowing that, sorry.  
 9 Q On August 5th, two days before the shooting,  
 10 did you tell your father in a text message, and I  
 11 confirmed for sure that they know we have a bug in the  
 12 barn? Did you make that statement to your father?  
 13 A Probably, yes. If it's in a text message I -- I  
 14 made the statement. You're asking did I make it --  
 15 Q Right. I'm asking you --  
 16 A -- rather than someone else?  
 17 Q -- did you -- I'll show you this.  
 18 A Okay.  
 19 Q 100C-8, specific item 42.  
 20 A Uh-huh.  
 21 Q Please look at this specific text.  
 22 A Okay. Let me go to here.  
 23 Q Right here, right here.  
 24 A Yeah, I'm going to go there. I just want to read  
 25 before that so there's some context. Yes, that was

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 78

154

State v. Barisone

1 written by me within this conversation.  
 2 Q And does that refresh your recollection as to  
 3 whether or not you became aware that Michael Barisone  
 4 knew, or at least thought, that you were recording his  
 5 private conversations?  
 6 A No. Well, I think it indicates what it indicates,  
 7 which is that I had told the police officer this, so I  
 8 figured pro-- it might have gotten back to him, because  
 9 they wanted to continue having those conversations in  
 10 front of my locker that's -- they now know. Like I  
 11 said, we were trying to do things as legally as  
 12 possible --  
 13 Q Okay. This --  
 14 A -- but I can't know what Michael was thinking or  
 15 what was actually told to him.  
 16 Q But what did you mean --  
 17 A I'm talking to my father here in a text message  
 18 so.  
 19 Q What did you mean when you used the words,  
 20 and I confirmed for sure that they know we have a bug  
 21 in the barn?  
 22 A I meant that --  
 23 Q What did you mean by the term confirmed for  
 24 sure?  
 25 A I meant that I had told a police officer, meaning

155

State v. Barisone

1 that I figured that if it were some problem they would  
 2 know about it. Even if it weren't a problem they might  
 3 know, but I didn't know like police protocol, so it was  
 4 may-- just an assumption. I was writing to my father.  
 5 Again, in the context of that whole conversation I  
 6 would say that it would make sense for me to say that,  
 7 which we didn't get into that.  
 8 Q Well, let's go back to July 25th.  
 9 A Okay.  
 10 Q Did you post ano-- another lengthy post  
 11 regarding Mary Haskins and Michael Barisone?  
 12 A Probably.  
 13 Q It's 11 days after the first one that I read,  
 14 about the king and the queen.  
 15 A And how many days? Wait, I'm just trying to  
 16 think. Eleven days after the first one that you read.  
 17 Okay. How many days before the shooting was this?  
 18 Q This one is July 25th.  
 19 A Okay. I'm just confirming how many days later I  
 20 was almost killed, but continue. I'm sorry.  
 21 Q And -- and, by the way, did the prosecutor  
 22 ever ask you for the receipt from your Amazon account -  
 23 -  
 24 A I was in a --  
 25 Q -- to determine when you got those recorders?

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 79

156

State v. Barisone

1 A I wouldn't know. Like I said, I was in a coma for  
 2 four days, in the ICU for three weeks, unable to speak,  
 3 because I had a ventilator shoved down my throat.  
 4 Q Okay.  
 5 A And after that I was on so many pain medications I  
 6 really couldn't communicate with anyone, so I have no  
 7 idea what was said or done. My -- my life was almost  
 8 ended.  
 9 Q Do you recall saying words to the effect that  
 10 it turns out once a homewrecker always a homewrecker?  
 11 Were you referring to Mary Haskins?  
 12 A Absolutely.  
 13 Q Did you then say words to the effect that  
 14 then said homewrecker realized if a man did it to his  
 15 wife -- wives, what's to stop him from straying again?  
 16 Did you say that?  
 17 A Yep, and there's, I think, six more chapters, I  
 18 know them all.  
 19 Q All right. And then --  
 20 A You can read them, no problem.  
 21 Q And then did you say, immediately after that,  
 22 here's where paranoia and jealousy set in?  
 23 A Yes.  
 24 Q Did you say that?  
 25 A I'm familiar with the post, yes.

