



1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on August 20, 2024, at 8:30 a.m., or as soon  
3 thereafter as the matter may be heard, in Courtroom 505 of the San Francisco County  
4 Superior Court, located at 400 McAllister Street, San Francisco, California 94102-4514,  
5 Respondent AMY GULLEY will and does specially move, under Code of Civil Procedure  
6 section 425.16, to strike Petitioner SARRITA ANASTASIA ADAMS’s petition.

7 The Court should strike Adams’s petition because it is based on Gulley’s  
8 constitutionally protected expression in a public forum. Adams attempted to intervene in  
9 the high-profile criminal trial of a serial child-murderer. That intervention was in “flagrant”  
10 contempt of the British court overseeing the trial and led to a “media frenzy” questioning  
11 Adams’s expertise and motivations. Adams’s petition targets Gulley’s criticism of Adams’s  
12 credentials and self-involvement in the trial.

13 Adams cannot show the probability of success required to defeat this motion because  
14 (1) Gulley’s speech about Adams, directed to a public audience, is constitutionally-protected  
15 expression; (2) Adams cannot establish that Gulley’s speech is both unprotected and without  
16 any legitimate purpose; (3) Gulley is not subject to the personal jurisdiction of this Court;  
17 and (4) Gulley is not liable for the speech of third parties.

18 Gulley requests an award of her attorneys’ fees and costs incurred in connection with  
19 this motion as the prevailing party, as required by Code of Civil Procedure section 425.16,  
20 subdivision (c).

21 This motion is based on this Notice, the Memorandum of Points and Authorities, the  
22 attached Declarations of Adam Steinbaugh and Amy Gulley, the Request for Judicial Notice  
23 filed with this motion, the Motion to Quash filed on July 24, 2024, the files and records in  
24 this action, and on such documentary evidence as may be presented at the hearing.

25 DATED: July 25, 2024

FOUNDATION FOR INDIVIDUAL  
RIGHTS & EXPRESSION

26  
27 By:   
Adam Steinbaugh  
28 Attorney for Respondent Amy Gulley

**TABLE OF CONTENTS**

1

2 TABLE OF AUTHORITIES .....iv

3 INTRODUCTION..... 1

4 STATEMENT OF FACTS.....2

5       Sarrita Adams cites her expertise to intervene in a high-

6       profile, controversial murder trial. ....2

7       Adams draws scrutiny in the UK criminal court and the

8       media. .... 3

9       Adams draws scrutiny in the court of public opinion. ....4

10       Adams goes after her critics—and uses the legal system to

11       silence Gulley. ....5

12 ARGUMENT..... 5

13       I.     Gulley Carries Her Burden Under the Anti-SLAPP Statute

14       Because Adams’s Petition Targets Protected Expression. ....6

15           A.     The anti-SLAPP statute applies to civil harassment

16           petitions.....6

17           B.     Adams’s petition targets protected speech in a public

18           forum on matters of public concern. .... 7

19                i.     The First Amendment ensures that online

20                speech on matters of public concern is robust

21                and uninhibited. ....7

22                ii.    The First Amendment prohibits burdening

23                speech on matters of public concern, even if it is

24                offensive to others. .... 8

25           C.     Adams’s petition targets speech connected with issues

26           considered by a judicial body.....9

27       II.    Adams Cannot Establish a Probability of Prevailing on Her

28       Petition. ....9

          A.     Unlawful harassment is narrowly defined to reach

          only violence, threats, or unlawful conduct—not

          protected speech..... 10

          B.     Adams does not allege any threats or acts of violence..... 10

1	C.	Adams cannot establish a “course of conduct” theory based on protected speech directed to the public. ....	10
2			
3	i.	Speech directed to a public audience is not “conduct” within the meaning of the harassment statute. ....	10
4			
5	ii.	Adams cannot show that Gulley’s truthful speech about her is defamatory. ....	11
6			
7	iii.	Gulley is not liable for the online speech of third parties. ....	13
8			
9	D.	Adams cannot repackage criticism as conduct. ....	13
10			
11	i.	Criticism of Adams’s business is not “impersonation.” ....	13
12			
13	ii.	Gulley did not “follow” or “stalk” Adams. ....	14
14			
15	E.	The Due Process Clause, First Amendment, and Communications Decency Act bar the relief sought by Adams. ....	14
16			
17	i.	This Court lacks personal jurisdiction over Gulley. ....	14
18			
19	ii.	The First Amendment bars the prior restraint Adams seeks. ....	15
20			
21	III.	Conclusion. ....	15
22			
23		INDEX OF EXHIBITS. ....	16
24			
25		DECLARATION OF AMY GULLEY. ....	20
26			
27		DECLARATION OF ADAM STEINBAUGH. ....	22
28			
		News coverage of Sarrita Adams’s background and intervention in the Lucy Letby trial. ....	22
		Adams’s interactions with journalists and media outlets. ....	28
		Sarrita Adams’s creation of “Science on Trial, Inc.,” intervention in the Lucy Letby trial, and fundraising for an appeal. ....	31
		The British court and Letby’s lawyers respond to Adams’s attempts to intervene. ....	33



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Cambridge University’s process for obtaining a PhD and statements concerning Adams’s PhD.....36

Sarrita Adams’s efforts to suppress criticism. ....40

Adams’s statements about the TRO and use of legal complaints.....41

1 **TABLE OF AUTHORITIES**

2 **Cases**

3 *Banaian v. Bascom*  
4 (2022) 175 N.H. 151..... 13

5 *Baral v. Schnitt*  
6 (2016) 1 Cal.5th 376 .....5, 9

7 *Barrett v. Rosenthal*  
8 (2006) 40 Cal.4th 33 .....7, 13

9 *Barry v. State Bar of Cal.*  
10 (2017) 2 Cal.5th 318 ..... 15

11 *Briggs v. Eden Council for Hope & Opportunity*  
12 (1999) 19 Cal. 4th 1106.....9

13 *Carey v. Brown*  
14 (1980) 447 U.S. 455 ..... 7

15 *Collier v. Harris*  
16 (2015) 240 Cal.App.4th 41..... 13

17 *Copp v. Paxton*  
18 (1996) 45 Cal.App.4th 829..... 7, 12

19 *Diamond View v. Herz*  
20 (1986) 180 Cal.App.3d 612 ..... 13

21 *Equilon Enterprises v. Consumer Cause, Inc.*  
22 (2002) 29 Cal.4th 53.....6

23 *Evans v. Evans*  
24 (2008) 162 Cal.App.4th 1157 .....8, 14, 15

25 *Lafayette Morehouse, Inc. v. Chronicle Pub. Co.*  
26 (1995) 37 Cal.App.4th 855 .....9

27 *Medical Marijuana, Inc. v. ProjectCBD.com*  
28 (2020) 46 Cal.App.5th 869..... 12

*Moreno v. Hanford Sentinel, Inc.*  
(2009) 172 Cal.App.4th 1125 ..... 14

*NAACP v. Claiborne Hardware Co.*  
(1982) 458 U.S. 886..... 7, 11

*Neb. Press Ass’n v. Stuart*  
(1976) 427 U.S. 539..... 1

1	<i>New York Times Co. v. Sullivan</i>	
2	(1964) 376 U.S. 254.....	8
3	<i>Olson v. Doe</i>	
4	(2022) 12 Cal.5th 669 .....	10
5	<i>Packingham v. North Carolina</i>	
6	(2017) 582 U.S. 98 .....	7
7	<i>Rusheen v. Cohen</i>	
8	(2006) 37 Cal.4th 1048.....	5
9	<i>Siam v. Kizilbash</i>	
10	(2005) 130 Cal.App.4th 1563.....	9
11	<i>Smith v. Silvey</i>	
12	(1983) 149 Cal.App.3d 400.....	8, 15
13	<i>Snyder v. Phelps</i>	
14	(2011) 562 U.S. 443.....	1, 7, 8
15	<i>St. Amant v. Thompson</i>	
16	(1968) 390 U.S. 727 .....	12
17	<i>Standing Comm. on Discipline of the U.S. Dist. Ct. v. Yagman</i>	
18	(9th Cir. 1995) 55 F.3d 1430 .....	12
19	<i>Summerfield v. Randolph</i>	
20	(2011) 201 Cal.App.4th 127.....	9
21	<i>Summit Bank v. Rogers</i>	
22	(2012) 206 Cal. App. 4th 669 .....	9
23	<i>Textron Inc. v. Travelers Casualty &amp; Surety Co.</i>	
24	(2020) 45 Cal.App.5th 733 .....	12
25	<i>Thomas v. Quintero</i>	
26	(2005) 126 Cal.App.4th 635 .....	6, 8, 11
27	<i>United States v. Stevens</i>	
28	(2010) 559 U.S. 460.....	12
	<b>Statutes</b>	
	47 U.S.C.	
	§ 230(c)(1).....	13
	Civ. Code,	
	§ 1708.7 .....	14

