

**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*. 註：由於原告律師尼科·威爾特女士沒有任何準備應對反訴的跡象，無論是在她提出求去動議之前還是之後，因此，根據法院指令及聯邦民事訴訟規則第 12 條，原告劉懷昭謹此自行向法院提出針對反訴的答辯。)

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: 針對被告魏京生 (“被告人”或“魏”) 的反訴指控，本案原告劉懷昭 (“劉”) 謹此提交答辯並陳述如下：

Plaintiff denies each and every allegation in the Defendant's Counterclaim unless specifically admitted to below. 原告否認被告在反訴狀中的每項指控，除了下述陳述中特意承認之處。

1. Paragraph 1 of the Counterclaim, in sum, contains 8 allegations: 反訴狀第一節，歸結起來共包含 8 項指控：

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

Liu: 關於所謂的劉“公開謊稱”魏強姦了她：

Answer: “*falsely*”, no; “*publicly*”, yes, and on information and belief, Plaintiff might not be the only victim. **答：**“公開”，沒錯；“謊稱”，非也。而且據知原告或並非唯一受害人。

2) As to so-called Liu's "*fraudulent inducement by tricking Wei into sending her money*": 關於所謂的“劉騙取魏匯節給她”：

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*". **答：**劉對此否認，並譴責這一虛假和誹謗性的指控，它反而在提醒一件事，那就是魏在他最初的應訴狀中承認“從沒有給兩位原告支付過任何款項”。

3) As to so-called Liu's "*false pretense that (Wei) fathered Liu's daughter, Plaintiff Charlotte Zhang (“Charlotte”)*”: 關於所謂的劉“謊稱魏是劉的女兒夏洛特的生父”：

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. **答：**劉否認這是“謊稱”，並要求魏證偽澄清，否則他的“謊稱”指控構成又一嚴重誹謗，不僅損害劉的名譽和事業，並且對羽翼未豐的夏洛特的成長和她未來的福祉造成巨大傷害。為此，魏有責任要麼澄清、要麼承擔誹謗的後果。

- 4) As to so-called Liu’s “(false pretense) that Liu had never married”: 關於所謂的“劉（謊稱）她從未結過婚”：

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. **答：**這一項不實而又毫無根據的指控，更不用說與本案八竿子打不著了。這只是被告強加於劉、用以混淆視聽的眾多謠言之，是被告對原告的又一項隨機的誹謗，對此被告有責任澄清並承擔後果。

- 5) As to so-called Liu’s “(false pretense) that Charlotte’s last name was Liu”: 關於所謂的劉“（謊稱）夏洛特姓劉”：

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. 答：同樣，這是毫無道理而又與本案八竿子打不著的指控，儘管，值得一提的是，夏洛特的中文名字的確是、而且一直是姓“劉”，如其香港居民身份證和學生證等所示。此例進一步證明被告人是多麼不負責任地隨意造謠然後對原告倒打一耙。

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

關於所謂的劉“(謊稱)她需要錢”：

Answer: Liu denies that it is a “false pretense” that she needed money. 答：劉否認她需要錢是一種“謊稱”。

7) As to so-called Liu "*failed to disclose that she was married at the time of Charlotte's birth*": 關於所謂的劉“未能披露她在夏洛特出生時已婚”：

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*". 答：劉從未否認夏洛特出生在她與前夫的婚內，因此不存在她“未能披露”這回事。

8) As to "*failed to disclose* that (Charlotte's) birth certificate listed the father as Liu's (ex)husband, Meng Zhang": 關於所謂的劉

“（未能披露）（夏洛特的）出生證將劉的（前）夫列為父親”：

Answer: Liu denies the allegation that she “*failed to disclose*” and demands strict proof thereof. **答：**劉否認對她“未能披露”的指控，並要求提供證據。

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. 魏的反訴狀第 2 節（指責劉“蓄意”住在哥倫比亞特區、“採取步驟使她自己看起來好像跟哥倫比亞特區有重要聯繫”），劉對此斷然否認並要求提供證據。

