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Monat Global Corp.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MONAT GLOBAL CORP.,  
  
Plaintiff,  
  
v.  
  
TONI MILLER  
  
Defendants.

CASE NO.:

**COMPLAINT**

Monat Global Corp, by its undersigned counsel, complains against Toni Miller as follows:

**Jurisdiction and Venue**

1. This Court has subject matter jurisdiction over Monat's claims under 28 U.S.C. § 1332 because Monat and Miller are citizens of different states, and the amount in controversy exceeds \$75,000.

2. Venue is proper in the District of Nevada because Miller resides here, and upon information belief, made the disparaging and defamatory statements, and carried out the unfair and deceptive acts at issue, in this district.

...

...

**The Parties**

3. Monat Global Corp (“Monat”) is a Florida Corporation, with its principal place of business in Doral, Florida.

4. Toni Miller (“Miller”) is, upon information and belief a citizen of Las Vegas, Nevada.

**Factual Background**

5. Monat is a world-class designer, manufacturer, and distributor of hair care and personal products throughout the United States and Canada.

6. Monat sells its products using a direct sales model, under which it engages a number of independent sales representatives, referred to as “Market Partners,” to market and distribute its products.

7. Monat provides commissions and other financial incentives to its Market Partners for sales they make, and for purchases and sales made by new and additional Market Partners that they recruit.

8. Monat’s Market Partners utilize Facebook and other social media as the primary avenue of marketing Monat's products.

9. Miller is a hairstylist who, on information and belief, works at Posare Salon & Boutique, LLC (the “Salon”).

10. On information and belief, the Salon sells salon-brand hair care products in competition with Monat, including Redken, OPI, Pureology, Nioxin, Moroccanoil, and others.

11. On information and belief, Miller receives a commission, or other job-related incentives, to sell the salon-brand hair care products offered by the Salon.

12. On information and belief, Miller sells hair care products that compete with Monat products.

13. Miller has also offered “treatments” to users of Monat products for \$45 per treatment. (Exhibit A).

14. Miller offered other “treatments” to users of Monat products, explaining that she will “try and reverse the damage and it will be expensive but I will fix it in a few appointments.”

1 (Exhibit A.)

2 15. Thus, Miller's own Facebook posts betray the financial motivations she has  
3 for posting negative information about Monat.

4 16. The events giving rise to this Complaint began on or about January 2018  
5 when Miller began a smear campaign against Monat on social media, primarily Facebook.

6 17. Since January 2018, Miller has repeatedly and consistently posted  
7 egregiously false and damaging information about Monat and its products.

8 18. As demonstrated in the examples listed below, as well as the exhibits hereto,  
9 Miller has repeatedly and falsely alleged that Monat products cause issues including, but not  
10 limited to, miscarriages, harm to unborn babies, bloody stool, migraines, problems with breast  
11 feeding, menstruation problems, balding, scalp sores, chemical burns, hair loss, and scalp lesions.

12 19. Miller claimed that, due to the PH levels, Monat products are unsafe for  
13 consumer use: "The PH level in shampoo and hair care products to be safe is 5.5-6.5 anything lower  
14 or higher than that is not deemed safe. Monat is 3.5-4.0 that is unsafe." (Exhibit B).

15 20. Miller alleged that Monat products are "destroying peoples lives" and are  
16 "toxic." (Exhibit C.)

17 21. Miller repeatedly implied that Monat causes harm to unborn babies and/or  
18 causes infertility. (Exhibit B, Exhibit D).

19 22. Miller asserted that Monat has caused reduced milk supply in breastfeeding  
20 mothers: "women having the breast milk dry up while nursing. Its horrific." (Exhibit E).

21 23. In response to one Facebook user's comment that his daughter used the  
22 product while pregnant, Miller responded: "I hope her baby is normal. Sad thing is the effects of  
23 Red Clover and Phytoestrogens may not show up yet in your grandchild and I hope and pray for  
24 the sake of your grandchild that the baby continues to stay healthy." (Exhibit C.)

25 24. Miller wrote that "The Red Clover and Phytoestrogens in Monat are causing  
26 menstruation problems and infertility as well as miscarriages." (Exhibit F.)

27 25. Along with a post in which Miller stated that she would refuse to provide  
28 services to Monat users because of "increased allegations of hair breakage and/or increased hair

1 loss, balding, etc.,” Miller posted photographs of unknown origin depicting scalp sores and hair  
2 loss. (Exhibit G.)

3 26. By posting these photographs alongside her claims regarding “increased  
4 allegations” of hair breakage, hair loss, and balding, Miller falsely implied that Monat is  
5 responsible for the condition depicted in the photographs. (Exhibit G.)

6 27. Miller also falsely stated or implied that over 12,000 people have had  
7 adverse reactions to Monat products when she stated that she was in a group that “grew from 140  
8 people to 12,000+ clients in TWO MONTHS having adverse reactions.” (Exhibit H.)