1 Code Civ. Proc.,  
     § 425.16 ..... passim

2

3 Code. Civ. Proc.,  
     § 527.6 ..... 6, 10, 11

4

5 **Other Authorities**

6 Cal. Judges Benchguides, Benchguide 20 (rev. 2016),  
     § 20.2 ..... 12

7

8 Caplan,  
     *Free Speech and Civil Harassment Orders* (2013), 64 Hastings L.J. 781 ..... 6, 12

9 Rest.2d Torts,  
     § 566, com. b. .... 12

10

11 Volokh,  
     *One-to-One Speech vs. One-to-Many Speech, Criminal Harassment Laws, and*  
     *“Cyberstalking”* (2013) 107 Nw.U. L.Rev. 731 ..... 6, 11

12

13 Wagner,  
     *Why Brits can’t read a New Yorker exposé about a British murder case*, Wash. Post  
     (May 16, 2024) ..... 3

14

15

16

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **INTRODUCTION**

3 Petitioner Sarrita Adams attracted a worldwide media “frenzy” by critiquing and  
4 seeking to intervene in the famous trial of a serial murderer. Proclaiming herself an expert  
5 by virtue of her claimed University of Cambridge PhD, she urged that the defense lawyers,  
6 prosecutors, and court had all ignored scientific evidence. Her self-involvement attracted  
7 media scrutiny of her qualifications, public outrage over her attempt to profit from the  
8 controversy, and a warning from British authorities that she was in contempt of court.

9 Having invited public scrutiny, Adams is now misusing civil harassment laws as part  
10 of a campaign to suppress public criticism of her and “Science on Trial, Inc.,” the company  
11 she established to profit from the matter. Unable to sue her overseas critics, Adams  
12 believes she has found one critic—Amy Gulley, a resident of the Philadelphia suburbs—she  
13 *can* force into this Court. Adams now asks this Court to order Gulley (and dozens of other  
14 unnamed critics) to never speak ill of her, under pain of arrest.

15 But the First Amendment bars Adams from abusing the civil harassing laws to  
16 impose a prior restraint on public criticism. After all, prior restraints are the “most serious  
17 and the least tolerable infringement on First Amendment rights.” (*Neb. Press Ass’n v.*  
18 *Stuart* (1976) 427 U.S. 539, 559.) Civil harassment laws do not shelter participants in  
19 public matters from vigorous scrutiny and criticism. That scrutiny is part and parcel of  
20 debate on matters of public concern, meaning it “occupies the highest rung of the hierarchy  
21 of First Amendment values.” (*Snyder v. Phelps* (2011) 562 U.S. 443, 452.)

22 To this end, Adams’s civil harassment petition is a “SLAPP”—a “Strategic Lawsuit  
23 Against Public Participation.” In a SLAPP, even the plaintiff who loses still wins. Effectively  
24 censorship-by-lawsuit, a SLAPP chills speech by using the legal system as a cudgel, as a  
25 speaker must choose between the cost and stress of legal defense and their ability to speak  
26 on matters of public concern. Self-censorship is the rational choice because it is cheaper  
27 and less time-consuming than a lawsuit—especially for speakers like Gulley, who lives  
28 three time zones away—to hire lawyers to defend their free speech. Thankfully, California

1 provides a remedy, allowing respondents like Gulley to bring a special motion to strike—an  
2 “anti-SLAPP motion”—to deter others from bringing SLAPPs. (Code Civ. Proc., § 425.16.)<sup>1</sup>

### 3 STATEMENT OF FACTS

#### 4 ***Sarrita Adams cites her expertise to intervene in a high-profile, controversial murder trial.***

5 In 2023, British nurse Lucy Letby was convicted for murdering seven infants.  
6 (Declaration of Adam Steinbaugh, ¶ 5, Ex. 3.)<sup>2</sup> The 10-month trial captivated many in the  
7 UK and elsewhere—among them Respondent Amy Gulley, a moderator for a Reddit forum  
8 for discussing the trial. (Declaration of Sarrita Adams (“Adams Decl.”) at p. 1).

9 During the trial and after Letby’s conviction, many people publicly questioned the  
10 government’s scientific evidence. (¶¶ 3–11, Exs. 1–9.) Sarrita Adams, the petitioner here  
11 and a UK expat, led that public campaign. (*Id.*) Adams launched two websites  
12 (rexvlucyletby2023.com and scienceontrial.com) urging that flawed scientific evidence  
13 tainted the Letby charges and more broadly arguing that the “British criminal justice  
14 system” disregards scientific evidence. (¶ 22, Ex. 20.)

15 But Adams didn’t stop there. She attempted to formally intervene in Letby’s  
16 criminal case as *amicus curiae*. (¶¶ 29–30, Ex. 26.) Adams spoke at length to journalists  
17 for major media outlets, including the *Guardian*, *Telegraph*, and *New Yorker*. (¶¶ 14–18,  
18 Exs. 12–16.) People were eager to learn not just about Adams’s arguments, but about  
19 Adams herself—with one reporter going so far as to visit Adams’s sister. (¶ 13, Ex. 11.)

20 Adams stood out because she emphasized her educational pedigree. Her website  
21 touted her as a “University of Cambridge educated translational scientist,” and cited her  
22 “PhD research” at Cambridge. (¶ 23, Ex. 21.) When Adams wrote to the judge in Letby’s  
23 case, she introduced herself as a “Cambridge educated scientist” and attached a copy of her  
24 curriculum vitae. (¶¶ 29–30, Ex. 26.) News reports cited her LinkedIn profile, where  
25 Adams claimed to have a PhD. (¶¶ 3–7; 21; Exs. 1–5, 19.)

26  
27  
28 <sup>1</sup> Except where otherwise noted, further statutory citations are to the Code of Civil Procedure.

<sup>2</sup> Except where otherwise noted, further evidentiary citations are to the Declaration of Adam Steinbaugh.



1 Amid the public attention, Adams formed a for-profit entity, “Science on Trial, Inc.”  
2 (¶ 20, Ex. 18.) Through the company’s website, she sold merchandise (¶ 25, Ex. 23) and  
3 solicited “donations,” implying proceeds would be used towards Letby’s appeal. (¶¶ 6–7,  
4 Exs. 4–5 [claiming to support Letby’s defense through “fundraising, researching, and legal  
5 assistance,” and to work “to form a group of scientists, lawyers, and activists to aid in the  
6 upcoming appeal”]; ¶¶ 22, 24; Exs. 20, 22.) She even generated an invoice claiming she is  
7 entitled to \$155,850.00 for her advocacy. (¶¶ 27–28, Ex. 25.)

### 8 ***Adams draws scrutiny in the UK criminal court and the media.***

9 The UK court, the press, and the public grew skeptical of Adams’s campaign. For  
10 instance, the UK court—after “a hearing in the presence of the defence [attorneys]”—  
11 warned Adams that her website was in “flagrant and serious contempt of court,”  
12 threatening imprisonment.<sup>3</sup> (¶¶ 29–31, Ex. 26.) And when Adams refused to provide  
13 Letby’s lawyers with “clarification” about her “details as an expert,” they Adams to stop  
14 contacting them. (¶ 33, Ex. 27.)

15 The *Telegraph* noted that although Adams claimed a Ph.D. from Cambridge, she  
16 “appears not to have worked as a scientist” and “appears only to have contributed to two  
17 published pieces of research, the last in 2013[.]” (¶ 3, Ex. 1.) The *Mirror* and *Evening*  
18 *Standard*, among others, shared this skepticism. (¶¶ 4–5; Exs. 2–3.) The *Metro* reported  
19 that Adams’s “claims” to be a researcher were belied by a paucity of published research.  
20 (¶ 7, Ex. 5.) Another publication, under the subheadline “**Sarrita Adams’ credibility,**”  
21 reported the “*Telegraph* has done some digging on Adams,” who had “described herself” as  
22 a scientist but had little relevant work. (¶ 9, Ex. 7 [emphasis in original].) On her website,  
23 Adams acknowledged “a media frenzy against Sarrita Adams” and complained that the  
24 media suggested she was being deceptive about her background. (¶ 19, Ex. 17.)