3. As to Paragraph 3, Liu denies the allegation and demands strict proof thereof. 反訴狀第 3 節，劉否認指控，並要求提供證據。

4. As to Paragraph 4, Liu admits that she is from Hong Kong. 關於第 4 節，劉承認自己來自香港。

5. As to Paragraph 5, Liu has no sufficient information to admit or deny. 魏的反訴狀第 5 節，缺乏可供否認或承認的足夠信息。

6. As to Paragraph 6, Liu admits the personal jurisdiction of D.C. Courts. 關於第 6 節，劉認可哥倫比亞特區（以下簡稱 DC）法院的人身管轄權。

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). 關於第 7 節，劉在此承認 DC

聯邦法院對本案擁有主題管轄權，但要指出的是，魏的反訴不僅涉及一個主題。劉強調，魏的反訴是企圖將原告提訴的兩個不同案件合併在一起（在 DC 高院家事法庭立案的是鑑定親子關係暨子女撫養義務案，而在 DC 聯邦法院正在審理的案子，是針對魏的毀約及其惡意誹謗行為對劉氏母女所造成的人身傷害）。

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*”. 魏的反訴狀第 8-12 節，歸納起來就是其中一句：魏某是“中國民主之父”。這明顯與本案八竿子打不著，劉無由否認或承認。因為本案與他是否“中國民主之父”無關，但與他是否是夏洛特之父有很大關係。因此，原告認為魏是顧左右而言他、轉移話題，只能凸顯出他對他人平等權利的無視、連一個普通父親應盡的社會責任都不肯承擔，更不用說他還是什麼“中國民主之父”了。

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: 魏的反訴狀第 13 節，指稱“劉某為多個親共政權的新聞和/或媒體工作了 20 多年”，劉否認這項指控並譴責魏在將此案政治化，不僅惡意誹謗劉，還利用他的政治影響力來壓制和危害劉的生存空間。為了保護自己的聲譽和生涯，劉舉例以下事實進行自衛：

- 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); 劉是民主的積極倡導者，是各種人權主題的作品、紀錄片字幕和出版物的作家和編譯者。僅舉一例，她是《七月圍城：香港大遊行 2003-2013》（中國民權運動主題）的合著者；
- 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. 劉是公認的人權捍衛者。例如，她是總部位於愛爾蘭的國際基金會“前線衛士”最近撥款的獲得者，該人權組織致力於保護人權捍衛者，支持他們以非暴力方式維護《世界人權宣言》中概述的人權。

10. As to Paragraph 14-15, just a matter of fact which Wei himself denied through his representative previously until evidence emerged from online. 關於第 14-15 節，這是魏本人曾通過其代表一度否認的事實，直到證據在網上出現才改口。

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. 至於第 16 節，其中魏聲稱“不記得與劉有過接觸”，對此劉只能要求強制 DNA 測試來幫助他“記起來”。

12. As to Paragraph 17, Liu denies and demands strict proof or she has witnesses to disprove the allegation otherwise. 至於第 17 節，劉否認並要求魏就指控提供證據，否則她有證人反證該項指控不實。

13. As to Paragraph 18, Liu denies and demands strict proof for the several allegations in this paragraph thereof. 關於第 18 節，劉否認並要求魏某就本節中的幾項指控提供證據。

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.*” 關於魏在第 19 節中指他自己曾承諾“如果他真是夏洛特的父親，他願意盡為父之責幫助她們”，劉承認確有此事。

15. As to Paragraph 20, Liu denies and demands strict proof thereof. 關於第 20 節，劉否認並要求提供證據。

16. As to Paragraph 21, Liu denies Wei requested any of the alleged information on or about the specific date. 關於第 21 節，劉否認魏在這一天或之前曾經要求劉提供任何這些所謂資訊。

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*”. 劉否認魏的反訴狀第 22 節的指控，因為該節中援引的所謂她說的話被斷章取義了。她有沒有開口要錢、想要多少錢都是不相干的事，真正相干的，正如魏在其最初的應訴狀中所陳述的那樣，他“承認自己從未向兩位原告支付過任何款項”。

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. 魏在第 23 節聲稱自己“負擔不起”並且聲稱“魏手頭拮据”，這完全難以令人信服。僅以他寧肯慷慨支付最高標準的律師費也不肯盡人倫之責為例，更不用說他在誹謗和對原告母女進行人格刺殺上的投入了。然而，第 23 節中值得注意的是，魏承認他“曾要求進行初步的 DNA 測試以證明自己是（夏洛特的）生父”。然而，當測試結果證明他確是孩子的生父時，魏卻選擇了隱瞞和逃避。因此，他實際上似乎本想通過 DNA 測試來排除自己是孩子的生父。