9 28. She asserted that she has “watched with horror the problems people are  
10 facing with not only their hair but also hormones, struggles with skin issues, etc.” (Exhibit H.)

11 29. Miller cautioned male users of Monat to watch for the following symptoms,  
12 thereby falsely implying that such symptoms were caused by Monat:

- 13 1. Blood in your stool
- 14 2. Changes to moods/depression
- 15 3. Cramping
- 16 4. Breaks/cuts in your skin that doesn't heal
- 17 5. Bruising
- 18 6. Headaches or Migraines

19 (Exhibit H.)

20 30. Miller encouraged female users of Monat to watch for the following  
21 symptoms, thereby falsely implying that such symptoms were caused by Monat:

- 22 1. Hormone changes (more frequent periods)
- 23 2. Cystic acne you have never had before
- 24 3. Increased migraine headaches
- 25 4. New rashes
- 26 5. Greasy roots with hay like ends
- 27 6. Itching burning on your scalp or body
- 28 7. Excessive amounts of hair thinning or “shedding” / “detox.”

(Exhibit H)

31. Miller implied that Monat’s Market Partners were stealing photographs to  
falsely market Monat products and that Monat was engaging in “cyberbullying.” (Exhibit H.)

1           32. Miller encouraged readers of her post to contact news outlets and  
2 government agencies to complain about Monat. (Exhibit H.)

3           33. She also encouraged them to seek out medical advice and particular  
4 products, including those marketed on her own Facebook page, to “treat” these conditions, which  
5 she claimed were caused by Monat. (Exhibit H.)

6           34. In another post, Miller implied that Monat products “make hair fall out break  
7 off tangle into knots, cause infertility problems, miscarriages, changes in menstrual [sic] cycle,  
8 blistering and open weeping [sic] wounds on the scalp.” (Exhibit I.)

9           35. Miller also alleged that Monat “coats the hair shaft and the scalp with wax  
10 causing the hair to die. There are reports of women losing babies and having their periods every  
11 two weeks. Causing infertility.” (Exhibit J.)

12           36. Individually and collectively, Miller’s Facebook posts explicitly or  
13 impliedly misrepresent that Monat’s products cause miscarriages, infertility, hormonal imbalance,  
14 problems with breast feeding, harm to unborn babies, scalp sores, hair loss, and balding.

15           37. The comments on Miller’s Facebook posts indicate that people actually  
16 believe Miller’s false statements about Monat. For instance, one individual commented, “They only  
17 look to their own financial gain selling it temporarily” (Exhibit C). Another commentator wrote:  
18 “I don’t trust any of the MLM’s . . . it’s a get rich scheme at the customers expense, from shakes to  
19 hair products. I wouldn’t spend a dime on any of them.” (Exhibit D.)

20           38. Miller’s Facebook posts and comments have been adopted and republished  
21 by a number of individuals, many of whom, on information and belief, have a financial interest in  
22 disparaging Monat’s products.

23           39. On information and belief, Miller has made other defamatory statements,  
24 and her actions indicate she is likely to continue to make additional statements of a similar nature  
25 in the future.

26           40. There is no scientific or factual basis for Miller’s claims.

27           41. Monat’s products have passed all clinical safety tests to which they have  
28 been subjected.

1           42.     The ingredients in all of Monat's products have been verified as safe for  
2 consumer use by the United States Food and Drug Administration and the European Commission  
3 in the European Union, in the quantities that Monat uses them.

4           43.     Monat takes seriously the consumer complaints it receives, and investigates  
5 each complaint to the fullest extent permitted by the consumer.

6           44.     Despite selling hundreds of millions of dollars in hair care and personal  
7 products, to hundreds of thousands of customers, Monat has seen no bona fide evidence that  
8 Monat's products cause hormonal imbalance, scalp sores, hair loss, balding, bloody stool, changes  
9 in mood/depression, cuts, bruises, and migraines.

10          45.     In particular, Miller's comments that Monat products cause miscarriages,  
11 problems with breast feeding, infertility, other reproductive issues, and harm to unborn babies are  
12 egregiously false.

13          46.     Moreover, Miller's assertion that red clover is the source of reproductive  
14 issues is also false.

15          47.     Red clover is a plant, and an ingredient that is commonly used in medicines,  
16 topical lotions, foods, and beverages, and is widely deemed safe for human use and even ingestion.  
17 Such information is publicly available.

18          48.     Although Miller is one individual, she has used her social media account as  
19 a platform to falsely and maliciously disparage Monat and its products, and to attempt to gravely  
20 injure the business.

21          49.     Miller has published her posts, comments, and statements directly to, on  
22 information and belief, hundreds of people.

23          50.     Thousands more have likely viewed Miller's posts by virtue of Facebook's  
24 "share" feature, which allows any user to publish, to their entire Facebook network, another user's  
25 post.

26          51.     Miller's posts have been "shared" on numerous occasions.

27          52.     In addition, Miller's Facebook page is publicly accessible, so her posts can  
28 be accessed by individuals who are merely surfing Facebook or Google.

