

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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| HUAIZHAO LIU et al., |) | |
| |) | |
| Plaintiffs |) | |
| |) | |
| V. |) | Civil Action No. <u>19-cv-03344-KBJ</u> |
| |) | |
| JINGSHENG WEI |) | |
| |) | |
| Defendant |) | |
| |) | |

PLAINTIFF’S ANSWER TO COUNTERCLAIM

(**Note:** As Plaintiffs’ Counsel, Ms. Nicole Wilt, has shown no sign of being prepared to answer the Counterclaim, whether before or after she filed her Motion to Withdrawal, Plaintiff Huaizhao Liu hereby provides an answer by herself following Court order and in accordance with Rule 12 of *Federal Rules of Civil Procedure*.)

Plaintiff Huaizhao Liu (“**Liu**”) in this case hereby respectfully submits this Answer to the allegations in Defendant Jingsheng Wei (“**Defendant**” or “**Wei**”)’s Counterclaim and states as follows:

Plaintiff denies each and every allegation in the Defendant’s Counterclaim unless specifically admitted to below.

1. Paragraph 1 of the Counterclaim, in sum, contains 8 allegations:

- 1) As to so-called Liu “*falsely and publicly alleging*” that Wei raped Liu:

Answer: “falsely”, no; “publicly”, yes, and on information and belief, Plaintiff might not be the only victim.

- 2) As to so-called Liu’s “*fraudulent inducement by tricking Wei into sending her money*”:

Answer: Liu denies and condemns the false and defaming allegation which, in return, serves as a reminder of Wei’s original answer filed in this matter, in which he “*admits not having paid anything to Plaintiffs*”.

- 3) As to so-called Liu’s “*false pretense that (Wei) fathered Liu’s daughter, Plaintiff Charlotte Zhang (“Charlotte”)*”:

Answer: Liu denies “false pretense”, and demands Wei to disprove his being Charlotte’s biological father, otherwise this allegation of “false pretense” is proven to be yet another serious defamatory act to damage Liu’s reputation and her career, as well as to cause great harm to the fledgling life and future well-being of Charlotte, for which reason Wei is responsible for a clarification or to suffer the consequences of defamation.

- 4) As to so-called Liu’s “*(false pretense) that Liu had never married*”:

Answer: an unjustifiable and false allegation, let alone irrelevant. This is just one of the many rumors that Defendant has raised and imposed on Liu, adding to Defendant's random defamatory attempts against the Plaintiffs, for which Defendant is responsible for a clarification and its consequences.

- 5) As to so-called Liu's "*false pretense* that Charlotte's last name was Liu":

Answer: again, an unjustifiable, irrelevant accusation, although it is worth mentioning that Charlotte's last name in Chinese indeed *is*, and has always been, Liu (劉) as shown in her Hong Kong resident ID and student ID, etc. This instance further proves just how randomly Defendant has been raising rumors irresponsibly imposing on Plaintiffs.

- 6) As to so-called Liu's "*false pretense* that Liu needed money":

Answer: Liu denies that it is a "false pretense" that she needed money.

- 7) As to so-called Liu "*failed to disclose that she was married at the time of Charlotte's birth*":

Answer: Liu has never denied that Charlotte was born within her marriage to her ex-husband, therefore no such issue as she "*failed to disclose*".

8) As to “(failed to disclose) that (Charlotte’s) birth certificate listed the father as Liu’s (ex)husband, Meng Zhang”:

Answer: Liu denies the allegation that she “failed to disclose” and demands strict proof thereof.

2. As to Paragraph 2, Liu denies that she “purports” to reside in D.C., that she “took steps to make it appear that she has significant ties to the District of Columbia” and demands strict proof thereof.