25 A California Court of Appeal opinion—Adams’s divorce proceeding, which skeptical  
26 users found by Googling her name—further undermined Adams’s public claims. (Request

27 \_\_\_\_\_  
28 <sup>3</sup> In the United Kingdom, without the First Amendment’s bulwark against censorship, citizens and journalists cannot  
publish information that could prejudice a legal proceeding. (Wagner, *Why Brits can’t read a New Yorker exposé about*  
*a British murder case*, Wash. Post (May 16, 2024), <https://bit.ly/wapoletby>.)

1 for Judicial Notice (“RJN”), Ex. A.) For one, it revealed that she had *not* completed her  
2 PhD because she had not submitted the corrections necessary to complete her dissertation.  
3 (See RJN, Ex. A at pp. 14–16 [pp. 5–7 of the opinion].) It also revealed that Adams, while  
4 trying to intervene in Letby’s legal matter, had claimed to be mentally incompetent and  
5 unable to handle her own legal affairs—as a means of manipulating the legal system. (*Id.* at  
6 pp. 12 & n.3, 19 [pp. 3, 10 of the opinion].) And it revealed that the court did not believe  
7 Adams against her husband’s allegations of domestic violence. (*Id.* at pp. 13–16 [pp. 4–7 of  
8 the opinion].)

9 Adams invited Richard Gill, a prominent professor, to join Science on Trial’s board,  
10 and—per Adams’s petition—informed him of “the status of her educational qualifications.”  
11 (¶¶ 37–41, Exs. 31–35; Adams Decl. at p. 1.) Prof. Gill shared that information publicly,  
12 stating he had spoken with Adams and that “she doesn’t actually have the PhD” because  
13 she “never got around to” submitting the mandatory corrections.<sup>4</sup> (¶¶ 39–41, Exs. 33–35.)

14 ***Adams draws scrutiny in the court of public opinion.***

15 The public, too, was “outrage[d]” by Adams’s profiteering and inflated credentials.  
16 (¶ 6, Ex. 4.) Respondent Gulley, among the many concerned by Adams’s efforts to profit  
17 from the trial, established a “subreddit” where people could respond to and criticize the  
18 self-promotion by Adams and Science on Trial, Inc. (E.g., ¶¶ 42–44, Exs. 36–37.) Indeed,  
19 the subreddit explained to readers that its purpose was “to fact check claims about Science  
20 on Trial, its creator Sarrita Adams, and [her] various statements[.]” (¶ 44, Ex. 37)

21 Gulley contrasted Science on Trial’s profiteering with reputable nonprofits like the  
22 Innocence Project. (¶ 42, Ex. 36.) Citing the Court of Appeal opinion, she questioned  
23 Adams’s claims about her credentials, given her “incomplete PhD.” (¶ 43, Ex. 37; Adams  
24 Decl. Ex. C.) She read Adams’s blog posts and watched videos Adams posted to YouTube.  
25 However, Gulley never threatened, followed, called, or texted Adams. (Gulley Decl. ¶¶ 6–  
26 13.)

27 \_\_\_\_\_  
28 <sup>4</sup> After a Cambridge PhD candidate has orally defended her thesis (a “viva”), she may be given “[c]onditional approval”  
requiring her to submit “minor or major corrections” within three to six months. (¶¶ 34–36, Exs. 28–30.) A PhD is not  
complete until corrections have been submitted. (¶ 35, Ex. 29.)

1 ***Adams goes after her critics—and uses the legal system to silence Gulley.***

2 In August 2023, Adams asked the Court of Appeal to seal its opinion because it was  
3 being cited to “tarnish” her “name and reputation, along with undermining her scientific  
4 credentials.” (¶ 45, Ex. 38.) The Court of Appeal denied the request. (*Id.*) So Adams  
5 threatened critics with legal action. She contacted Gulley’s employer, stating she was  
6 involving police and “will hold you responsible” for harassment. (¶ 51, Ex. 44). Through her  
7 corporation, she issued copyright takedown notices targeting Reddit criticism. (¶¶ 46–48,  
8 Exs. 39–41.) She complained to Britain’s media regulator when “journalists sought to drag  
9 up my divorce . . . and make that into some sort of news story.” (¶ 50, Ex. 43.)

10 On June 6, Adams filed this petition, despite admitting she had “no contact [or]  
11 relationship” with Gulley. (CH-100 at p. 2.) She alleged Gulley was “stalking” her and that  
12 other people were “repost[ing] my movements,” omitting the Letby controversy, save for a  
13 brief reference to “articles.” (*Id.* at pp. 2–3.) This Court issued a TRO granting Adams the  
14 primary relief she sought, namely an order requiring Gulley “not make any social media  
15 posts about or impersonate [Adams] and her company Science on Trial.” (CH-110 at pp. 2.)

16 Adams then escalated her campaign. She told other critics the TRO applied to them,  
17 too. (¶¶ 52–54, Exs. 45–47.) When a First Amendment scholar wrote about this case, she  
18 complained to his law school dean and pledged to file a bar complaint. (¶ 55, Ex. 48.)

19 **ARGUMENT**

20 The Court should strike Adams’s petition because it fails the two-step, burden-  
21 shifting analysis applied to anti-SLAPP motions, which deter lawsuits “brought primarily  
22 to chill” speech. (§ 425.16, subd. (a), (b)(1)). As Gulley’s speech—in a public forum, and  
23 about matters of public interest—falls within the anti-SLAPP statute, she meets her  
24 “threshold showing that the challenged cause of action arises from protected activity.”  
25 (*Rusheen v. Cohen* (2006) 37 Cal.4th 1048, 1056.) And because Adams cannot show the  
26 speech is both unprotected and devoid of legitimate purpose, she cannot meet her burden  
27 to show that her claim is both “legally sufficient” and “factually substantiated.” (*Baral v.*  
28 *Schnitt* (2016) 1 Cal.5th 376, 396.)

1 **I. Gulley Carries Her Burden Under the Anti-SLAPP Statute Because**  
2 **Adams’s Petition Targets Protected Expression.**

3 California’s anti-SLAPP statute is “construed broadly” to deter chilling effects from  
4 civil actions—including civil harassment petitions—targeting First Amendment rights.  
5 (§ 425.16, subd. (a).) A movant satisfies the first step of the anti-SLAPP analysis by  
6 demonstrating that the “conduct by which [the petitioner] claims to have been injured falls  
7 within one of the four categories described in subdivision (e)” of section 425.16. (*Equilon*  
8 *Enterprises v. Consumer Cause, Inc.* (2002) 29 Cal.4th 53, 66.) Gulley satisfies that first  
9 step because her speech about Adams’s involvement in the Letby trial and about Adams’s  
10 divorce proceedings meets three of those categories: it is speech connected to an issue of  
11 public interest (§ 425.16, subd. (e)(4)), takes place in a public forum (§ 425.16, subd.  
12 (e)(3)), and addresses issues considered by judicial bodies (§425.16, subd. (e)(2)).

13 **A. The anti-SLAPP statute applies to civil harassment petitions.**

14 The anti-SLAPP statute applies to petitions under Code of Civil Procedure section  
15 527.6, like Adams’s petition here. (*Thomas v. Quintero* (2005) 126 Cal.App.4th 635, 652.)

16 And for good reason. While the primary “weapons of choice in SLAPP suits” are  
17 often torts like defamation, “resort to the courts’ injunctive powers to stifle speaking out on  
18 public issues in many instances has served as the reserve arsenal for SLAPP plaintiffs.”  
19 (*Thomas, supra*, 126 Cal.App.4th at 657.) Civil harassment petitions are particularly prone  
20 to abuse, offering SLAPP plaintiffs an expedited end-run around the rigorous  
21 constitutional hurdles imposed on defamation actions. (See generally Caplan, *Free Speech*  
22 *and Civil Harassment Orders* (2013), 64 Hastings L.J. 781 [describing systemic and  
23 constitutional implications of civil harassment orders arising from protected expression];  
24 see also Volokh, *One-to-One Speech vs. One-to-Many Speech, Criminal Harassment*  
25 *Laws, and “Cyberstalking”* (2013) 107 Nw.U. L.Rev. 731, 732–738 [surveying civil  
26 harassment orders limiting protected speech].)  
27  
28

1           **B. Adams’s petition targets protected speech in a public forum on**  
2           **matters of public concern.**

3           California’s anti-SLAPP statute serves to protect exactly the type of speech Adams  
4 seeks to suppress: Speech in a “public forum” that has some “connection with” an “issue of  
5 public interest. (§ 425.16, subd. (e)(3)–(4).) This Court should uphold the First  
6 Amendment and refuse Adams’s request for a prior restraint.