53. Miller's Facebook posts are particularly damaging to Monat because Facebook is the primary avenue through which Monat Market Partners promote Monat's products.

54. Through the efforts of its Market Partners, Monat generated over \$200 million in sales in 2017.

55. Miller's false and malicious statements have caused, and continue to cause, Monat to lose product sales. Her statements have improperly, and without justification, dissuaded potential customers from using Monat's products, and have caused existing customers to stop using Monat's products.

56. For example, at least one pregnant woman has told a Market Partner that although she believes statements regarding miscarriages, infertility, and hormonal imbalances are false, she will not continue to use or purchase Monat products because it is not worth taking the risk that the statements are true.

57. In addition, Monat has experienced approximately 1,000 order cancellations in the last two months.

58. Miller's false and malicious statements have damaged, and continue to damage, Monat's relationships with its current Market Partners and their ability to market and sell Monat's products.

59. Miller's false and malicious statements have damaged, and continue to damage, Monat's ability to attract new Market Partners.

60. Miller's statements have also damaged Monat because they have prevented consumers from purchasing Monat's products, and have deterred Market Partners from working, or continuing to work, with Monat.

**COUNT I:  
NEVADA DECEPTIVE TRADE PRACTICES ACT  
(NRS 598.0915; NRS 41.600)**

61. Monat incorporates Paragraphs 1-60 above as Paragraph 61.

62. In her capacity as a stylist and competitor, Miller has publicly and falsely disparaged Monat's goods by false and misleading misrepresentations of fact.

63. In her capacity as a stylist and competitor, Miller has publicly and falsely represented that Monat's ingredients cause harm including, but not limited to, balding, hair loss, miscarriage, hormonal imbalance and infertility.

64. In her capacity as a stylist and competitor, Miller has publicly and falsely represented that Monat's products are of inferior quality, unsafe, or toxic.

65. Miller made these representations knowing that they were false.

66. Miller's Facebook posts have the tendency to deceive or mislead consumers and have in fact deceived and misled consumers by telling them that Monat's products are detrimental to their health and well-being, when no such danger exists.

67. Miller's Facebook posts evidence an intent to injure competitors and to destroy or substantially lessen competition for the purchase of the salon-brand products sold by Miller.

68. Miller has caused Monat to suffer damages greater than \$75,000.00, the exact amount of which will be proven at trial.

69. It has been necessary for Monat to retain the services of attorneys to prosecute this action, and it is entitled to the recovery of its attorneys' fees and costs incurred herein.

**COUNT II:  
COMMERCIAL DISPARAGEMENT AND CORPORATE DEFAMATION**

70. Monat incorporates Paragraphs 1-60 above as Paragraph 70.

71. On her public Facebook page, Miller published falsehoods about Monat and its products, on information and belief, to hundreds or even thousands of individuals.

72. Miller's statements were intended to, and did, impugn Monat's reputation, its good name, and its ability to conduct its business.

73. Miller's statements are not capable of multiple interpretations. Each was directed at Monat and its products, and were intended to cause damage to each.

74. There is no applicable privilege covering Miller's statements.



1           75. Miller knew her statements were false, or she was reckless with regard to  
2 the truth or falsity of her statements.

3           76. In context, a reasonable person viewing Miller's statements as a whole, or  
4 individually, would understand that she represented that Monat's products cause miscarriages,  
5 trouble with breast feeding, harm to unborn children, infertility, hormonal imbalance, scalp sores,  
6 chemical burns, hair loss, and balding.

7           77. Miller's statements have caused mental anguish and unnecessary stress for  
8 Monat employees who have had to deal with the business repercussions of Miller's false  
9 statements.

10           78. Miller made her statements with willful and malicious intent, as  
11 demonstrated by the content of her posts.

12           79. Miller made her statements with the intent of causing Monat to lose  
13 customers, market share, and Market Partners.

14           80. Miller's statements, which have on information and belief, reached hundreds  
15 if not thousands of individuals have directly resulted in significant pecuniary losses caused by the  
16 loss of existing and potential Market Partners and customers.

17           81. Miller's false and malicious statements have caused, and continue to cause,  
18 Monat to lose product sales. Her statements have improperly, and without justification, dissuaded  
19 potential customers from using Monat's products, and have caused existing customers to stop using  
20 Monat's products.

21           82. For example, at least one pregnant woman has told a Market Partner that  
22 although she believes statements regarding miscarriages, infertility, and hormonal imbalances are  
23 false, she will not continue to use or purchase Monat products because it is not worth taking the  
24 risk that the statements are true.

25           83. Miller's false and malicious statements have damaged, and continue to  
26 damage, Monat's ability to attract new Market Partners.

27           84. Miller has caused Monat to suffer damages greater than \$75,000.00, the  
28 exact amount of which will be proven at trial.

1           85. It has been necessary for Monat to retain the services of attorneys to  
2 prosecute this action, and it is entitled to the recovery of its attorneys' fees and costs incurred  
3 herein.