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. 針對反訴狀第 24 節，劉承認她“同意了 DNA 測試，但否認她“未能提供魏索要的其它東西，尤其是夏洛特的出生證”，並要求魏就此提供證據。

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.*” 針對魏的反訴狀第 25 節，劉在此承認並強調，她是自願地“提供了夏洛特的照片”，而且她在給魏的電子郵件中曾批評魏“對女兒的任何情況都不聞不問，甚至連她叫什麼名字也不問，更不用說她的生日”。魏則回信說“她叫什麼名字並不重要”。

21. As to Paragraph 26, Liu admits she agreed to a DNA test. 至於第 26 節，劉承認，她同意了 DNA 測試。

22. As to Paragraph 27, Liu admits she “*demanding 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. 至於第 27 節，劉承認，“針對魏說自己不記得她、不記得與她有性接觸，劉曾兩度要求魏為此道歉”，但她否認曾經“以公開其親子關係和醜聞來要挾魏”，劉譴責魏這一故意歪曲事實的指控，並為此要求魏提供證據，否則要求魏就此承擔誹謗的後果。

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. 劉否認魏在反訴狀第 28 節的指控，並強調這是又一次蓄意歪曲事實，因此，她要求魏對此提供證據，否則魏應承擔誹謗的後果。

24. As to Paragraph 29, Liu admits, as repeatedly, Charlotte was born within Liu's marriage to her ex-husband. 關於第 29 節，劉承認，正如她多次提到的，夏洛特出生於劉與前夫的婚姻內。

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. 反訴狀第 30 節中指稱，夏洛特出生在劉與前夫的婚姻內，這本是劉在公開場合多次提及的事實。

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. 魏的反訴狀第 31 節附上了夏洛特的出生證明副本，但虛偽地聲稱“根據當地法律對（出生證上的）日期和月份進行了刪節”，而罔顧魏的助手、魏京生基金會執行主任黃慈萍女士已未加刪節地公開散佈過夏洛特出生證上的詳細信息，並張貼夏洛特的照片，稱其為“碰瓷

女”、“東南亞醜女”，吸引公眾的眼球以公開收集原告母女個人資料以便加以抹黑。

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. 關於第 32 節，劉否認對她“做假”的指控，並要求魏就此提供證據，否則魏將承擔誹謗的後果。

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. 在反訴狀第 33 節，魏終於承認他進行過一次 DNA 測試，但又號稱“據他盡可能的記憶，否認測試結果的真實性和有效性”：這一說法證明魏在自抽嘴巴，與他在最初應訴時的說法自相矛盾，因為他在原始應訴狀中根本就“否認進行過 DNA 測試”。他的自相矛盾令人震驚，他在此問題上撒了彌天大謊，這已是不言自明。

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. 至於反訴狀第 34 節，不清楚其指控是針對誰的：“他被告知 DNA 檢測結果的那天，”被誰告知？因此劉無法對此承認或否認。這一節僅能證明魏對原告做過承諾，但沒有兌現。

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. 關於第 35 節，劉承認，她 “曾聲稱魏拒絕承擔為父之責”，並承認她指稱自己為單親母親。針對魏就此指控劉 “虛假陳述”，劉要求魏提供證據，否則魏必須承擔誹謗的後果。

31. As to Paragraph 36, Liu denies the allegation that “*this was not true*”. 關於第 36 節，劉否認 “這不是事實” 這一指控。

32. As to Paragraph 37, Liu admits she “*accused (Wei) of not realizing his responsibility as a father*” on several accounts. 關於第 37 節，劉承認她曾多次 “指責（魏）沒有意識到自己作為父親的責任”。

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. 至於第 38 節，其中有兩項指控，第一項指控是斷章取義文，以部分真相加以扭曲，第二項指控的是一句劉根本沒說過的一句話（“說她買不起赴美的機票”）。因此，劉否認指控並要求提出證據。

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*”. 對魏的反訴狀第 39 節，劉否認相關指控的同時，譴責魏的故意捏造，並要求提供證據，儘管這又是八桿子打不著的事，