7                   **i. The First Amendment ensures that online speech on**  
8                   **matters of public concern is robust and uninhibited.**

9           Adams’s petition attacks speech at the intersection of two types of speech that enjoy  
10 robust protection under the First Amendment: online speech and speech on matters of  
11 public concern. The internet, and “social media in particular,” is the “most important”  
12 place “for the exchange of views.” (*Packingham v. North Carolina* (2017) 582 U.S. 98,  
13 104.) And speech “on public issues” has “always rested on the highest rung of the hierarchy  
14 of First Amendment values,” even before the advent of the internet. (*NAACP v. Claiborne*  
15 *Hardware Co.* (1982) 458 U.S. 886, 913 [quoting, in part, *Carey v. Brown* (1980) 447 U.S.  
16 455, 467].) Gulley’s posts thus meet the first prong of the anti-SLAPP statute.

17           First, they are statements in a public forum. (*Barrett v. Rosenthal* (2006) 40  
18 Cal.4th 33, 41 fn.4 [websites “are ‘public forums’ for purposes of the anti-SLAPP statute”].)  
19 Second, Gulley’s statements are on matters of public concern—that is, they “relate to any  
20 matter of political, social, or other concern to the community,” *or* relate to “a subject of  
21 legitimate news interest.” (*Snyder, supra*, 562 U.S. at p. 453 [quotations omitted].) That  
22 interest is evident here by the widespread, international public and media interest in the  
23 Letby trial and Adams’s efforts to intervene. (¶¶ 3–15, 19; Exs. 1–13, 17.) Adams herself  
24 describes this as a “media frenzy against Sarrita Adams,” and recognizes that the  
25 *Telegraph* “stated that [Adams] ‘described’ herself as a scientist, as if to suggest this were a  
26 deception.” (¶ 19, Ex. 17.) And comments about Adams’s credentials address matters of  
27 public concern, as Adams making her expertise the centerpiece of her public campaign  
28 renders her “experience and credentials” necessarily “germane to the public controversy.”  
(*Copp v. Paxton* (1996) 45 Cal.App.4th 829, 846.)

1           **ii.     *The First Amendment prohibits burdening speech on matters of***  
2                               ***public concern, even if it is offensive to others.***

3           To provide breathing room for public debate, the First Amendment does not permit  
4           our legal system to limit speech because it is upsetting to participants in public discourse.

5           In *Snyder*, for example, a father grieving the loss of his son in the Iraq War was  
6           met—at his own son’s funeral—by picketers from the Westboro Baptist Church. (*Snyder*,  
7           *supra*, 562 U.S. at p. 448.) They carried signs insulting the deceased (“Thank God for Dead  
8           Soldiers,” “You’re Going to Hell,” “God Hates You”) as a crude means of condemning  
9           American legal and military policy. (*Id.* at pp. 454.) However hurtful to the father, who had  
10           not set out to do anything more than mourn his son, the protest was entitled to the highest  
11           protection under the First Amendment because it addressed issues of public concern. (*Id.*  
12           at p. 456.)

13           In contrast, Adams *did* invite public attention. (¶¶ 3–11, 15–18; Exs. 1–9, 13–16.) In  
14           doing so, she opened herself to scrutiny by press and public alike. But our “profound  
15           national commitment to the principle that debate on public issues should be uninhibited,  
16           robust, and wide-open” requires that participants in public discourse weather the  
17           “vehement, caustic, and sometimes unpleasantly sharp attacks” they will necessarily  
18           encounter. (*New York Times Co. v. Sullivan* (1964) 376 U.S. 254, 270.) And whatever  
19           remedy they might have in tort, they cannot repurpose civil harassment restraining orders  
20           as a vehicle to silence their critics—which is why the Court of Appeal has repeatedly  
21           overturned courts that impose prior restraints like the one Adams is demanding. (See, e.g.,  
22           *Evans v. Evans* (2008) 162 Cal.App.4th 1157, 1167–1169 [order prohibiting “false and  
23           defamatory” statements on the internet was a “classic type of an unconstitutional prior  
24           restraint”]; *Smith v. Silvey*, 149 Cal.App.3d 400, 406–407 [order prohibiting respondent  
25           from “contacting” residents of mobile home park was “unconstitutionally overbroad”  
26           because it limited distribution of “printed literature”]; *Thomas, supra*, 126 Cal.App.4th at  
27           pp. 643, 663 [prohibition on “distributing false and misleading handbills” about  
28           petitioner].)



1           **C. Adams’s petition targets speech connected with issues considered**  
2           **by a judicial body.**

3           Gulley’s speech on both proceedings—the Letby trial and Adams’s divorce—also falls  
4           under the anti-SLAPP statute’s protection for speech “in connection with an issue”  
5           considered by “a judicial body.” (§ 425.16, subd. (e)(2).) This category protects statements  
6           by litigants and third parties, like newspapers that cover legal disputes. (*Lafayette*  
7           *Morehouse, Inc. v. Chronicle Pub. Co.* (1995) 37 Cal.App.4th 855, 863 [newspaper’s  
8           articles fell within § 425.16, subd. (e)(2)].) And it includes issues pending before foreign  
9           courts. (*Summerfield v. Randolph* (2011) 201 Cal.App.4th 127, 136–137 [statements in  
10           connection with case in Zimbabwe courts].)

11           Importantly, this category of protected expression is *not* limited to proceedings of  
12           public concern. (Compare § 425.16, subd. (e)(2) [no “public interest” requirement] with  
13           (e)(3)–(4) [connection with “issue of public interest”]). That’s because every legal  
14           proceeding “possesses some measure of ‘public significance[.]’” (*Briggs v. Eden Council for*  
15           *Hope & Opportunity* (1999) 19 Cal. 4th 1106, 1188.) So while Adams’s divorce proceedings  
16           did not attract public notice until they became relevant to the Letby case, speech about  
17           those proceedings is still squarely within the anti-SLAPP statute.

18           **II. Adams Cannot Establish a Probability of Prevailing on Her Petition.**

19           Because Gulley satisfies her burden under the first prong of the anti-SLAPP statute,  
20           the “burden shifts to the [petitioner] to demonstrate the merit of the claim by establishing  
21           a probability of success.” (*Baral, supra*, 1 Cal.5th at pp. 384.) To satisfy this second prong  
22           of the anti-SLAPP analysis, Adams “must demonstrate that the [petition] is both legally  
23           sufficient and supported by a sufficient prima facie showing of facts to sustain a favorable  
24           judgment” through credible evidence. (*Summit Bank v. Rogers* (2012) 206 Cal. App. 4th  
25           669, 695 [cleaned up].) Thus, her burden is akin to “opposing a motion for summary  
26           judgment.” (*Id.*) The anti-SLAPP motion must be granted if the petitioner “fails to produce  
27           evidence to substantiate [her] claim or if the [respondent] has shown that the [petitioner]  
28           cannot prevail as a matter of law.” (*Siam v. Kizilbash* (2005) 130 Cal.App.4th 1563, 1570.)

1 Here, Adams cannot meet her heavy burden because her petition targets protected  
2 speech directed to the public, not harassing *conduct*.

3 **A. Unlawful harassment is narrowly defined to reach only violence,  
4 threats, or unlawful conduct—not protected speech.**

5 Harassment is “narrowly” defined to “focus on interpersonal conflict.” (*Olson v. Doe*  
6 (2022) 12 Cal.5th 669, 682.) It requires (1) unlawful violence; (2) a credible threat of  
7 violence; or (3) a “course of conduct,” such as “following or stalking” an individual, and  
8 which “serves no legitimate purpose.” (§ 527.6, subd. (b)(1)–(3).) Importantly, a “course of  
9 conduct” cannot include speech protected by the First Amendment. (§ 527.6, subd. (b)(1).)

10 Adams cannot establish any of the three forms of unlawful harassment. She does  
11 not contend that Gulley engaged in or threatened violence. Instead, her petition attacks  
12 constitutionally protected expression, which is not an unlawful “course of conduct.” And  
13 her attempt to repackage criticism as conduct fails, as the conduct she alleges—speech—is  
14 not “stalking,” “following,” or “impersonation” as a matter of law.