4                                   **COUNT III:**  
5                                   **DEFAMATION**

6           86. Monat incorporates Paragraphs 1-67 above as Paragraph 86.

7           87. In addition to making disparaging and false statements about Monat's  
8 products, Miller's Facebook posts falsely accuse Monat of lying to customers.

9           88. Miller asserted that Monat is destroying lives and implied Monat is  
10 indifferent to suffering allegedly caused by Monat products because Monat is motivated only by  
11 money.

12           89. These statements are aimed directly at Monat's business reputation.

13           90. Moreover, Miller has made statements that Monat's products cause  
14 miscarriages, harm to unborn babies, infertility, menstruation problems, balding, depression,  
15 headaches, migraines, cystic acne, hormonal changes, and bloody stool.

16           91. These comments are egregiously false, and go directly to the core of Monat's  
17 business.

18           92. Miller's statements have damaged, and continue to damage, Monat's  
19 business reputation.

20           93. There is no applicable privilege covering Miller's statements.

21           94. Miller's statements directly call into question Monat's fitness for trade,  
22 business, or profession.

23           95. Miller's statements are false, or she was reckless with regard to the truth or  
24 falsity of her claims.

25           96. Miller's claims constitute defamation per se.

26           97. In the alternative, a reasonable person would interpret Miller's statements to  
27 represent that Monat engages in unethical business practices, and intentionally distributes products  
28 that are harmful to consumers. Miller's claims, therefore, constitute defamation per quod.



110. Miller's intentional and unjustified interference and false statements have caused existing and prospective Market Partners to choose not to do business with Monat.

111. Miller's intentional and unjustified interference has caused customers to decide to forego purchasing products from Monat. Such economic transactions would have occurred but for Miller's interference.

112. On information and belief, there are specific customers who have cancelled orders based on Miller's false and defamatory statements, who will be uncovered through discovery of Miller's communications, Facebook friend list, and other contacts.

113. Miller made her statements with willful and malicious intent, as demonstrated by the content of her posts.

114. Miller has caused Monat to suffer damages greater than \$75,000.00, the exact amount of which will be proven at trial.

115. It has been necessary for Monat to retain the services of attorneys to prosecute this action, and it is entitled to the recovery of its attorneys' fees and costs incurred herein.

WHEREFORE, Monat Global Corp requests the following relief against Defendant Toni Miller:

a) Permanent injunctive relief requiring Miller to remove from her Facebook and the Internet all of her false statements concerning Monat's products;

b) permanent injunctive relief preventing Miller from publishing further false statements concerning Monat's products;

c) an order requiring Miller to release public statements to ameliorate the negative effect of her false statements;

c) compensatory damages based on injury Miller caused to Monat's sales, the value of its products, business interests, and reputation;

d) punitive and exemplary damages in excess of \$225,000 for Miller's intentional and maliciously false statements; and

1 e) any other just relief.

2 RESPECTFULLY SUBMITTED this 21st day of February, 2018.

3  
4 McDONALD CARANO LLP

5 By: /s/Amanda C. Yen  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of McDonald Carano LLP, and that on or about the 21st day of February, 2018, a true and correct copy of the foregoing **COMPLAINT** was electronically filed with the Clerk of the Court by using CM/ECF service which will provide copies to all counsel of record registered to receive CM/ECF notification.

/s/ Jelena Jovanovic  
An employee of McDonald Carano LLP

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# **EXHIBIT A**

**(Facebook Page – Toni Miller Advertisement for  
\$45.00 Hair Treatment for Hair Affected by Monat)**

**EXHIBIT A**



Show of hands... How many of my facebook friends use Monat or sell Monat??? Tell me your experiences please.



Al-Ways Hair by Toni



Like This Page · February 3 near Las Vegas, NV



\*\*\*\*\*Attention\*\*\*\*\*

Please do not use Monat. There are so many bad things happening to innocent people, hair loss, breakage, buildup, skin irritations, skin lesions, sterilization and so much more. I WILL NOT COLOR OR CUT YOUR HAIR IF YOU USE MONAT. I will try and reverse the damage and it will be expensive but I will fix it in a few appointments.



