

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

MILITARY WITH PTSD, INC.,)
SHAWN JACLYN GOURLEY and,)
JUSTIN GOURLEY)

Plaintiffs,)

v.)

KAREN SABOURIN and)
PROLYMPIAN INTERNATIONAL,)
INC.)

Defendants.)

Civil Action No. 3:17-cv-00073-RLY-MPB

**AFFIDAVIT OF PLAINTIFF SHAWN GOURLEY IN SUPPORT OF PLAINTIFFS’
APPLICATION FOR ENTRY OF DEFAULT JUDGMENT PURSUANT TO FED. R.
CIV. P. 55(B)(2)**

1. I, Shawn Gourley, am one of the Plaintiffs in the above-entitled action. I am over eighteen (18) years and ago and competent to testify. The following information is based on my personal knowledge unless otherwise stated.

2. I have personally met Defendant Karen Sabourin (“Defendant Sabourin”) and can state that she is not a minor and have no reason to believe that she is legally incompetent or represented by a guardian, conservator or another person or entity acting in a fiduciary capacity.

3. It is my further understanding that Defendant Sabourin is a Canadian citizen and is not a member of the military services.

4. I am informed and believe that Defendant Sabourin publicly played a video of her reading and/or summarizing significant portions of my and Plaintiff Justin Gourley’s copyrighted book at various recruiting and/or marketing presentations across the United States. It is my

understanding that these were done either as a part of videoconferences over the internet or in person presentations by Defendant Sabourin at her marketing presentations for her alleged PTSD treatment. I am informed that this happened on at least 3 occasions at live presentations in San Diego, California, Seattle, Washington and Chicago, Illinois. It is my further understanding that, in addition to the above live presentations, Defendants also conducted at least two live online seminar presentations per week during the summer of 2016, and that in each online presentation Defendant Sabourin read significant portions of our copyrighted book during these online presentations. All of these public readings from our book were done without our permission.

5. In our complaint, we alleged that Defendant Sabourin and her company, Defendant Prolympian International (“Defendant Prolympian”) made and continue to make various defamatory statements about me and my husband, Plaintiff Justin Gourley. Defendant Sabourin has even repeated some of these same defamatory statements in an August 21, 2017 letter she submitted to this Court, which letter, I understand, has been filed with the Court and made part of this case’s record.

6. We (Plaintiff MWPTSD, myself and my husband) have suffered damages and irreparable harm to our reputations because of Defendant Sabourin’s and Defendant Prolympian’s statements and actions as alleged in this case. For example, following Defendants’ defamation against us, I have seen a decline in the sales of our copyrighted book. In 2015, Plaintiff MWPTSD took over as publisher of our copyrighted book’s sales. The retail price of our book was \$13.00. Of this amount, Plaintiff MWPTSD would receive \$4.01. In 2015, Plaintiff MWPTSD sold 958 of our books, for which it received \$3,841.58. In 2016, Plaintiff MWPTSD sold 1,459 of our books, for which it received \$5,850.59. In 2017, however, books sales were down to only 106, for which Plaintiff MWPTSD received only \$425.00. I believe this

severe decline was a result of Defendants' defamatory statements against us, which tarnished our reputation in the veteran and veterans with PTSD community who are the usual purchasers of our book.

7. I further believe Defendants' defamatory statements have resulted in a decline in online donations to Plaintiff MWPTSD, which Plaintiff MWPTSD relies upon to finance its operations. In 2016, Plaintiff MWPTSD received online donations of \$6,235.92. In 2017, however, Plaintiff MWPTSD's online donations have only been \$1,551.87.

8. Further, it is my understanding that Defendants have filed complaints against us in nearly 30 states based on these same defamatory statements. This has further harmed our reputation in the veteran and veterans with PTSD community which, in turn, affects the amount of donations received from that community.

9. All of this has personally caused me stress and affected my health as I have been forced to spend time and attorney's fees refuting Defendants' false statements and assure our members that there is no truth to any of the negative things Defendants have said about us.

10. These are just some examples of how Defendants' wrongful and false statements and actions have affected us. I would request an opportunity to present more evidence to this Court supporting the damages Defendants have caused us because of their wrongful and defamatory actions and statements.

I declare the foregoing as true under penalty of perjury under the laws of the United States pursuant to 28 U.S.C. §1746.

Date: 12-21-2017


Plaintiff Shawn Gourley

Respectfully submitted by:

/s/Jonathan G. Chance

Jonathan G. Chance

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