15 **B. Adams does not allege any threats or acts of violence.**

16 Adams does not allege that Gulley has engaged in any act of violence or made a  
17 credible threat of violence. Accordingly, Adams’s claim rests only on a “course of conduct”  
18 theory, which cannot rest on protected speech like the public criticism Adams targets.

19 **C. Adams cannot establish a “course of conduct” theory based on  
20 protected speech directed to the public.**

21 Adams’s petition is meritless because it is concerned with Gulley’s and others’  
22 protected speech *about* her, not conduct within the meaning of section 527.6. Even if  
23 speech directed to a public audience were the type of conduct contemplated by the statute,  
24 the First Amendment protects all of Gulley’s speech—and Adams cannot show otherwise.  
25 Nor, for that matter, can Adams hold Gulley liable for online speech by third parties.

26 **i. Speech directed to a public audience is not “conduct” within  
27 the meaning of the harassment statute.**

28 The core of Adams’s petition is shielding her reputation—that is, preventing speech  
to people *other* than Adams. But speech directed to a public audience is not unlawful  
harassment because it is not “conduct directed at a specific person[.]” (§ 527.6, subd.

1 (b)(3); see also Volokh, *supra*, 107 Nw.U. L.Rev. at pp. 751–762 [speech *about* a person is  
2 distinguishable from legal conceptions of harassment].)

3 In *Thomas*, for example, the respondent protested outside the home and church of  
4 the petitioner, and sent a letter to his church, with the goal “of causing extreme  
5 embarrassment” and “disrupting church activities and invading [his] free exercise of  
6 religion and right to privacy.” (*Thomas, supra*, 126 Cal.App.4th at pp. 642–643, 654.) The  
7 Superior Court granted a TRO prohibiting the respondent from “distributing false and  
8 misleading handbills . . . referring to” the petitioner. (*Id.* at pp. 643.)

9 The Court of Appeal reversed the denial of the anti-SLAPP motion, holding the  
10 petitioner had no probability of proving unlawful harassment. (*Id.* at pp. 664–665.) The  
11 harassment statute “requires significantly more” than speech directed to third parties,  
12 which cannot make up a “course of conduct.” (*Id.* at pp. 662–663.) Even if the speech had  
13 *not* been protected, the conduct at issue—speech directed to others—was not “qualitatively”  
14 the type of conduct “contemplated by the statute.” (*Id.* at p. 663.)

15 The same is true here. As Gulley’s protected speech is directed to a public audience,  
16 it is not the type of conduct contemplated by section 527.6.<sup>5</sup> And because it is speech  
17 directed to a public audience and relates to an ongoing debate, Gulley’s speech cannot be  
18 said to be devoid of legitimate purpose. (§ 527.6, subd. (b)(3) [a “course of conduct” is  
19 harassment only if it “serves no legitimate purpose”].)

20 **ii. Adams cannot show that Gulley’s truthful speech about her**  
21 **is defamatory.**

22 Criticism of businesses and people is generally constitutionally protected—and  
23 cannot amount to an unlawful “course of conduct”—unless it falls within the narrow  
24 existing exceptions to the First Amendment. (*United States v. Stevens* (2010) 559 U.S.  
25 460, 468; see also *NAACP v. Claiborne Hardware Co.*, *supra*, 458 U.S. at 909–910  
26 [boycotts of businesses protected even when it “embarrasses others or coerce[s] them into

27 \_\_\_\_\_  
28 <sup>5</sup> Because it is speech directed to a public audience and relates to an ongoing debate, Gulley’s speech cannot be said to  
be devoid of legitimate purpose. (§ 527.6, subd. (b)(3) [a “course of conduct” is harassment only if it “serves no  
legitimate purpose”].)

1 action”].) Adams cannot establish that comments about her incomplete PhD or domestic  
2 violence incident are defamatory, as they are true and made without actual malice.

3 Most importantly, civil harassment petitions are not the proper vehicle to resolve  
4 defamation claims. The statute “is not intended to provide for summary determination of  
5 potentially complex issues.” (Cal. Judges Benchguides, Benchguide 20 (rev. 2016), § 20.2.)  
6 Because defamation claims involve constitutionally mandatory procedural protections, a  
7 “petitioner should not be able to evade” those “limits on defamation law . . . by  
8 redesignating the claim as civil harassment.” (Caplan, *supra*, 64 Hastings L.J. at 822.)

9 Nor can Adams establish that Gulley’s speech is defamatory. Even if she could  
10 establish that a given statement were false,<sup>6</sup> Adams is a limited public figure who cannot  
11 demonstrate actual malice. As a limited public figure who invoked her “expert or  
12 specialized knowledge” in thrusting herself into a heated public debate, Adams’s  
13 “experience and credentials [are] germane to the public controversy” and fair game for  
14 criticism. (*Copp, supra*, 45 Cal.App.4th at pp. 845–846.) And Adams cannot show actual  
15 malice, which requires public figures to prove a speaker *subjectively* “in fact entertained  
16 serious doubts as to the truth of” her statements. (*St. Amant v. Thompson* (1968) 390 U.S.  
17 727, 731.) In fact, Adams’s petition shows that Gulley had a credible basis to doubt Adams’s  
18 credentials, asserting that Adams herself had shared “the status of her educational  
19 qualifications” with Richard Gill—a professor emeritus familiar with academia—who then  
20 shared that information publicly. (¶¶ 37–41, Exs. 31–35; see Adams Decl., p. 1.) Moreover,

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21  
22 <sup>6</sup> To carry this burden, Adams must both identify the specific statement and prove it is false. (*Medical Marijuana, Inc. v.*  
23 *ProjectCBD.com* (2020) 46 Cal.App.5th 869, 892.) If her assertion is that Gulley’s conclusion that she has not been  
24 awarded her PhD is false, Adams must do more than reiterate that she has done *most* of her PhD—she must demonstrate  
25 it has finally been *awarded*. Additionally, Gulley’s statements are not defamatory because they disclose the truthful  
26 facts forming the basis for her skepticism—*i.e.*, the Court of Appeal opinion. When an assertion discloses the truthful  
27 facts on which it is based, it is treated as a statement of opinion and cannot be defamatory as a matter of law. (Rest.2d  
28 Torts, § 566, com. b.; *Standing Comm. on Discipline of the U.S. Dist. Ct. v. Yagman* (9th Cir. 1995) 55 F.3d 1430,  
1438–1439.)

26 Likewise, all the statements about Adams’s divorce proceedings (Adams Decl. Ex. F) are true as a matter of law:  
27 (1) Adams obstructed the sale of her marital home (RJN Ex. A at pp. 18–22, 25–26 [pp. 9–13, 16–17 of the opinion]);  
28 (2) Adams told the court she had not completed her PhD (*id.* at pp. 15–16 [opinion pp. 6–7]); (3) Adams was the  
“primary aggressor” in a domestic violence incident in which she used a circular saw (*id.* at pp. 13, 17 [opinion pp. 4,  
8]). She is collaterally estopped from relitigating these findings by asserting they are false. (*Textron Inc. v. Travelers*  
*Casualty & Surety Co.* (2020) 45 Cal.App.5th 733, 746 [elements of collateral estoppel].)

1 Gulley could rely on the Court of Appeal opinion recounting Adams’s concessions. (RJN,  
2 Ex. A at pp. 14–16 [pp. 5–7 of the opinion].)

3 **iii. Gulley is not liable for the online speech of third parties.**

4 Adams’s petition references “individuals associated with” Gulley and “others” who  
5 “join in her abuse.” (CH-100 at p. 3.) However, Gulley, who spoke about Adams solely  
6 online, is a “user of an interactive computer service” who cannot be “treated as the  
7 publisher or speaker of any information provided by another” user. (47 U.S.C. § 230, subd.  
8 (c)(1).) Users are liable for their *own* speech, but not that of others—even if they facilitate  
9 or promote it, such as by retweeting it or quoting it. (*Banaian v. Bascom* (2022) 175 N.H.  
10 151, 155–158 [citing *Barrett, supra*, 40 Cal.4th at pp. 59].)

11 **D. Adams cannot repackage criticism as conduct.**

12 Adams also attempts to repackage criticism as conduct, comparing speech about her  
13 to “stalking” and “impersonation.” But, as a matter of law, using her business name while  
14 criticizing it is not “impersonation,” and commenting on what Adams willingly posts online  
15 is not “following” or “stalking.”