Like



Comment



Share



1



# **EXHIBIT B**

**(Facebook Page – PH Level is Unsafe)**

# **EXHIBIT B**



Toni Miller

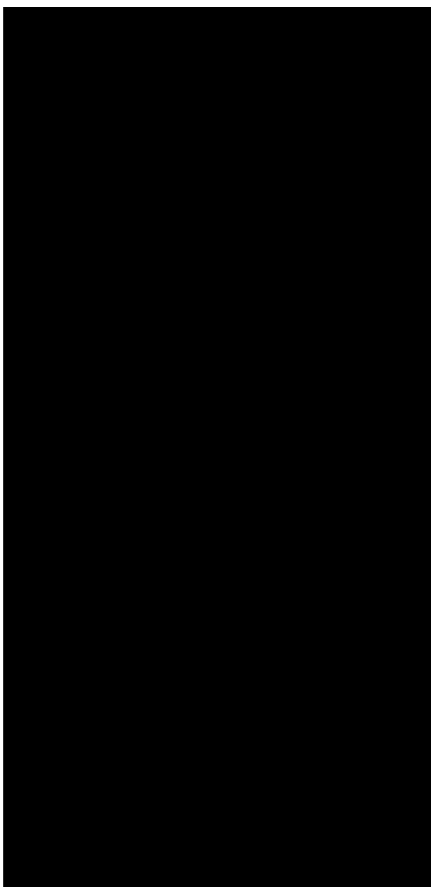


Home



Toni Miller Timeline Recent

Add Friend



English (US) · Español · Português (Brasil) · Français (France) · Deutsch

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Facebook © 2018

So did WEN. Until people spoke up instead of being ashamed of coming out looking the way they do! This company is going down. It's only a matter of time.

Like · 17h

Toni Miller The PH level in shampoo and hair care products to be safe is 5.5-6.5 anything lower or higher than that is not deemed safe. Monat is 3.5-4.0 that is unsafe.

Like · 17h

Toni Miller Making lots of money off of other peoples suffering.

Like · 17h

People make there own choices not my fault sorry

Like · 17h

Toni Miller You stand behind a product that is causing women to lose babies?

Like · 17h

Toni Miller How do you sleep at night?

Like · 17h

Like I said people make good decisions or bad decisions that is not my fault I'm sorry there's nothing I can do about it

Like · 17h

Toni Miller So you would let your daughter grand daughter sister wife niece who is of child bearing age use these products knowing they are unsafe?

Like · 17h

My daughter used it the whole time she was a pregnant nothing happened to her

Like · 17h

They only look at their own financial gain selling it temporarily.

Like · 17h

Toni Miller Monat denies the claims and the evidence and

Chat (448)



# **EXHIBIT C**

**(Facebook Page – Grandchild, toxicity,  
destroying lives)**

**EXHIBIT C**



Chrome File Edit View History Bookmarks People Window Help

VT System Videos on Vimeo Privacy Settings for Mastering Objectives Messenger (19) Toni Miller green hornet - Google MONAT - Log In

Secure https://www.facebook.com/toni.miller.543

Toni Miller Timeline Recent Add Friend

[Redacted Profile Picture]

[Redacted]

[Redacted] My daughter used it the whole time she was a pregnant nothing happened to her  
Like · 17h

[Redacted] They only look at their own financial gain selling it temporarily.  
Like · 17h

Toni Miller Monat denies the claims and the evidence and they certainly don't tell consumers that the products are toxic  
Like · 17h

Toni Miller I hope her baby is normal. Sad thing is the effects of Red Clover and Phytoestrogens may not show up yet in your grandchild and I hope and pray for the sake of your grandchild that the baby continues to stay healthy  
Like · 17h

Toni Miller I have a conscience and it won't allow me to sell or back a product that is destroying peoples lives  
Like · 17h

[Redacted] The baby is fine and I still work 3 jobs [Redacted]  
Like · 17h

[Redacted] I'm as poor comes thank u  
Like · 17h

[Redacted] I feel bad for you. If your that bad off maybe it would be in your best interest to have your wife stop investing in a company headed towards major class action lawsuits and save that money. I'm sure Toni could suggest some far better products at a lesser price. 🙏  
Products that have never caused these kids of issues.  
Like · 17h

Friends

English (US) · Español · Português (Brasil) · Français (France) · Deutsch

Toni Miller shared Bi-Polar Complex's video.  
January 29 at 8:38pm · 🌐

[Redacted Video]

Chat (448)

# **EXHIBIT D**

**(Facebook Page – Infertility and harm to  
unborn babies)**

**EXHIBIT D**

Chrome File Edit View History Bookmarks People Window Help

VT System Videos on Vimeo Privacy Settings for Mastering Objectives Messenger (19) Toni Miller green hornet - Go MONAT - Log In Hi

Secure https://www.facebook.com/toni.miller.543

Toni Miller Timeline Recent Add Friend

**Toni Miller** This is the worst product I have ever seen for hair.  
Like · 1d

I don't trust any of the MLM's.. it's a get rich scheme at the customers expense, from shakes to hair products. I wouldn't spend a dime on any of them.  
Like · 1d 2

**Toni Miller** Exactly ..  
Like · 1d

**Toni Miller** It is an MLM. I sell haircare and skincare products to my clients at my cost. Not one of my clients ever paid retail cost. I value my clients and their friendships. I would never sell them a product I didn't believe in or one that could potentially harm them their family or an unborn baby or cause infertility.  
Like · 1d 3

**Toni Miller** We have gone through so much with BII [REDACTED]. The effects on our bodies from implants why add fire to the the already flame.  
Like · 1d 2

I agree.. if I can't buy it from a salon without getting pushed to sell the product it's definitely not for me!  
Like · 1d 1

Exactly!!  
Like · 1d 1

The truth behind Wen & Monat  
The chemical breakdown of Monat:... See More  
Like · 1d 4