3. As to Paragraph 3, Liu denies the allegation and demands strict proof thereof.

4. As to Paragraph 4, Liu admits that she is from Hong Kong.

5. As to Paragraph 5, Liu has no sufficient information to admit or deny.

6. As to Paragraph 6, Liu admits the personal jurisdiction of D.C. Courts.

7. As to Paragraph 7, Liu admits diversity as the subject-matter jurisdiction of this Court in this case but denies that the Counterclaim is about only one subject matter, emphasizing that **the Counterclaim is trying to mix together Plaintiffs’ claims of two separate cases (the one pending in Family Court Division of DC Superior Court is for parentage and child support/back child support, while this case pending in this federal Court is about the breach of contract regarding college tuition and the personal injury caused by Wei’s malicious defamation acts).**

8. As to Paragraph 8-12, to sum up and in conclusion, allege that Wei is “Father of Chinese Democracy”, appear irrelevant to this case and Liu is in no

position to deny or admit, because this case has nothing to do with whether Wei is “*Father of Chinese Democracy*” but has much to do with whether Wei is the father of Charlotte. Hence, Plaintiff finds Wei’s dodging and changing the subject arrogantly ignorant about equal rights and brutally indifferent to his social responsibilities as being an average man, let alone as being “*Father of China’s Democracy*”.

9. As to Paragraph 13, alleging “*Liu has worked for several pro-Communist regime news and/or media outlets for over two decades*”, Liu denies and condemns Wei for politicizing the case, viciously slandering and using his political influence to suppress and endanger Liu. To protect her reputation and career, Liu states the following facts in self-defense:

- 1) Liu is a dedicated democracy advocate, a writer and translator of numerous human rights works, documentary film subtitles and publications. For one example, she is the co-author of the widely received book [*10 Years of Marching for Freedom: Hong Kong 2003-2013*](#) (under the subject of civil rights movement of China);
- 2) Liu is a well-recognized human rights defender. For example, she is the recipient of a recent grant from [Front Line Defenders](#), an Irish-based international foundation for the protection of human rights defenders who work non-violently to uphold the human rights of others as outlined in the Universal Declaration of Human Rights, in support of her human rights work.

10. As to Paragraph 14-15, just a matter of fact which Wei himself denied through his representative previously until evidence emerged from online.

11. As to Paragraph 16, in which Wei alleges “*no recollection of interacting with Liu*”, Liu can only suggest a mandatory DNA test in order to help him recollect.

12. As to Paragraph 17, Liu denies and demands strict proof or she has witnesses to disprove the allegation otherwise.

13. As to Paragraph 18, Liu denies and demands strict proof for the several allegations in this paragraph thereof.

14. As to Paragraph 19, Liu admits that Wei promised he “*was willing to be a father and help them if he was truly Charlotte’s father.*”

15. As to Paragraph 20, Liu denies and demands strict proof thereof.

16. As to Paragraph 21, Liu denies Wei requested any of the alleged information on or about the specific date.

17. As to Paragraph 22, Liu denies because the words allegedly said by her are taken out of context, let alone it is irrelevant if and how much money she asked for. What *is* relevant is, as Wei admits in his original answer filed in this matter, that Wei “*admits not having paid anything to Plaintiffs*”.

18. As to Paragraph 23, alleging “*Wei could not afford*” and that “*Wei is a man of modest means*”, Liu finds it totally unconvincing. Just for the instance of Wei’s generosity in paying the legal fees at the highest rate just to get away from his responsibility as a father, let alone how much he has invested in

defaming and character-assassinating Plaintiff and his own daughter. What is noteworthy in this Paragraph of 23, however, is that Wei admits that he *“requested that there be an initial DNA test to prove he was (Charlotte’s) father.”* Nevertheless, when the test results did prove he *is* the father, Wei chose to hide and get away with it. Therefore, it seems what he actually means here is that he requested an initial DNA test to **disprove** being Charlotte’s father.

19. As to Paragraph 24, Liu admits that she *“agreed to have a DNA test”* but denies she *“failed to provide the other requested items, especially Charlotte’s birth certificate”*, and demands strict proof thereof.

20. As to Paragraph 25, Liu admits and emphasizes that she not only *“provided photos of Charlotte”* **voluntarily**, but also, in her email to Wei, criticized Wei’s *“never asked for any information about the daughter, not even her name, let alone her birthday.”* And Wei replied by simply saying *“what her name is called is not an important issue.”*

21. As to Paragraph 26, Liu admits she agreed to a DNA test.

22. As to Paragraph 27, Liu admits she *“demanded Wei apologize for saying twice that he did not remember her or the sexual encounter”* but denies she had ever been *“threatening Wei that the paternity case would go public and would be a bad scandal for him”* and condemns this wilful distortion of fact, for which she demands strict proof thereof or Wei pay the consequences of defamation.