16 **i. Criticism of Adams’s business is not “impersonation.”**

17 Adams cannot establish that Gulley impersonated her. Impersonation is “to pretend  
18 or represent oneself to be another,” making a “*deliberate effort* to pass oneself off as  
19 another.” (*Collier v. Harris* (2015) 240 Cal.App.4th 41, 56 [citations omitted; emphasis  
20 original].) Using a company’s name as part of a web address is not pretending to *be* that  
21 company—it is a way to provide a forum for speech germane to that company. In *Collier*,  
22 for example, the defendant registered a domain name (“juliecollier.com”) using the real  
23 name of a potential political candidate, then used it to promote alternative candidates. (*Id.*  
24 at p. 48.) He was not impersonating her by doing so, as the website displayed at the URL  
25 “informed the viewer he or she was visiting” the defendant’s page. (*Id.* at p. 56.) The same  
26 is true here: Gulley is not pretending to *be* Science on Trial, Inc.;<sup>7</sup> she is offering a forum to

27 \_\_\_\_\_  
28 <sup>7</sup> Even if Adams’ claims about “impersonation” were accurate, Science on Trial, Inc., is not a party here—and could not  
be, as it is not a “person” within the meaning of section 527.6. (*Diamond View v. Herz* (1986) 180 Cal.App.3d 612,  
619.)

1 criticize it, and its content makes that clear to any visitor. (¶¶ 43–44, Ex. 37; Adams Decl.  
2 Ex. B [posts on subreddit denouncing the “fraudulent organization, ‘Science on Trial’”].)

3 **ii. Gulley did not “follow” or “stalk” Adams.**

4 Adams’s attempt to reframe criticism as “stalking” and “following” fares no better.  
5 For starters, reading what a person posts publicly is neither “following” under California  
6 law nor an invasion of privacy. And the narrow definition of “stalking” addresses  
7 *physically* “follow[ing]” another—that is, to “move in relative proximity to a person as that  
8 person moves from place to place.” (Civ. Code § 1708.7, subd. (a)(1), (b)(4).) And  
9 “surveillance” means “remaining present outside” of the petitioner’s location. (Civ. Code §  
10 1708.7, subd. (b)(6).) Adams does not allege that anyone physically followed her.

11 Moreover, Adams cannot establish an invasion of her privacy, as she has no  
12 reasonable expectation of privacy in the tweets and videos she freely posts online in her  
13 effort to influence public opinion. (*Moreno v. Hanford Sentinel, Inc.* (2009) 172  
14 Cal.App.4th 1125, 1130–1131 [no expectation of privacy to information posted to social  
15 media, where the “potential audience was vast”].) Nor is there a right to privacy in  
16 information contained in public court files, including posting information from “divorce  
17 proceedings on the Internet[.]” (*Evans, supra*, 162 Cal.App.4th at p. 1171.)

18 **E. The Due Process Clause, First Amendment, and Communications  
19 Decency Act bar the relief sought by Adams.**

20 In addition to the substantive defects to her petition, Adams cannot succeed because  
21 this Court cannot provide the relief she seeks. For one, it cannot provide relief against a  
22 person over whom it lacks personal jurisdiction. More importantly, the First Amendment’s  
23 bar on prior restraints means Adams cannot obtain the primary relief she seeks.

24 **i. This Court lacks personal jurisdiction over Gulley.**

25 For the reasons in Gulley’s motion to quash, Adams cannot establish a probability of  
26 success because Gulley, a resident of Pennsylvania, is not subject to this Court’s personal  
27 jurisdiction. While courts may decide anti-SLAPP motions on the merits, they may also do  
28 so based on a “nonmerits-based reason,” including inability to “grant the remedy” sought  
due to a lack of jurisdiction. (*Barry v. State Bar of Cal.* (2017) 2 Cal.5th 318, 324–325 [lack



1 of subject matter jurisdiction].) That principle effectuates the “basic purpose underlying”  
2 the anti-SLAPP statute: to avoid subjecting speakers to the cost of defending expressive  
3 freedom in “a tribunal that lacks the power to hear” the claim. (*Id.* at p. 325.) Because this  
4 Court lacks personal jurisdiction, Adams cannot succeed on her petition.

5 **ii. The First Amendment bars the prior restraint Adams seeks.**

6 Adams requests an order prohibiting Gulley from publishing anything about her  
7 online. But a civil harassment restraining order prohibiting “making or publishing”  
8 statements about another “is a classic type of an unconstitutional prior restraint.” (*Evans*,  
9 *supra*, 162 Cal.App.4th at pp. 1162, 1167.) In *Evans*, an order prohibiting the respondent  
10 from posting “confidential personal information” about the petitioner was  
11 unconstitutional, reaching the publication of information—including “information about  
12 the divorce proceedings”—that, while embarrassing, was protected speech. (*Id.* at pp. 1171.)

13 *Smith*, similarly, involved a prior restraint on speech to others: “persistent  
14 attempts” by a mobile home resident “to bring alleged facts about [petitioner’s] mobile  
15 home [p]ark to the attention of” officials and park customers. (*Smith, supra*, 149  
16 Cal.App.3d at pp. 404–407.) As “exasperating as [his] conduct must have been,” the right  
17 to contact others “is a constitutionally protected right of expression.” (*Id.* at pp. 406–407.)  
18 The order prohibiting the respondent from “contacting” others was also  
19 “unconstitutionally overbroad, because its vague wording” would prohibit his lawful  
20 activity—that is, distributing information about the petitioner. (*Id.* at pp. 406–407.)


21 Because the relief sought by Adams is relief this Court cannot provide to her under  
22 the First Amendment, her petition is a SLAPP and cannot succeed.

23 **III. Conclusion**

24 Respondent respectfully requests this Court grant her special motion to strike.

25 DATED: July 25, 2024

26 FOUNDATION FOR INDIVIDUAL  
27 RIGHTS & EXPRESSION

28 By:   
Adam Steinbaugh  
Attorney for Respondent Amy Gulley

**INDEX OF EXHIBITS**

<b>Exhibit</b>	<b>Description</b>	<b>Page(s)</b>
1	<i>The Telegraph</i> Aug. 23, 2023, article reporting on Adams’s fundraiser and reporting that she “appears not to have worked as a scientist” and “appears only ever to have contributed to two published pieces of research.”	46–48
2	<i>The Mirror</i> Aug. 24, 2023, article reporting that Adams “describes herself as a scientist” and that she has a PhD from Cambridge, “but does not appear to work as a scientist now” and “appears only ever to have contributed to two published pieces of research, the last in 2013.”	50–51
3	<i>London Evening Standard</i> Aug. 24, 2023, article reporting that Adams “says she has a PhD” from Cambridge, “but, according to her LinkedIn profile, she appears not to have worked as a scientist since then.”	53–59
4	<i>The Telegraph</i> Aug. 24, 2023, article entitled “How internet sleuths are already trying to prove Lucy Letby innocent” reporting that Adams’s campaign “has sparked outrage” and that Adams, “[a]t the centre of the campaign to retry Letby,” had a PhD from Cambridge.	61–64
5	<i>Metro</i> Aug. 24, 2023, article entitled “Fundraiser to help Lucy Letby appeal her conviction sparks outrage” and reporting that Adams’s fundraiser “quickly drew criticism on social media” and that Adams had a PhD from Cambridge “but . . . has not worked in scientific research since.”	66–69
6	<i>The Times</i> Aug. 25, 2023, article entitled “How Reddit armchair detectives threatened to derail Lucy Letby’s trial,” reporting on Adams’s campaign “claiming to lay out holes in” the case.	71–74
7	<i>Ohmymag</i> Aug. 29, 2023, article entitled “A justice campaign for Lucy Letby has started, find out who is behind it and why” reporting that Adams “describes herself” as a scientist but “has not worked as a scientist since obtaining her PhD” from Cambridge, and “[i]t turns out that she has ever only published two pieces of research.”	76–79
8	<i>New Yorker</i> May 13, 2024, article reporting that the Cheshire police “sent letters to . . . Adams ordering [her] to stop writing about the case” because the “publication of this material puts you at risk of ‘serious consequences’ (which include a sentence of imprisonment)” and at risk of arrest.	81–130
9	BBC July 3, 2024, article identifying Adams as among the “[s]ceptics” and noting that her website “invites donations.”	132–141
10	Email from Sarrita Adams, July 11, 2024, stating that her work has been covered “by major British media outlets”	143–152