157

State v. Barisone

1 Q Okay. And -- and it's your belief that Mary  
 2 Haskins was jealous of you?  
 3 A I -- I think she was jealous of a lot of people,  
 4 and it was just an insecurity that she had. That was --  
 5 -- that was my belief, yes.  
 6 Q And -- and did you say a little bit later on  
 7 in that post, when talking about Barisone and Mary  
 8 Haskins, did you say, it's war?  
 9 A Probably.  
 10 THE COURT: Mr. Bilinkas, when you  
 11 characterize something don't you characterize it.  
 12 MR. BILINKAS: That's what it says, it's war.  
 13 THE COURT: No, no, no, before that. You --  
 14 you were saying who she's talking about.  
 15 MR. BILINKAS: Okay.  
 16 THE COURT: You're not testifying, she is.  
 17 MR. BILINKAS: No. Okay.  
 18 THE COURT: Ask her that question.  
 19 MR. BILINKAS: Understood.  
 20 BY MR. BILINKAS:  
 21 Q The previous statement that I read you were  
 22 referring to Barisone and Mary Haskins, correct?  
 23 A Could you read the previous statement, again, so  
 24 I'm sure?  
 25 Q What's to stop him from straying again?

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**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 80

158

State v. Barisone

1 Here's where paranoia and jealousy set in.  
2 A Yes, that's a statement that I wrote.  
3 Q You wrote that and it's about Barisone and  
4 Haskins, correct?  
5 A Correct.  
6 Q And then soon after that you basically make a  
7 statement -- and correct me if I'm wrong -- where you  
8 say it's war, correct?  
9 A Yeah, probably, I'd say so.  
10 Q And -- and -- and correct me if I'm wrong,  
11 but going to war was against Barisone and Mary Haskins,  
12 correct?  
13 A I mean, I don't know, you didn't read -- I only  
14 got the one sentence, I didn't get the whole context,  
15 so I don't exactly know. I'm sure --  
16 Q Were you talking about --  
17 A I'm sure the --  
18 Q Were you talking about going to war against  
19 anyone else during this period of time?  
20 A No, but like I'm saying, I -- all I'm bringing up  
21 is that I feel that maybe some context was left out,  
22 but it's fine, we can just go with, yes, I wrote that,  
23 I meant that. That's fine, we can move on, and not go  
24 back to the context.  
25 THE COURT: Yes -- ma'am, just answer the

159

State v. Barisone

1 question.  
2 THE WITNESS: Okay, I'm sorry.  
3 THE COURT: All right.  
4 BY MR. BILINKAS:  
5 Q Now, and this a post that a lot of people are  
6 looking at, correct?  
7 THE COURT: How does she know that?  
8 MR. BILINKAS: Because it's Facebook, Judge,  
9 and she knows who's on it.  
10 THE COURT: Well, there was no number about  
11 that. Just focus on the issues, and -- and the issue,  
12 how many times, Mr. Bilinkas.  
13 MR. BILINKAS: Okay.  
14 THE COURT: It's not everyone.  
15 MR. BILINKAS: Understood.  
16 THE COURT: So what other people know is not  
17 really relevant.  
18 BY MR. BILINKAS:  
19 Q Did you say on that date that you will  
20 publicly announce using your special talent for  
21 collecting indisputable evidence, or words to that  
22 effect?  
23 A Yes.  
24 Q Did you tell whoever saw this Facebook post  
25 later on to fasten their seatbelts?

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PAGES  
OMITTED

**STATE OF NEW JERSEY v. MICHAEL L. BARISONE -- March 30, 2022**  
**Testimony Only of Lauren Kanarek**

Sheet 95

188

1 Mary Haskins, she began discussing plans to remodel the  
2 home her boyfriend once shared with his wife?  
3 THE COURT: Mr. Bilinkas, let me see you at  
4 sidebar, please.  
5 (Sidebar held off the record.)  
6 THE COURT: Is this a good time to break, Mr.  
7 Bilinkas? It's 4:25.  
8 MR. BILINKAS: Judge, I -- I think it is.  
9 THE COURT: All right.  
10 MR. BILINKAS: And it's my wife's 65th  
11 birthday.  
12 THE COURT: Well, we don't -- we don't need  
13 to get into that. Just tell me, yes, it's time to  
14 break.  
15 MR. BILINKAS: Yes, time to break.  
16 THE COURT: All right. Ladies and gentlemen,  
17 we'll break for today. Please don't discuss the case,  
18 all right? We'll see you tomorrow morning, same time.  
19 (End of Requested Portion)