並且與魏提供的最初回應狀自相矛盾（魏在原始應訴狀中“承認從未向原告支付過任何款項”）。

35. As to Paragraph 40, again missing the subject of a sentence, thus Liu denies and condemns Wei's beating around the bush. 至於第 40 節，又一句沒有主語、沒頭沒腦的指控，劉否認並譴責魏的不知所謂。

36. As to Paragraph 41, Liu denies the allegation that she made "*false representation*". 關於第 41 節，劉否認她有“虛假陳述”。

37. As to Paragraph 42, Liu denies she "*acknowledged*" as such. 對於第 42 節，劉否認自己“承認”（魏不記得她了）這一點（*否則如何解釋，反訴狀第 27 節指控劉“兩度要求魏就他聲稱不記得她而道歉” *? ）。。

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. 至於第 43 節，劉否認她“想出”什麼來，並譴責魏這套誅心的指控，並為此要求他提供證據。

39. As to Paragraph 44, Liu denies the allegation of her "*falsehood*" and demands strict proof thereof. 對於第 44 節，劉某否認其“虛假”的指控，並要求嚴格舉證。

40. As to Paragraph 45, Liu both admits and denies because this is half-truth and irrelevant. 至於第 45 節，劉既承認又否認，因為這一項半真半假，且無關本案。

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*". 至於第 46 節，劉否認自己這樣 "要求" 過，並再次強調，真正的問題在於魏從未向兩名原告支付過任何款項，甚至在魏承認了由他安排的 DNA 檢測結果後，也不支付任何款項，這一點，魏在其提交的原始答辯中也承認，他 "承認沒有向原告支付過任何費用"。

42. As to Paragraph 47, Liu denies the allegation and condemns the wilful distorting of her words. 關於第 47 節，劉否認這一指控，並譴責故意歪曲她的話。（*並且這一節只能自證並沒有給原告錢*）

43. As to Paragraph 48, Liu denies and condemns the misleading allegation of "*additional demands*" out of nothing. 對於第 48 節，劉否認並譴責魏提出的無中生有的 "額外要求" 這一誤導性指控。（*既然上一節已經表明沒有付那筆錢，何來 "額外要求" *?）

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*". 至於反訴狀第 49 節，屬於部分地事實，誤導性地表述 "又向他要錢交學費"，這只能讓人想到魏某自相矛盾、違背承諾的行為，即他在最初的應訴狀中已經承認，他迄今 "沒有向原告支付過任何費用"。

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*". 至於魏的反訴狀第 50 節，繼續部分地歪曲事實，對於這部分，劉只承認她 "要求魏某支付夏洛特的大學費用"，因為這是他承諾的。劉某重申，真正關鍵的問題是，魏某到今天為止從未向兩位原告支付過任何費用，甚至在他認可其安排的 DNA 檢測結果後也沒有支付過任何費用，這一點魏在其提交的原始應訴狀中已經承認， "承認沒有向原告支付過任何費用"。

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. 至於反訴狀中聲稱 "魏某無力負擔"，這只能再次證明魏某食言，在承諾 "無論女兒在哪裡上大學，我都會支付她的學費" 之後的前後矛盾，更何況他能夠付得起最高收費標準的昂貴的律師費，為抵賴和逃避真相，寧肯把錢投入漫長的纏訟，也不肯乾脆承擔起自己應盡的責任、履行他支持孩子上大學的承諾。

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. 至於第 51 節，劉承認她曾給魏發過一個鏈接，讓其為夏洛特繳納大學第一學期學費，但否認 "與劉以前的意思相反"，因此要求其拿出證據。

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. 至於魏的反訴狀第 52 節，不清楚他所謂 "謠言" 指的是什麼，所以劉否認並譴責魏故意製造關於劉以前婚姻的謠言。這一節是典型的搬弄是非：魏提供了一個劉及其前夫舊友所寫回憶錄的鏈接，還強調該回憶錄是 "2019 年 1 月發表的"，讓人聽起來好像是關於她與前夫近期的互動，而實際上該篇回憶文章寫的是很久以前的事情。