23. As to Paragraph 28, Liu denies the allegation and emphasizes that this is another wilful distortion of facts, accordingly she demands strict proof thereof or Wei pay the consequences of defamation.

24. As to Paragraph 29, Liu admits, as repeatedly, Charlotte was born within Liu's marriage to her ex husband.

25. As to Paragraph 30, that Charlotte was born within Liu's marriage to her ex husband is not an allegation but a fact that Liu repetitively and openly mentioned.

26. As to Paragraph 31, which attaches a copy of Charlotte's birth certificate but hypocritically "*redacted as to day and month for DOBs, per Local Civ. Rule 5.4 (f)(3)*", despite the fact that Wei has already had his assistant, Ms. Ciping Huang, the Director of Wei Jingsheng Foundation, publically spread detailed information of Charlotte's birth certificate without it being "redacted" (**online records and witness account available**) and post photos of Charlotte, calling her a "*scam con girl*", "*ugly Southeast Asian-looking girl*" and drawing public attention in order to openly collect, and make use of, further private information of the Plaintiffs.

27. As to Paragraph 32, Liu denies the allegation of her "*falsehood*" and accordingly she demands strict proof thereof or Wei pay the consequences of the defamation.

28. As to Paragraph 33, in which Wei finally concedes to recognize that there was a DNA test that he conducted, though "*to the best of his knowledge and recollection denies (the DNA test results') authenticity and validity*": this

allegation is not against Liu but against Wei himself, as the allegation turns out to be self-contradictory to Wei's original answer filed in this matter, in which he completely "*denies that a DNA test was performed.*" The inconsistency is stunning and self-explanatory that he lied.

29. As to Paragraph 34, unclear whom the allegation is directed to: "*The day he was told of the supposed DNA test results,*" by whom? Therefore Liu is unable to admit or deny. And the allegation only serves to prove that Wei did make a promise to the Plaintiffs but failed to fulfill.

30. As to Paragraph 35, Liu admits that she "*claimed that Wei refused to take responsibility as Charlotte's father*" and affirms her claim of her single parenthood. Liu hereby demands strict proof of "*Liu claimed falsely*" or Wei pay the consequences of defamation.

31. As to Paragraph 36, Liu denies the allegation that "*this was not true*".

32. As to Paragraph 37, Liu admits she "*accused (Wei) of not realizing his responsibility as a father*" on several accounts.

33. As to Paragraph 38, which contains two allegations, the first taken out of context and made up with distorted partial truth, and the second alleged something Liu didn't say at all ("*stated that she could not afford a plane ticket to the United States*"), Liu therefore denies and demands strict proof thereof.

34. As to Paragraph 39, Liu denies, condemns the wilful make-up of the allegations and demands strict proof thereof, though it is irrelevant and contradicts Wei's original answer filed in this matter, in which Wei "*admits not having paid anything to Plaintiffs*".

35. As to Paragraph 40, again missing the subject of a sentence, thus Liu denies and condemns Wei's beating around the bush.

36. As to Paragraph 41, Liu denies the allegation that she made "*false representation*".

37. As to Paragraph 42, Liu denies she "*acknowledged*" as such.

38. As to Paragraph 43, Liu denies she "*came up with*" anything, condemns Wei's dancing around the real issue of the case and demands strict proof thereof.

39. As to Paragraph 44, Liu denies the allegation of her "*falsehood*" and demands strict proof thereof.

40. As to Paragraph 45, Liu both admits and denies because this is half-truth and irrelevant.

41. As to Paragraph 46, Liu denies she "*demanded*" as such and, once again, stresses that the real issue at stake is that Wei has never paid anything to Plaintiffs, not even after he recognized the results of a DNA test he arranged, as he admits in his original answer filed in this matter, in which Wei "*admits not having paid anything to Plaintiffs*".