**CERTIFICATION**

I, Catherine J. Weigel, the assigned transcriber, do hereby certify that the foregoing transcript of proceedings in the Morris County Superior Court, on March 30, 2022, digitally recorded, from Time Index 10:51:28 - 12:34:10, 1:41:37 0 1:45:00 and 3:06:50 - 4:25:50, is prepared in full compliance with the current transcript format for judicial proceedings and is a true and accurate transcript of the proceedings as recorded to the best of my knowledge and ability.

/s/ Catherine Weigel

Catherine Weigel AOC#490  
Elite Transcripts, Inc.  
Butler, NJ 07405

May 19, 2022

**Elite Transcripts, Inc.**

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**EXHIBIT I**

0-43

| Line | To:        | From:      | Date     | Time                       | Direction | Read  | Phone | Text  | Advanced Logical |
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jankanarek@gmail.com?  
 YOU SAID YOU'D DO THAT TODAY  
 YOU NEEDED to plant a flag BY THE  
 DUMPSTER  
 So I assume he knows  
 He has said that in the past  
 And fair?  
 Does he understand Michael is a crook?  
 Whose side did Fugero seem to be  
 on... even though he said he didn't  
 want to get in the middle?  
 He said he doesn't want to get in the  
 middle. I explained the real law suit to  
 him and said he can't claim it is in full  
 training board, and also claim that you  
 are not riding him that's why he lost  
 money.  
 Does he understand what mtb is doing  
 So should we tell Michael about the  
 training that the lawyer said is still going  
 on? We just want to ask what time will  
 you be training my horses cause I  
 would like to watch the progress  
 Any news  
 And confirmed for sure that they know  
 we have a bug in the barn  
 I have know about Michael's lawyer.  
 I'm holding off on calling the building  
 department. I'll know. Also if you can't  
 reason what we will really be doing  
 I don't know if Michael is being  
 honest was told he might advise  
 Michael to settle. I feel like it's worth a try  
 A few BIG ASS one  
 Mt would have to buy a new one  
 It's off  
 I'll then  
 And make sure the gen at barn won't  
 leave the situation  
 What if we ... returned the favor?  
 Can't we do something about that?  
 Are u really worried about the  
 propane tank?  
 Hurry. I like to take warm showers  
 If so the rest  
 Can't just turn off the stove?  
 It's still going  
 Correct. But I'm almost done w my da.  
 Shut  
 Co.e get your tea. We don't want to  
 waste gas  
 Oh ok ♦♦♦♦  
 Comcast  
 Whose # is this?  
 1 800-834-8489  
 That truck is doing highhitch

ALL-STATE LEGAL  
 DEFENDANT'S  
 EXHIBIT  
 100C-8

**EXHIBIT J**



**EXHIBIT K**





**EXHIBIT L**

# Deininger & Associates LLP

Attorneys at Law

Christopher L. Deininger  
Member New York & New Jersey

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Randolph, NJ 07869  
Tel 973-879-1610  
Fax 973-361-1241

www.deiningerlaw.com

chris@deiningerlaw.com

November 24, 2022

**BY REGULAR MAIL (with attachment)**

Kirby Kanarek  
4 Wilshire Drive  
Livingston, NJ 07039

**RE: Lauren Kanarek v. Michael Barisone, et al.,  
New Jersey Superior Court, Morris County  
Docket No. Civil Action No. MRS-L-2250-19**

**Motion to Compel Documents From Non-Party Kirby Kanarek**

Mrs. Kanarek:

Attached please find a copy of the Court's Order and decision on the motion compelling your response to the subpoena served by my office. Please be guided accordingly.

Very Truly Yours,  
**DEININGER & ASSOCIATES, LLP**



Christopher L. Deininger, Esq.