**Toni Miller** Ty. [REDACTED]  
Like · 23h

Then there's this....  
\*monatisbs\*  
Like · 18h 2

Chat (449)



# **EXHIBIT E**

**(Facebook Page – Dried up Milk)**

**EXHIBIT E**



# **EXHIBIT F**

**(Facebook Page – Menstruation Problems)**

**EXHIBIT F**

Facebook

Secure | https://www.facebook.com/toni.miller.543

Toni Miller

Home

Toni Miller Timeline Recent

Add Friend

Toni Miller The Red Clover and Phytoestrogens in Monst are causing menstruation problems and infertility as well as miscarriages.  
Like · 23h

I wont color anyone that uses it ...I want the 7 to speak out but they are embarrassed enough they didnt take my advice ....I feel social media takes over our jobs because i can talk product all day long and some still get sucked in to mlm companies  
Like · 22h

Toni Miller Truth. If you can get any of your clients to speak with my daughter for her News story that would be fantastic.  
Like · 22h

Ya im trying ....I know 3 of them are speaking privately with lawyers and were put in a silence contract so that could be why ...the others wernt as bad but i ve never in my 27 years seen color do what it did ...and i am strict about manufactures directions with mixing and timing  
Like · 22h

Toni Miller This is so sad. I hate that this product is doing so much damage not only to hair but to our bodies and causing infertility issues. It is heartbreaking. I miss the days when all I had to ask in a consultation with a client was whether or not they used Box dye or Henna or Splat.  
Like · 22h

I DO NOT KNOW WHAT DAT IS... I WAS JUST GONNA POST THIS FOR YOU Toni Miller TO GIVE YOU A LIL SMILE  
IT'S YOU N ME, BESTIES  
HAVE A GREAT DAY SWEETIE

Chat (448)

# **EXHIBIT G**

**(Scalp Pictures)**

**EXHIBIT G**



**Toni Miller** added 6 new photos



17 likes · 1 comment · 1 share

Clients past, present & future,

After much consideration, I have decided to make my decision public about refusing chemical/color services to ANY and ALL clients who are using Monat's haircare system. I feel as if I have no choice in this matter, due to increased allegations of hair breakage and/or increased hair loss, balding, etc. I need to protect my business as well as my patrons. If you would like to begin healing your hair I have several treatments available.

xoxo,

Toni




# **EXHIBIT H**


**(Bloody Stool, Migraines, Bruising Claims)**

**EXHIBIT H**





Toni Miller

42 mins · Las Vegas, NV · 

**#truthaboutmonat #monatcares/not**

Ack. As a stylist it is my duty to speak out about a product line that has been not listening to their customers concerns.

If you have been a customer of Monat..

If you are having ANY adverse reactions.

Listen to yourself. You know your body better than anyone.

I am in a group that grew from 140 people to 12,000+ clients in TWO MONTHS having adverse reactions. I have watched with horror the problems people are facing with not only their hair but also hormones, struggles with skin issues etc. I can't even comprehend the issues people are facing by using this product.

I don't say this lightly. Please really pay attention to what you are experiencing while using this product.

For those of you having ANY issues please use the guide below to report your issues.

Just some helpful info  
(For Canada & USA)

Use the hashtags to find this post easily by searching the words below

If anyone wants to copy their story & send a photo of their issues as a backup you may forward it to..

hairponzi@gmail.com

**#men** on Monat





## Toni's Post



If you are experiencing any of the following changes

1. Blood in your stool
2. changes to moods/depression
3. Cramping
4. Breaks/cuts in your skin that doesn't heal
5. Bruising
6. Headaches or migraines

STOP ALL USE immediately!

Book an appointment with your doctor, have your blood and hormones tested ASAP! Do not be embarrassed as you are not the only one!

### #women on monat

If you are experiencing any of the following changes

1. hormone changes (more frequent periods)
2. cystic acne you have never had before
3. increased migraine headaches
4. new rashes
5. greasy roots with hay like ends
6. itching burning on your scalp or body
7. excessive amounts of hair thinning or "shedding" / "detox"

### #beforeandafters

-if you make a post about your experience make sure to watermark your photos indicating which is before and after so that MPs do not steal and reverse your photos and use them to promote Monat marketing

### #marketpartneragreement

[http://monatglobal.com/wp-content/uploads/sites/5/2016/06/Policies-and-Procedures\\_CA\\_v2.pdf](http://monatglobal.com/wp-content/uploads/sites/5/2016/06/Policies-and-Procedures_CA_v2.pdf)

### #monatclient

### #monatrep

Screen shot your proof of purchase too. They are deleting customers accounts







## Toni's Post



-cancel your credit card AFTER you cancel your Monat account making sure you have an email copy as proof.

**#bullying #bully**

<https://cyberbullying.org/advice-for-adult-victims-of-cyberbullying>

- Save every bit of evidence. All screenshots, messages and beyond. Email them to yourself and save them on flashdrives

- Create a concise timeline. This is important. Dates and times for all conversations, harassment.. everything. Be SUPER thorough.