48. As to Paragraph 53, Liu denies thus demands strict proof thereof. 關於第 53 節，劉否認並要求拿出證據來。

49. As to Paragraph 54, Liu denies thus demands strict proof thereof. 關於第 54 節，劉否認並要求拿出證據來。

50. As to Paragraph 55, Liu denies and condemns the presumption of "*presumably using Wei's money thus*" and demands strict proof thereof. 對於第 55 節，劉否認並譴責 "大概是使用魏某的錢" 這一厚顏無恥的捏造，並要求他拿出何時何地給過錢的證據來（*魏如此反覆地自己打臉*）。

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. 至於第 56 節，劉某根本看不出是在指控什麼，因此無法承認或否認，因此否認並要求舉證。

52. As to Paragraph 57, Liu denies the presumption thus demands strict proof thereof. 關於第 57 節，劉否認這一誅心之論，因此要求魏對此進行舉證。

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. 關於第 58 節，劉否認所謂 “劉未就一些重要事情向魏說實話” 的指控，因此要求其舉證。

54. As to Paragraph 59, Liu has no idea what the allegation is about, therefore unable to admit or deny. 第 59 節不知指控的什麼，因此無法承認或否認。

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. 魏在反訴狀第 60 節聲稱，“有許多信件寄到美國政府，寄給包括美國國會執行委員會在內的許多知名人士，稱魏拒絕支付子女撫養費，在道德上應受到譴責。”這句話的又是沒有主語：這些所謂的信件（如果有的話）是誰寄的？被告似乎知道這些信件並非來自劉，否則魏不會捨得遺漏主語。再次，劉譴責魏故意捏造、企圖陷害劉，無視劉一門心思走司法程序來解決這件事。

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. 反訴狀第 61-65 節針對的是“劉的朋友曾金燕”。劉坦承，她確實與《時代周刊》的 100 位先鋒人物（2007 年）和《野獸日報》評選的“撼動世界的 150 位女性”（2008 年）曾金燕有私交。但劉沒有義務回答針對曾的指控。

57. As to Paragraph 66, Liu admits she started the GoFundMe fundraising page. 對於第 66 節，劉承認，她發起了 GoFundMe 籌款。

58. As to Paragraph 67, Liu denies the interpreting allegation that Liu “*did not realize she had been raped until the Me Too movement.*” 至於第 67 節，劉否認“直到 Me Too 運動前她才意識到自己被強姦”的這一解讀性指控。

59. As to Paragraph 68, Liu denies she was “*falsely claiming*” she was raped. 對於第 68 節，劉否認自己是“謊稱”被強姦。

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. 至於第 69 節，劉否認所謂“劉的假話”，並強調，如果魏某確實感到尷尬，那都是因為他自己做事不像話，拒絕公開承認他已經私下承認的事，比如夏洛特是他的女兒。

61. As to Paragraph 70, which contains 6 serious allegations, 反訴狀第 70 節包含有 6 項嚴重指控：

- 1) “*Liu, under ulterior motives, including apparent political motives to attempt to discredit Wei*”; 指控“劉別有用心，懷著明顯的政治動機，企圖詆毀魏某”。

Answer: Liu denies and demands strict proof thereof, or Wei to suffer the consequences of his random malicious slander on Liu. **答:** 劉對此否認，並要求嚴格舉證，否則魏某要承擔其隨意惡意誹謗劉某的後果。

2) Liu “*has extorted money from Wei*”; 指控劉 “勒索魏”。

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.*” **答:** 劉否認並要求舉證，並再次指出，這一說法與魏自己在原初的應訴狀中 “承認從未向原告支付過任何款項” 的說法相悖。

3) Liu “*intentionally misled and lied to Wei and others about ever having a sexual encounter with Wei*”; 指劉 “故意誤導、欺騙魏某等人，說她曾與魏某發生過性關係”。

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. **答:** 劉否認自己 “誤導和欺騙”，並要求魏某通過強制 DNA 檢測來證明真正的騙子不是他。

4) Liu “*(intentionally misled and lied to Wei and others about) Wei being an absent father to Charlotte*”; 指劉某 “（故意誤導和欺騙魏某等人）稱魏是夏洛特缺席的生父”。

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. **答:** 劉再次否認自己 “誤導和欺騙”，並要求強制魏接受 DNA 鑑定來證明真正的騙子不是他。