Attachment



**IT IS FURTHER ORDERED** that service of this Order shall be deemed effectuated upon all parties upon its upload to eCourts. Pursuant to Rule 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically within seven (7) days of the date of this Order



---

Hon. Louis S. Sceusi, J.S.C  
Retired, T/A on Recall

Opposed  
 Unopposed

**STATEMENT OF REASONS**

**Lauren Kanarek, Plaintiff**

**v.**

**Michael Barisone, Sweet Grass Farms, LLC, and Ruth Cox, Defendants**

**MRS-L-2250-19**

---

Pending before the Court is Defendant Barisone's Motion to Hold in Contempt, Motion to Compel, and Motion to Amend Answers. Also pending before the Court is Defendant Sweet Grass Farms' Motion to Hold in Contempt and Motion to Compel. All of these Motions are opposed by Plaintiff. Plaintiff has also filed a Cross-Motion to Quash and a Cross-Motion for a Protective Order.

**I. BACKGROUND**

This present matter arises out of a criminal matter that occurred on August 7, 2019. On August 7, 2019, Michael Barisone (hereinafter "Defendant Barisone" or "Barisone") confronted Lauren Kanarek (hereinafter "Plaintiff") and shot towards her fiancé on the porch of the farmhouse at 411 W. Mill Road, Long Valley, New Jersey. Plaintiff was lawfully on the subject porch. During this confrontation, without warning or provocation, Defendant shot Plaintiff in the chest multiple times at point blank range. Defendant was arrested and charged with multiple counts of attempted murder, assault and battery, and weapons offenses. Defendant went to trial, where he was recently found guilty of attempted murder, but not criminally responsible due to insanity. Sweetgrass Farms (hereinafter "Defendant SGF" or "SGF") was the owner of the farm and facility where the subject shooting occurred.

On August 24, 2022, Defendant Barisone filed a Motion to Hold Plaintiff's Mother (Kirby Kanarek, who is a non-party witness) in Contempt. Defendant Barisone alleges Plaintiff's Mother was served a subpoena on July 13, 2021 for which Defendant Barisone sought out copies of

transcripts Defendant believes Ms. Kirby was in possession of. Specifically, Defendant alleges Ms. Kirby is in possession of written transcripts of illegal audio recordings her family made at SweetGrass Farm in 2019. Plaintiff's Mother argues that Defendant Barisone's subpoena is overly broad, much of the information Defendant seeks was already gathered and produced to Defendant by the Morris County Prosecutors, and that this motion should therefore be quashed. In the alternative, Plaintiff argues that a protective order is appropriate should this Court refuse to quash any portion of Defendant's subpoena.

Defendant SGF has similarly filed a Motion to Hold Plaintiff's Father (Jonathan Kanarek, who is a non-party witness) in Contempt. Defendant SGF alleges that Plaintiff's Father was served a subpoena on July 26, 2022, for which Defendant SGF sought out "written communications related to the incident that occurred on August 7, 2019 which forms the basis of Plaintiff's Complaint." Plaintiff argues that "none of the materials sought in the subpoenas are relevant to any matter at hand, and are extremely burdensome for the non-party elderly parents of Plaintiff, and Defendants already have the materials for which they are seeking." Plaintiff again argues that this motion should be quashed, and to the extent any portion of Defendant SGF's subpoena is not quashed, a protective order is appropriate.

Further, Both Defendants have joined together in a Motion to Compel Plaintiff's in-person deposition. Specifically, Defendants argue remote depositions can and should be used "when all parties agree to use them, but in this instance, the parties do not agree." Defendants anticipate that Plaintiff's deposition will be a lengthy and exhibit intensive affair, and that a remote deposition would be more difficult. Plaintiff argues that she resides out of state in Florida, and the time and cost savings alone from conducting a remote deposition far outweigh any alleged detriment from not conducting the deposition in person. Plaintiff alleges Defendants fail to establish any prejudice

or burden from proceeding remotely, which has undoubtedly become default standard for conducting depositions that past two and a half years.

Lastly, Defendant Barisone has filed a Motion for Leave to File an Amended Pleading. Specifically, Defendant seeks to make corrections to certain responses in the Answer he initially filed. Defendant alleges that, those changes are needed due to the passage of time and further development of this matter in which the facts have changed in material ways. For example, Defendant argues that Barisone is no longer being held in jail because the criminal trial has concluded, which does not reflect in his Answer. Further, Defendant seeks to add a new counterclaim pursuant to the New Jersey Wiretapping and Electronic Surveillance Control Act, N.J.S.A. 2A:15A-1. Plaintiff argues that Defendant's motion must be denied because the counterclaim is barred by the statute of limitations, and the counterclaim does not relate back to the original pleading.