- If people are messaging family, friends and businesses get those SS's and add to the timeline. Add everything.

- Call a lawyer in your area that specializes in harassment. Most law offices have a free consult!

- Go to your local PD file a police report. All harassment needs to be on file.

Send a copy as well to the DSA

**#DSA**

<http://www.dsa.org/consumerprotection/filing-a-code-complaint/complaint-form>

Screen capture your conversation and keep a copy and submit to

**#BBB**

<https://www.bbb.org/consumer-complaints/file-a-complaint/nature-of-complaint/>







## #MonatEmail

Email : monatsupport@monatglobal.com

## #FDA

<https://www.fda.gov/Safety/ReportaProblem/ConsumerComplaintCoordinators/default.htm>

## #FTC

<https://www.ftccomplaintassistant.gov/#crnt>

## #CanadaGovernment

[http://www.healthycanadians.gc.ca/apps/radar/CPS-SPC-0001.08.html?  
\\_ga=2.241482114.1876628817.1516079355-466967643.1516079355](http://www.healthycanadians.gc.ca/apps/radar/CPS-SPC-0001.08.html?_ga=2.241482114.1876628817.1516079355-466967643.1516079355)

## #fraud in Canada (resolution to no refund)

<http://www.antifraudcentre-centreantifraude.ca/victim-victime/index-eng.htm>

## #TV Market Place (canada)

marketplace@cbc.ca

<https://www.facebook.com/vicecanada/>

## #CTV in Canada

health@ctv.ca

w5@ctv.ca

## #globeandmail in Canada

cbrousseau@globeandmail.com

## #TV 2020 in USA

<http://abcnews.go.com/WN/mailform?id=10691207>

## #TV Doctor Oz in USA

<http://www.doctoroz.com/guest-plug/do-you-need-dr-ozs-heln>







## #complaints in USA

<http://www.freshfromflorida.com/Contact-Us/File-a-Complaint>

## #howtowriteacomplaint

<http://www.consumerhandbook.ca/en/topics/products-and-services/complaints>

## #aftermonat

1. Stop using ALL Monat products
2. Take photos of your hair and issues
3. Write down a history of your hair the year before you used it, how long, and what happened while you used it, why you quit and what are the results of your hair currently. Include dates if possible
4. Phone your doctor if you have /had issues and have it documented and hormones checked and scalp checked for lesions
5. Phone local salons and ask if the have Malibu treatments, olaplex and a deep conditioners. Book an appointment and have the treatment done soon after your doctors appointment
6. Talk to any stylist who does not believe in using Monat and ask them about helping you pick a professional product and buy from a salon that Guarantee their products (only guaranteed when purchased from a licensed salon for a reason)
7. Start taking notes of changes once you have switch to a new line.
8. Submit your complaints to appropriate links above

Contact the FDA Consumer Complaint Coordinator for the state in which you reside. Please Note: There is not a Consumer Complaint Coordinator in each state. Consumer Complaint Coordinators are assigned to a district which may







## Toni's Post



include more than one state. Therefore, several states may have the same Consumer Complaint Coordinator assigned to them.

If you require the use of a Relay Service, please call the Federal Relay Services at 800-877-8339. This is a toll free relay service to call Federal agencies from TTY devices.

### State Phone Number

Alabama 513- 679-2700

Alaska 800-353-3965 (toll free)

Arizona 303-236-3044

Arkansas 855-630-2112 (toll free)

California (Northern)— zip codes 936xx & higher; and zip codes not covered by southern CA 510-337-6741

California (Southern)— zip codes 90xxx - 92xxx, 93000-93199, 93400-93499, 93510, 93532-93539 949-608-3530

Colorado 303-236-3044

Connecticut 800-891-8295 (toll free)

Delaware 877-689-8073 (toll-free)

District of Columbia 410-779-5713

Florida 866-337-6272 (toll free)

Georgia 404-253-1169

Hawaii 808-522-8011 X1100

Idaho 800-353-3965 (toll free)

Illinois 312-353-7840

Indiana 313-393-8189

Iowa 855-202-9780 (toll free)

Kansas 855-202-9780 (toll free)

Kentucky Toll-free in KY only:

800-437-2382

513- 679-2700

Louisiana 513- 679-2700

Maine 800-891-8295 (toll-free)

Maryland 410-779-5713

Massachusetts 800-891-8295 (toll-free)





# **EXHIBIT I**

**(Facebook Page – Infertility, Miscarriages,  
Wounds on Scalp Claims)**


# **EXHIBIT I**

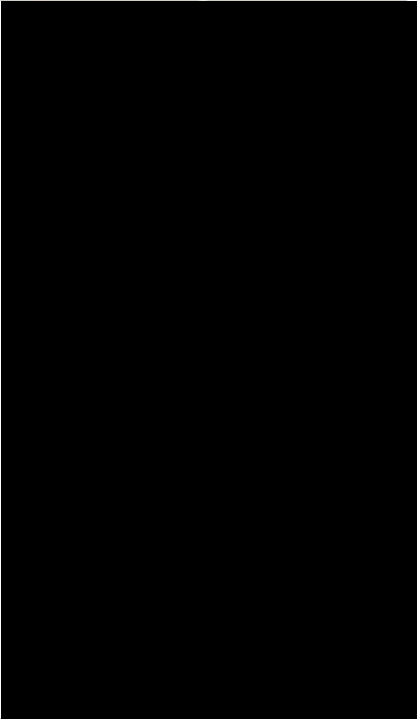
Chrome File Edit View History Bookmarks People Window Help