42. As to Paragraph 47, Liu denies the allegation and condemns the wilful distorting of her words.

43. As to Paragraph 48, Liu denies and condemns the misleading allegation of "*additional demands*" out of nothing.

44. As to Paragraph 49, distorted partial truth, wilful misleading expression of “**again** asked him for money **also** pay for tuition” which only serves to mind Wei’s inconsistency and broken promises, as he admits in his original answer filed in this matter, in which Wei “*admits not having paid anything to Plaintiffs*”.

45. As to Paragraph 50, distorted partial truth, for which part Liu only admits that she “*asked Wei to pay for Charlotte’s college*” as this is what he had promised. Liu reiterates that the real issue at stake is that Wei has never paid anything to Plaintiffs up to today, not even after he recognized the results of a DNA test he arranged, as he admits in his original answer filed in this matter, in which Wei “*admits not having paid anything to Plaintiffs*”.

As for his allegation that “*Wei cannot afford*”, again it only serves to prove Wei’s inconsistency in promising “*I will pay my daughter’s tuition no matter where she goes to college,*” not to mention that he is able to pay, at the highest rate, expensive attorney fee to drag on a lengthy litigation just to deny and get rid of the truth, instead of simply taking his responsibility by fulfilling his promise of supporting his child’s college education.

46. As to Paragraph 51, Liu admits she sent Wei a link to pay the first installment of tuition for Charlotte’s college entry but denies ever “*contrary to Liu’s prior representation*”, thus demands strict proof thereof.

47. As to Paragraph 52, unclear what the so-called “*rumors*” are referring to, so Liu denies and condemns Wei for deliberately creating rumors about Liu’s previous marriage. In this paragraph, typically, Wei provides the link to a memoir written by an old mutual friend of Liu and her ex husband, emphasizing that it is “*published in January 2019*” to make it sound as if it is

about her recent activities and interactions with her ex husband while in fact the memoir is about long past events.

48. As to Paragraph 53, Liu denies thus demands strict proof thereof.

49. As to Paragraph 54, Liu denies thus demands strict proof thereof.

50. As to Paragraph 55, Liu denies and condemns the presumption of "*presumably using Wei's money thus*" and demands strict proof thereof.

51. As to Paragraph 56, Liu has no idea what the allegation is about, therefore unable to admit or deny, thus denies and demands strict proof thereof.

52. As to Paragraph 57, Liu denies the presumption thus demands strict proof thereof.

53. As to Paragraph 58, Liu denies the allegation that "*Liu had not told the truth to Wei about a number of important matters*" thus demands strict proof thereof.

54. As to Paragraph 59, Liu has no idea what the allegation is about, therefore unable to admit or deny.

55. As to Paragraph 60, allegedly "*a number of letters were sent to various prominent individuals within the United States government, including the Congressional Executive Commission on China, claiming Wei was morally reprehensible for refusing to pay his child support.*" Here, once again, the subject of the sentence is missing: the so-called letters, if any, were sent by whom? Defendant seems to know the letters, if any, were not from Liu, otherwise Wei would not have omitted the subject of the sentence. Again, Liu

condemns Wei for making up a story in an effort to frame Liu, who is committed to dealing with him through judicial procedures.

56. As to Paragraph 61-65, allegations against “*Jinyan Zeng (“Zeng”), Liu’s friend*”, Liu admits, proudly, that Ms. Zeng, *Time Magazine 100 Pioneers & Heroes (2007)* and the *Daily Beast’s 150 Women Who Shake the World (2008)*, is indeed her personal friend. But Liu is in no position to answer the allegations against Zeng.

57. As to Paragraph 66, Liu admits she started the GoFundMe fundraising page.

58. As to Paragraph 67, Liu denies the interpreting allegation that Liu “*did not realize she had been raped until the Me Too movement.*”

59. As to Paragraph 68, Liu denies she was “*falsely claiming*” she was raped.

60. As to Paragraph 69, Liu denies so-called “*Liu’s false statement*” and stresses that if Wei did feel embarrassed, that is all because what he himself had done and what he refused to admit publicly what he already privately recognized, such as Charlotte being his daughter.

61. As to Paragraph 70, which contains 6 serious allegations,

- 1) “*Liu, under ulterior motives, including apparent political motives to attempt to discredit Wei*”;

Answer: Liu denies and demands strict proof thereof, or Wei to suffer the consequences of his random malicious slander on Liu.