## II. ANALYSIS

Here, Defendant Barisone and Defendant SGF's Motion to Hold in Contempt is denied. The Court finds that Defendants' subpoenas served on Plaintiff's parents are overly broad and therefore unreasonable. For example, as Plaintiff persuasively points out, Defendant's mission to obtain "any and all electronic communications" between Plaintiff's mother and father, for an undefined period of time, is far too vague of a request. Plaintiff's argument that the contents of the subpoenas are overbroad, if valid, would indeed constitute justification for noncompliance, and hence, Plaintiff's parents have a right to test that issue before being ordered to comply, or before being held in contempt for failure to comply.

On the facts germane to this issue, the Court finds no reason to hold either Plaintiff's mother or father in contempt. Manifestly, the subpoena of Kirby Kanarek and Jonathan Kanarek, issued by counsel for Defendants is hereby quashed as overbroad and unduly burdensome. Defendants may, however, re-serve subpoenas more specific in scope as to the documents it seeks to have produced, limited to issues and time periods relevant to the issues raised in this litigation. Defendants shall have ten (10) days upon receipt of this Order to resubmit more specific requests, and Kirby and Jonathan Kanarek shall have ten (10) days upon receipt of such requests to comply. Given the Court's granting of Plaintiff's Motion to Quash, Plaintiff's Motion for a Protective Order is manifestly moot and therefore denied.

As for Defendants' motion seeking to compel the in-person deposition of Plaintiff, this motion is hereby denied. As Plaintiff importantly points out, the COVID-19 pandemic has forced depositions across the country to proceed virtually for the past two and a half years. Although the cause for concern relating to the uprise in remote depositions has ultimately settled down, this Court recognizes its undoubtedly appealing nature. For example, virtual depositions are unquestionably more cost efficient to all parties involved, and allow for greater availability of deposition dates as no traveling need be done. Given that Plaintiff resides in Florida and raises concerns health concerns from traveling due to her weakened physical state, it logically follows that forcing Plaintiff to appear for an in-person deposition would serve no legitimate purpose, yet to the contrary, cause much harm. Indeed, even Defendants themselves point out in its moving papers that "SGF anticipates that [Plaintiff's] deposition will be a lengthy and exhibit intensive affair." See Def. Brief p. 5. This further supports Plaintiff's position that deposition should be done remotely. Defendants have proffered no evidence of undue prejudice, or any other support for that matter for which Plaintiff must be compelled to appear in person for depositions. Having failed to



sufficiently plead their position to this Court's satisfaction, Defendants' motion to compel must manifestly be denied.

Finally, Defendant Barisone has filed a motion seeking leave of Court to amend his pleading-- this motion must be granted. Because the achievement of substantial justice is the fundamental consideration, the denial of such a motion in the "interests of justice" is appropriate only when there would be undue prejudice to another party. Franklin Medical Associates v. Newark Public Schools, 362 N.J. Super. 494, 506 (App. Div. 2003). Further, when claims asserted in an amended pleading arise "out of the conduct, transaction, or occurrence set forth or attempted to be set forth in the original pleading, the amendment relates back to the date of the original pleading." R. 4:9-3.

In the instant case, Plaintiff challenges the allowance of the amendment on the grounds that it introduces a new cause of action after expiration of the New Jersey Wiretapping and Electronic Surveillance Control Act's statute of limitations, and thus, the count fails to state a claim and would immediately be subject to dismissal. The inquiry here is whether Defendant's claim as set forth in the amended pleading arose out of the conduct, transaction or occurrence set forth or attempted to be set forth in the Original pleading. If it did, the amendment relates back to the date of the Original complaint, and the statute of limitations is inapplicable.

The Court concludes that the amendment does not state a new cause of action. Defendant's claim against Plaintiff is, among other things, for damages suffered due to alleged negligent or intentional acts that resulted in Defendant's emotional distress. Indeed, during Oral Argument on November 4, 2022, counsel for Defendant alleged Plaintiff "bugged" the premises of Sweet Grass Farms with illegal listening devices to "drive [Defendant] crazy." The Court finds that Defendant's allegations pursuant to the Wiretapping Act refer to the general pool of culpable acts with respect to

Defendant's emotional distress claims that Defendant pled in his Original Counterclaim. Thus, Defendant's Wiretapping claim relates back to the Original pleading date of March 2, 2020.