	and that “Major publications, along with scores of doctors, lawyers, scientists and experts have come out and supported the work conducted by Science on Trial.”	
11	January 18, 2024, tweet from Adams sharing a photo of a journalist’s business card and stating: “[P]lease tell your rotten journalists not to go stalking my sister and her family in an effort to smear my name.”	154–155
12	May 24, 2024, article published by Adams stating that her work had “attracted numerous journalists.”	157–161
13	May 14, 2024, tweet from Adams stating that the <i>New Yorker</i> “was in contact with me on a near weekly basis.”	163
14	July 9, 2024, tweet from Adams stating that the <i>Guardian</i> and <i>Telegraph</i> “spoke to me in August 2023.”	165
15	July 11, 2024, tweet from Adams stating that “Nearly a year ago” a <i>Telegraph</i> journalist “was smearing my name, which set off a stalking campaign” but wrote “an article where most of her scientific work is derived from Science on. Trial, and the interview I gave her.”	167–168
16	July 12, 2024, tweet thread from Adams stating that she spoke with the <i>Telegraph</i> on August 7, 2023, and that she has “had my name dragged through the dirt because of British Journalists.”	170
17	July 22, 2024, article published by Adams, describing a “media frenzy against Sarrita Adams” and stating the <i>Telegraph</i> “stated that [Adams] ‘described’ herself as a scientist, as if to suggest this were a deception.”	172–178
18	Science on Trial, Inc. Articles of Incorporation, Sept. 3, 2023.	180
19	Sarrita Adams LinkedIn profile.	182–185
20	Science on Trial website as archived on Sept. 26, 2023, stating in its introduction that “This website, and the science contained, has been produced and compiled by a scientist with expertise in rare paediatric diseases. The author has no prior association with the Lucy Letby case.”	187–202
21	Science on Trial homepage, stating that “Science on Trial, Inc., [is] led by Sarrita Adams, a University of Cambridge educated translational scientist.”	204–205
22	Science on Trial “Mission Overview” page stating that it is “forging strategic alliances with . . . defence teams in the US and UK” and has “direct involvement” in “active or past criminal cases.”	207–208
23	Science on Trial “Shop Science” page offering “exclusive line of merchandise.”	210–212
24	Science on Trial “Protocol” page stating that “our approach” includes “expert testimony.”	214–215
25	May 30, 2024, invoice generated by Adams stating that she is charging \$150/hour for her work on the Letby matter and is owed \$155,850.	217

1	26	October 3, 2023, article written by Adams detailing her attempts to intervene in the Lucy Letby trial and the response from the court and police stating that her website was “a flagrant and serious contempt of court.”	219–224
2	27	September 8, 2023 email from Letby lawyer Richard Thomas to Sarrita Adams asking for “no further contact from you” after “asking for clarification of your details as an expert.”	226–230
3	28	University of Cambridge page describing oral examination (“viva”) and stating that the possible outcomes include “Conditional approval” such as a “pass without correction” or a “pass, subject to minor or major corrections.”	232–233
4	29	University of Cambridge page describing the need for “corrections to your thesis before full approval can be granted for your degree.”	235–237
5	30	University of Cambridge document describing the “Corrections Process” following oral examination.	239
6	31	SciProfiles.com biography of Emeritus Prof. Richard Gill	241
7	32	October 28, 2023, comment posted by Prof. Richard Gill confirming that Science on Trial, Inc. had invited him to join its board of directors	243
8	33	October 3, 2023, comment posted by Prof. Richard Gill stating that he had “done some more checking” and that Adams “doesn’t actually have the PhD” and that he was “checking with her former supervisor in Cambridge.”	245
9	34	October 3, 2023, comment as later edited by Prof. Richard Gill stating that he had “done some more checking, and Sarrita has told me a little. It seems that she didn’t complete the formal bureaucratic part of the process of getting her degree” because she “never got around to sending” corrections to her thesis. “Hence the PhD degree never got formally awarded.”	247
10	35	October 7, 2023, tweet from Prof. Richard Gill stating that Adams “was asked to submit a few minor corrections. She never did submit them . . . so the PhD degree was never formally granted.”	249–250
11	36	October 23, 2023, post on the r/scienceontrial subreddit, comparing Science on Trial, Inc. to nonprofit organizations (e.g., Innocence Project.)	252–254
12	37	November 19, 2023, post on the r/scienceontrial subreddit, entitled “How did we get here? A wiki to detail the genesis of Science on Trial, and the fraud perpetrated by Sarrita Adams.”	256–258
13	38	Docket in <i>Billings v. Adams</i> , No. A162112 (Ct. App. 1st App. Dist.) noting that it had denied a request by Adams’s guardian ad litem to seal its opinion. Adams’s guardian ad litem argued it should be sealed because it was being	260–276

	used to “tarnish Dr. Adams’s name and reputation, along with undermining her scientific credentials.”	
39	October 29, 2023, Digital Millenium Copyright Act takedown notice to Google from Science on Trial, Inc. seeking removal of “screenshots and videos from my websites”	278–279
40	October 31, 2023, DMCA takedown notice to Google from Science on Trial, Inc. seeking removal of “screenshots of original writings from my website” because others were “misinterpreting the copyrighted material, to destroy my reputation.”	281–282
41	March 23, 2024, DMCA takedown notice to Google from Science on Trial, Inc. seeking removal of “Screenshots from company websites.”	284–285
42	February 17, 2024, tweet from Adams stating to a third party that she “got subpoenas and I demanded that X, Reddit and FaceBook give me the details of all the people who continue to dox me online” and “there are remedies to deal with you.”	287–288
43	February 24, 2024, tweet from Adams stating she had complained to British media regulators about the <i>Mirror</i> “when one of their journalists sought to drag up my divorce. . . and make that into some kind of news story.”	290–291
44	June 4, 2024, tweet from Adams mentioning Gulley’s employer, stating that “We are reporting Amy Gulley to the local law enforcement. We have made” her employer “aware of her criminal behavior and we will hold you responsible in the event you fail to limit her ongoing harassment and stalking.”	293
45	June 7, 2024, tweet from Adams to a third party stating that “your name is on the list of people/accounts included in the” restraining order and that in California “you do not need the person’s actual name to restrain them”	295
46	June 11, 2024, tweet from Adams to a third party that the TRO prohibits that user from “harass[ing] or stalk[ing Science on Trial, Inc.] or individuals associated with it.”	297
47	June 13, 2024, tweet from Adams to a third party stating that the third party had violated the TRO and that Adams would contact law enforcement.	299
48	June 18, 2024, article by Prof. Eugene Volokh concerning the petition, including comments by “SarritaA” stating that Prof. Volokh had “created a means for Gulley to evade a court order” by allowing comments on his post, that Adams would file a complaint about Prof. Volokh with the State Bar of California, that Adams had complained to Prof. Volokh’s dean, and that Adams has “barely appeared in the media” and had only been “mentioned once in passing.”	301–316

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**DECLARATION OF AMY GULLEY**

I, Amy Gulley, hereby declare:

1. I am over the age of eighteen and the named Respondent in this action. My knowledge of the information and events described here derives from my personal knowledge, unless otherwise stated. If called as a witness, I could and would testify competently thereto.

2. I respectfully submit this Declaration in support of my SPECIAL MOTION TO STRIKE [CCP § 425.16] (the “Anti-SLAPP Motion”).

3. I have not consented and do not consent to jurisdiction in the State of California.

4. I reside in Pennsylvania.

5. I have never been to California.

6. I have never been in the presence of Sarrita Adams, the petitioner in this matter.

7. I have never engaged in violence of any kind relevant to Sarrita Adams.

8. I have never threatened violence of any kind relevant to Sarrita Adams.

9. I have never followed Sarrita Adams.

10. I have never stalked Sarrita Adams.

11. I have never called Sarrita Adams.

12. I have never sent Sarrita Adams a facsimile.

13. I have never sent Sarrita Adams a text message.

14. I do not intend to do any of the things listed in paragraphs 6–13 at any point.

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1           16.    In speaking publicly about Sarrita Adams’s conduct, I am sharing my views  
2 about her credibility (and the credibility of her for-profit company, Science on Trial, Inc.)  
3 as it relates to her self-involvement in the trial of Lucy Letby.