5) Liu “(intentionally misled and lied to Wei and others) that Wei refuses to support Charlotte financially”; 劉 “（故意誤導、欺騙魏某等人）說魏拒絕在經濟上支持夏洛特”。

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.” 答：“魏某拒絕資助夏洛特”明明是事實，怎麼成了謊言？魏自己在最初應訴時也承認他“從沒有向原告支付過任何款項”。

6) Liu “(intentionally misled and lied to Wei and others) and most egregiously, that he violently raped and sexually assaulted her.” 指控劉 “（故意誤導和欺騙魏等），最惡劣的是聲稱魏對她施暴性侵。”

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. 答：劉再次否認自己“誤導和欺騙”，並要求魏通過強制性 DNA 鑑定來證明誰是騙子，否則他就是反咬一口的隨意誹謗。

62. As to Paragraph 71, contains no allegation. 關於第 71 節，沒有任何指控。

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. 針對魏在反訴狀第 72 節

的指控，劉承認這兩篇文章（作者分別為曾金燕和齊家貞女士）經許可發佈在她的 GoFundMe 網頁上，並提供了原文鏈接。

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

關於第 73 節，劉否認她指魏強姦屬於誹謗。

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

關於第 74 節，劉否認自己做了所謂的 "虛假陳述"。

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

關於第 75 節，劉否認在被魏性侵上做了所謂的 "虛假陳述"。

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

對於第 76 節，劉否認她對魏進行“誹謗”。

68. As to Paragraph 77, Liu denies all the alleged so-called “*false*”, “*reckless*”

and “*specific intent*” and demands strict proof thereof. 對於第 77 節，劉否認了所有所謂 "虛假"、"輕率" 和 "別有用心" 這些指控，並要求嚴格舉證。

69. As to Paragraph 78, no allegation in this paragraph. 魏的反訴狀第 78 節中

沒有作出指控。

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.*” 針對魏的反訴狀第 79 節，劉否認自己 "向魏謊報"，並為此要求魏證偽“魏某是夏洛的生父”。

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. 針對魏反訴狀第 80 節的指控，劉否認她是在作“虛假陳述”和旨在敲詐勒索，並要求魏舉證。

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. 至於第 81 節，劉否認此事並要求魏舉證，儘管這項指控已經不知證明是與魏此前說法自相矛盾的，其難以自圓其說是不言而喻的。

73. As to Paragraph 82, Liu denies but calls for attention to Wei's seemingly willingness “to perform a paternity test” again. 對於第 82 節，劉否認指控，但提請注意，魏某似乎表示願意再次“做親子鑑定”喔！

74. As to Paragraph 83, Liu denies “*fraudulent misrepresentation*” and demands strict proof thereof. 對於第 83 節，劉否認“虛假陳述”，為此要求魏嚴格舉證。

AFFIRMATIVE DEFENSES

積極抗辯

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: 魏的反訴狀，許多地方都與他自己最初的應訴狀中的說法相抵觸，就連重大問題上也令人震驚地前後不一和顛三倒四，這包括但不限於：

1) Whether or not he arranged and conducted a DNA test in 2018; 他是否 2018 年安排並進行過 DNA 檢測；

2) Whether or not he paid nothing to the Plaintiffs. 他是否從未向兩位原告支付任何款項。

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. 魏的說法前後矛盾，這意味著兩種說法中謊言必居其一，因此他已不可信，必須承擔撒下彌天大謊的後果。

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. 魏的反訴狀不僅充斥謊言，而且還對原告進行進一步欲加之罪的攻擊性誹謗（詳見原告對個別段落的回應），為此，魏理應受到額外的誹謗指控和處罰。

THEREFORE, Liu respectfully request the following relief: 綜上所述，劉懇請法庭給予她如下判決。

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. 除了原告在原始訴狀及修訂訴狀中提出的 50 萬美元索賠要求，原告還要求魏，為上述抗辯中所提及的損害追加賠償 20 萬美元。
2. Liu also asks for any other relief the Court may determine to be just and equitable. 劉還提請法庭判給她任何其它公正合理的賠償。

Respectfully submitted,

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Plaintiff

October 12, 2020

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of October, 2020, I filed the Answer to Counterclaim in person at this Honorable Court's drop box, and caused a true copy of the forgoing document to be served on the same day by email to:

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