Stated more precisely, Defendant contends that Plaintiff's alleged bugging of the premises occurred on or about July 2019. Even assuming the Act's limitation date was two years from when the cause of action arose, as Plaintiff argues to this Court, the statute of limitations *still* would not have expired until July 2021. However, Defendant filed the Original pleading in March 2020. In short, because the Court finds the Wiretapping Act relates back to the Original pleading, Defendant is well within the confines of the statute to add a related claim. For these reasons, the Court grants Defendant's leave to amend his responsive pleadings, and accordingly rejects Plaintiff's opposition.

### III. CONCLUSION

For the foregoing reasons Defendant Barisone's Motion to Hold in Contempt and Motion to Compel are hereby **DENIED**. Defendant Barisone's Motion to Amend is hereby **GRANTED**. Defendant Sweet Grass Farms' Motion to Hold in Contempt and Motion to Compel are hereby **DENIED**. Plaintiff's Cross-Motion to Quash is hereby **GRANTED**. Plaintiff's Cross-Motion for a Protective Order is hereby **DENIED**.

01013

Christopher L. Deininger, Esq., N.J. Bar ID No. 004271996  
DEININGER & ASSOCIATES, LLP  
415 Route 10, Suite 1  
Randolph, New Jersey 07869  
(973) 879-1610; Fax (973) 361-1241  
*Attorneys for Barisone*

[Redacted]

LAUREN KANAREK,

*Plaintiff,*

v.

MICHAEL BARISONE; SWEETGRASS  
FARMS, LLC; RUTH COX; JOHN  
DOES 1-30; ABC CORPORATIONS 1-  
20,

*Defendants,*

[Redacted]

SUPERIOR COURT OF NEW  
JERSEY LAW DIVISION – MORRIS  
COUNTY

DOCKET NO.: MRS-L-2250-19

**CERTIFICATION OF STEVEN M. TARSHIS, ESQ., IN FURTHER SUPPORT OF  
BARISONE’S MOTION TO COMPEL DISCOVERY  
FROM KIRBY KANAREK, & IN OPPOSITION TO PLAINTIFF’S  
CROSS-MOTION TO QUASH BARISONE’S SUBPOENA TO KIRBY KANAREK**

STEVEN M. TARSHIS, ESQ., of full age, hereby certifies and says the following under penalty of perjury:

1. I am an attorney at law duly admitted in the State of New Jersey. For numerous years I have served as an attorney for defendant-counterclaim-plaintiff MICHAEL BARISONE (“Barisone”) in a variety of matters – including his disputes with plaintiff Lauren Kanarek.

2. I am making this certification for two purposes, namely: (a) in further support of the Barisone motion for relief against non-party witness KIRBY KANAREK, plaintiff’s mother, seeking to compel discovery from her as a non-party witness; and (b) in opposition to the plaintiff’s motion to quash Barisone’s subpoena directed at plaintiff’s mother.

3. The statements I make herein are based upon my personal knowledge, unless noted otherwise. I was one of the witnesses called to testify at the criminal trial against Barisone, New Jersey v. Michael Barisone, Indictment No. 19-12-00999-I (the “Criminal Matter”).

4. The Criminal Matter ended with a jury verdict for the defense, finding that Barisone was “not guilty” on the counts relating to the alleged shooting at Robert Goodwin (plaintiff’s boyfriend), and “not guilty by reason of insanity” as to the counts relating to the alleged shooting of plaintiff.

5. I also was Barisone’s attorney in the months, weeks and days leading up to the incident in which plaintiff was shot (the “Incident”) and I was physically present on the premises of 411 W. Mill Road, Long Valley, New Jersey (“Sweet Grass Farm”), at various times during and throughout late July and early August when the situation there was deteriorating.

6. The premises at Sweet Grass Farm had a number of buildings, including: a farm house with two living spaces; a dressage barn with an annexed clubroom (equipped with a kitchen and bathroom), Barisone’s private office, a garage, and, of course, horse stalls and lockers; and other assorted structures.