- 2) Liu “*has extorted money from Wei*”;

Answer: Liu denies and demands strict proof thereof and, again, points out that this claim counters Wei's own claim in his original answer in which he "*admits not having paid anything to Plaintiffs.*"

3) Liu "*intentionally misled and lied to Wei and others about ever having a sexual encounter with Wei*";

Answer: Liu denies she ever "*misled and lied*", and demands Wei to prove he is not the actual liar himself by submitting to a mandatory DNA test.

4) Liu "*(intentionally misled and lied to Wei and others about) Wei being an absent father to Charlotte*";

Answer: Again, Liu denies she ever "*misled and lied*", and demands Wei to prove he is not the actual liar himself by submitting to a mandatory DNA test.

5) Liu "*(intentionally misled and lied to Wei and others) that Wei refuses to support Charlotte financially*";

Answer: Liu denies it is a lie "*that Wei refuses to support Charlotte financially*" as Wei himself admits in his original answer that he "*admits not having paid anything to Plaintiffs.*"

6) Liu "*(intentionally misled and lied to Wei and others) and most egregiously, that he violently raped and sexually assaulted her.*"

Answer: Again, Liu denies she ever “*misled and lied*”, and demands Wei to disprove he is the actual liar himself by submitting to a mandatory DNA test.

62. As to Paragraph 71, contains no allegation.

63. As to Paragraph 72, Liu admits that the two articles, one titled [*In The Case of Liu vs. Wei*](#), by Ms. Jinyan Zeng, the other titled [*The Liu And Wei that I Know*](#), by Ms. Jiazhen Qi, among others, are posted on her [GoFundMe webpage](#), with permission and original links provided.

64. As to Paragraph 73, Liu denies her statements are “*defamatory per se*”.

65. As to Paragraph 74, Liu denies she made so-called “*false statements*”.

66. As to Paragraph 75, Liu denies “*Liu’s statements were and are false.*”

67. As to Paragraph 76, Liu denies “*this defamation*”.

68. As to Paragraph 77, Liu denies all the alleged so-called “*false*”, “*reckless*” and “*specific intent*” and demands strict proof thereof.

69. As to Paragraph 78, no allegation in this paragraph.

70. As to Paragraph 79, Liu denies she “*misrepresented to Wei*” and demands strict proof thereof or disprove “*b) Wei was the father of Charlotte.*”

71. As to Paragraph 80, Liu denies “*Liu knew that each of these representations were false when made, and each were made with reckless disregard to their truth or falsity and were made with the intent of extorting and obtaining money from Wei*” and demands strict proof thereof.

72. As to Paragraph 81, Liu denies and demands strict proof though it already in itself contradicts Wei's original answer therefore the inconsistency is self-explanatory.

73. As to Paragraph 82, Liu denies but calls for attention to Wei's seemingly willingness "*to perform a paternity test*" again. .

74. As to Paragraph 83, Liu denies "*fraudulent misrepresentation*" and demands strict proof thereof.

AFFIRMATIVE DEFENSES

1. Wei's Counterclaim in many ways counters his own original claims filed in this matter, and the inconsistency on crucial issues is significant, including but not limited to:

- 1) Whether or not he arranged and conducted a DNA test in 2018;
- 2) Whether or not he paid nothing to the Plaintiffs.

The inconsistencies mean he lies in one way or the other, therefore has discredited himself and must suffer the consequences of telling such major lies.

2. The counterclaim contains not only lies but also additional aggressive defamatory attacks to Plaintiff as detailed in Plaintiff's answers to individual paragraphs, for which Wei is subject to additional defamation charges and penalty.

THEREFORE, Liu respectfully request the following relief:

1. In addition to the claims in Plaintiffs' original and AMENDED COMPLAINT in which Plaintiffs demand judgement against Wei in the sum of \$500,000, Plaintiff Liu demands an additional \$200,000 for the damages Wei has made as addressed in the above affirmative defenses.
2. Liu also asks for any other relief the Court may determine to be just and equitable.

Respectfully submitted,

Huaizhao Liu
PO Box 40157
Washington, DC 20016
heather01.liu@gmail.com
(202)660-3235
Plaintiff

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