VT System Videos on Vimeo Privacy Settings for Mastering Objectives Messenger (19) Toni Miller green hornet - Go MONAT - Log In

Secure https://www.facebook.com/toni.miller.543

Toni Miller Timeline Recent Add Friend

 Toni Miller





 Friends


English (US) · Español · Português (Brasil) · Français (France) · Deutsch +


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Toni Miller  the product is really bad. Read up through my comments above and you will see. Like · 18h


 Maybe his wife needs to see the testimonies from thousands of women 🙄 Like · 18h


 She has done both seen the bad and good people need to read the ingredients and if you are allergic to it then don't use it Like · 17h

Toni Miller I have never in my life seen a. Shampoo or conditioner make hair fall out break off tangle into knots, cause infertility problems, miscarriages, changes in menstrual cycle, blistering and open weeping wounds on the scalp.  Like · 17h

 Me either but I didn't believe in till I saw my friends hair after 6 month use he now has hair Like · 17h

 They also claim its FDA approved... Yet the FDA denies it. 🙄

 Like · 17h

Toni Miller  have you seen the pictures of the men women and children who are losing hair and had chemical burns lost babies and are having fertility issues ? Like · 17h

Chat (449)

# **EXHIBIT J**

**(Facebook Page – Claim re Losing Babies,  
Period Every Two Weeks)**

**EXHIBIT J**



Chrome File Edit View History Bookmarks People Window Help

VT System Videos on Vimeo Privacy Settings for Mastering Objectives Messenger (19) Toni Miller green hornet - Google MONAT - Log In

Secure https://www.facebook.com/toni.miller.543


Toni Miller Timeline Recent Add Friend

Like · 1d

Toni Miller Yesssss...

Like · 1d

Toni Miller



Like · 1d 2

I seen too many reviews over the "detoxing" period. If I lost that much hair detoxing I wouldn't need shampoo.

Like · 1d 2

Toni Miller Hair doesn't detox. This product is worse than Wen ever was. It coats the hair shaft and the scalp with wax causing the hair to die. There are reports of women losing babies and having their periods every two weeks. Causing infertility.

Like · 1d 1

Toni Miller This is the worst product I have ever seen for hair.

Like · 1d

I don't trust any of the MLM's.. it's a get rich scheme at the customers expense, from shakes to hair products. I wouldn't spend a dime on any of them.

Like · 1d 2

Toni Miller Exactly ..

Like · 1d

Toni Miller It is an MLM. I sell haircare and skincare products

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Chat (451)

JS 44 (Rev. 06/17)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

MONAT GLOBAL CORP.,

(b) County of Residence of First Listed Plaintiff Miami-Dade, Florida  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)  
George F. Ogilvie III (NV Bar #3552) & Amanda C. Yen (NV Bar #9726)  
McDonald Carano LLP; Telephone: (702) 873-4100  
2300 West Sahara Avenue, Suite 1200, Las Vegas, Nevada 89102

**DEFENDANTS**

TONI MILLER

County of Residence of First Listed Defendant Clark County, Nevada  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                                   | DEF                                   |   | PTF                                   | DEF                        |
|---|---------------------------------------|---------------------------------------|---|---------------------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1            | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4            | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 2            | Incorporated and Principal Place of Business In Another State | <input checked="" type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6            | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input checked="" type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 U.S.C. Section 1332

Brief description of cause:

Deceptive Trade Practices; Int. Interference with Prosp. Econ. Advantage; Commercial Disp.; Defamation Per Se

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ \_\_\_\_\_

CHECK YES only if demanded in complaint:  
Injunctive Relief; in excess of \$225,000 JURY DEMAND: ☐ Yes ☒ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE \_\_\_\_\_

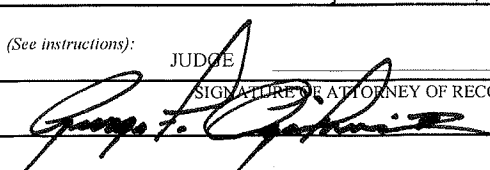
DOCKET NUMBER \_\_\_\_\_

DATE

02/21/2018

FOR OFFICE USE ONLY

SIGNATURE OF ATTORNEY OF RECORD



RECEIPT # \_\_\_\_\_

AMOUNT \_\_\_\_\_

APPLYING IFP \_\_\_\_\_

JUDGE \_\_\_\_\_

MAG. JUDGE \_\_\_\_\_