7. My recollection is that plaintiff and her boyfriend (Robert Goodwin) arrived at Sweet Grass Farm for the summer-2019 season in late April 2019. The Incident occurred on or about August 7, 2019 – about 12-14 weeks after plaintiff and her boyfriend took up residence in one of the living spaces in the farm house.

8. Barisone and his girlfriend (Mary Haskins Gray) also were living in one of the living spaces in the farm house, but as the situation with plaintiff deteriorated, Barisone and Gray vacated the farm house and started using the clubroom in the barn building as their private residence. I believe that Barisone and Gray made that move in July 2019.

9. At Sweet Grass Farm, during the days leading up to the Incident, I had several conversations with Barisone both in the clubroom located in the dressage barn building, and in Barisone's private office located immediately off of the clubroom.

10. Those conversations took place, behind closed doors, quite some distance from the area of the barn where the horse stalls and lockers were located. Had a recording device been placed only in the locker area of the barn, there is simply no way that my conversations with Barisone could have been recorded, because of the physical distance and number of doors and walls between those separate areas.

11. My conversations with Barisone that took place in the clubroom and his office were outside of the presence of plaintiff and/or Goodwin. They were not in the room with us when the conversations occurred, were not in the immediate area of the clubroom or the office, and otherwise were not within ear-shot of the conversations.

12. Nevertheless, starting in or about late-July/early August 2019, things which I had said in conversations with Barisone – outside of the presence of plaintiff and/or Goodwin -- were being referenced by plaintiff in social media posts that she was making, which led me to conclude that she had a device recording my conversations. Plaintiff confirmed that she had such devices at the criminal trial and was using them to make recordings at the farm.

13. Based on my first-hand, personal knowledge, therefore, I believe that plaintiff was recording my private conversations in which she was not a party.

14. I am advised that recordings of my private conversations with Barisone which were referenced by her in social media have never been provided to Barisone's attorneys, by any one, at any time.

15. I was involved in the defense of Barisone throughout the time period from July 2019 when the Incident occurred through to the jury verdict finding Barisone not guilty.

16. My role as Barisone's attorney was well-known to plaintiff, her father Jonathan, and her mother Kirby, throughout that time period.

17. On or about March 5, 2022, I attended the "Friday Nights Stars" event in Wellington, Florida. It is a dressage social event in which riders and their horses perform technical movements choreographed to music. A buffet dinner and drinks are served to the guests in attendance.

18. I was at the event standing near my table where six of my friends were seated, enjoying the evening, when the strangest of things occurred.

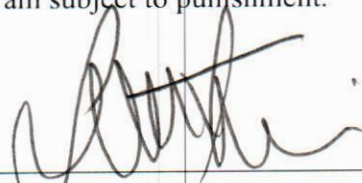
19. One by one, over the span of about 45 minutes, plaintiff's father Jonathan, her mother Kirby, and then plaintiff herself, in that order, came up to me, uninvited, to talk with me about the Incident.

20. Plaintiff herself spent about 15 minutes chatting me up, during which plaintiff unequivocally told me that she did not feel that Barisone was at fault in the shooting; that the Incident was the fault of Mary-Haskins Gray; and that she (plaintiff) felt badly for Barisone.

21. Jonathan and Kirby Kanarek said essentially the same thing to me.

22. My friends who witnessed those exchanges with plaintiff, Jonathan, and Kirby, were shocked and surprised by what they were seeing.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.



---

STEVEN M. TARSHIS, ESQ.

Dated: February 12, 2023





**CERTIFICATION OF SERVICE**

I, CHRISTOPHER L. DEININGER, ESQ., certify under penalty of perjury, that on February 13, 2023, I caused true and accurate copies of the defendant MICHAEL BARISONE's **REPLY PAPERS in further support of his Notice of Motion to enforce his subpoena served upon Kirby Kanarek**, to be served upon the Clerk of the New Jersey Superior Court, and upon all counsel of record, through e-Courts; and that I caused the same to be delivered to KIRBY KANAREK by U.S. Postal Service priority mail to her home address of **4 Wilshire Drive, Livingston, NJ 07039**.

I hereby certify the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

**DEININGER & ASSOCIATES, LLP**  
Attorneys for the Barisone



By : \_\_\_\_\_  
CHRISTOPHER L. DEININGER, ESQ.