4           I declare under penalty of perjury under the laws of the State of California that the  
5 foregoing is true and correct.

6           Executed this 24th day of July, 2024, in Harleysville, Pennsylvania.

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Amy Gulley



1           Meanwhile, according to the PubMed database of biomedical  
2           research, Ms Adams appears only ever to have contributed to  
3           two published pieces of research, the last in 2013 related to  
4           autism.

4           4.       A true and correct copy of an article published by the *Mirror* on August 24,  
5           2023, available at [https://www.mirror.co.uk/news/uk-news/lucy-letby-appeal-fundraiser-](https://www.mirror.co.uk/news/uk-news/lucy-letby-appeal-fundraiser-wants-30775813)  
6           [wants-30775813](https://www.mirror.co.uk/news/uk-news/lucy-letby-appeal-fundraiser-wants-30775813) and archived at <https://perma.cc/NY8R-UE8Y>, is attached as **Exhibit 2**.

7           The article states, in pertinent part:

8                     Ms Adams describes herself as “a scientist with rare expertise  
9                     in rare paediatric diseases”. According to her online LinkedIn  
10                    profile, she has a PhD in biochemistry from Cambridge  
11                    University, but does not appear to work as a scientist now.

12                   She runs consultancy Railroad Children which works with  
13                   under-18-year-olds who have rare diseases and their families  
14                   to identify novel treatments. Meanwhile, according to the  
15                   PubMed database of biomedical research, she appears only  
16                   ever to have contributed to two published pieces of research,  
17                   the last in 2013 related to autism.

14           5.       A true and correct copy of an article published by the *London Evening*  
15           *Standard* on August 24, 2023, available at [https://www.standard.co.uk/news/uk/lucy-](https://www.standard.co.uk/news/uk/lucy-letby-legal-defence-appeal-science-on-trial-nurse-killer-b1102723.html)  
16           [letby-legal-defence-appeal-science-on-trial-nurse-killer-b1102723.html](https://www.standard.co.uk/news/uk/lucy-letby-legal-defence-appeal-science-on-trial-nurse-killer-b1102723.html) and archived at  
17           <https://perma.cc/3ZVK-H6KD>, is attached at **Exhibit 3**. The article states, in pertinent  
18           part:

19                    Despite this, a campaign calling itself Science on Trial is  
20                    putting forward arguments questioning expert witness  
21                    accounts and forensic evidence believing the killer nurse did  
22                    not get a fair trial.

22                    Its founder Sarrita Adams, a scientific consultant for biotech  
23                    start-ups in California, says she has a PhD in biochemistry  
24                    from Cambridge University, but, according to her LinkedIn  
25                    profile, she appears not to have worked as a scientist since  
26                    then.

26           6.       A true and correct copy of an article published by *The Telegraph* on August  
27           24, 2023, available at <https://www.telegraph.co.uk/news/2023/08/24/lucy-letby-appeal->

1 [internet-sleuths](#), is attached as **Exhibit 4**. The article, entitled “How internet sleuths are  
2 already trying to prove Lucy Letby innocent,” states, in pertinent part:

3 As the former nurse begins her whole life sentence, a  
4 campaign to help her appeal her conviction has sparked  
outrage

5 [...]

6 A campaign to fundraise for Lucy Letby’s appeal, set up by a  
7 woman in America with no apparent connections to her or the  
8 hospital, has claimed the nurse’s conviction “may represent  
the greatest miscarriage of justice the UK has ever witnessed”,  
while theories are being thrown around on the internet.

9 [...]

10 The reaction to the Letby trial has parallels with the modern  
11 obsession with true crime. These podcasts and TV series  
12 often share a mission to save those who they feel are  
13 wrongfully accused – they have won devoted followings of  
14 people who are grimly fascinated by these stories, and the  
lines between entertainment and public interest are  
blurred.

15 [...]

16 It’s a theory which, barely a week after the Letby verdict was  
17 handed down, is extremely hard to entertain. It sounds like  
18 the kind of mad claim that swirls around dark corners of the  
19 internet long after a case is closed. It may be just that – a  
20 far-fetched, baseless theory. It may have just enough weight  
21 to it to merit a true crime podcast – one of those addictive  
22 series cut from the same cloth as Serial, which spawned an  
irrepressible wave of true crime podcasts. Scott Bonn, a  
criminology professor at Drew University, has found that  
true crime triggers an addictive fascination – and the Letby  
case has already drawn interest.

23 [...]

24 Theories are also swirling around the medical evidence  
25 brought before the court. At the centre of the campaign to  
26 retry Letby is an American woman called Sarrita Adams.  
27 Adams describes herself as “a scientist with rare expertise  
in rare paediatric diseases”. She has a PhD in biochemistry  
28 from Cambridge University, according to her online

1           LinkedIn profile. She has set up Science on Trial, a website  
2           meant to gather support for the convicted murderer’s case.

3           “Lucy Letby’s trial may represent the greatest miscarriage  
4           of justice that the UK has ever witnessed,” the site says.  
5           “Through fundraising, researching, and legal assistance, we  
6           aim to ensure that Lucy Letby can have a fair trial where  
7           evidence is reliable. We are currently working to form a  
8           group of scientists, lawyers, and activists to aid in the  
9           upcoming appeal.”

10           Adams is drawing on criticism of the medical evidence. She  
11           criticises the research papers that were used in the case, as  
12           being out of date – one was from 1989.

13           7.       A true and correct copy of an article entitled “Fundraiser to help Lucy Letby  
14           appeal against her conviction sparks outrage,” published by *Metro* on August 24, 2023,  
15           available at <https://metro.co.uk/2023/08/24/fundraiser-to-help-lucy-letby-appeal-against-her-conviction-launched-19392367>  
16           and archived at <https://perma.cc/X47F-H6FU>,  
17           is attached as **Exhibit 5**. The article states, in pertinent part:

18                   The campaign is being run by a California-based individual,  
19                   Sarrita Adams, who claims Letby’s conviction ‘may represent  
20                   the greatest miscarriage of justice the UK has ever witnessed’.

21                   A website set up for the campaign, calling itself Science on  
22                   Trial, attacks the medical evidence used in Letby’s trial and  
23                   claims her defence was ‘not adequate’.

24                   ‘Through fundraising, researching, and legal assistance, we  
25                   aim to ensure that Lucy Letby can have a fair trial where  
26                   evidence is reliable,’ it states.

27                   ‘We are currently working to form a group of scientists,  
28                   lawyers, and activists to aid in the upcoming appeal for Lucy  
29                   Letby.’

30                   The campaign quickly drew criticism on social media, with  
31                   people calling it an ‘absolute disgrace’ that would only bring  
32                   ‘more pain to the families’ of the victims. [*sic*]

33                   [...]

34                   A long statement posted on the website also questioned  
35                   whether Dr Dewi Evans, the retired consultant paediatrician  
36                   who was tasked to look into the deaths by detectives, was  
37                   qualified to do so.

1 Ms Adams describes herself as ‘a scientist with rare expertise  
2 in rare paediatric diseases’.

3 She gained a PhD in biochemistry from Cambridge University  
4 in 2017 but, according to her LinkedIn profile, has not worked  
5 in scientific research since.

6 In her profile, she also claims to have ‘produced deep research  
7 and proven results in life sciences’.

8 Her name appears on two published research papers  
9 discoverable through the PubMed biomedical research  
10 database as well as Google Scholar, which searches across a  
11 number of similar databases.

12 They were published in 2012 and 2013 on topics in the  
13 neuroscience of developmental disabilities.

14 The Science on Trial website does not specify how scientists  
15 and activists organised by Ms Adams would help in a potential  
16 appeal by Letby.

17 8. A true and correct copy of an article published by *The Times* on August 25,  
18 2023, available at [https://www.thetimes.com/uk/law/article/lucy-letby-trial-reddit-post-](https://www.thetimes.com/uk/law/article/lucy-letby-trial-reddit-post-vgmcowok8)  
19 [vgmcowok8](https://www.thetimes.com/uk/law/article/lucy-letby-trial-reddit-post-vgmcowok8) is attached as **Exhibit 6**. The article, entitled “How Reddit armchair  
20 detectives threatened to derail Lucy Letby’s trial,” states, in pertinent part:

21 The trial, and a podcast relaying what was happening in court,  
22 generated enormous interest in the case and led to a  
23 maelstrom of comments online.

24 [...]

25 The Letby verdict has also sparked a “campaign” for a re-trial,  
26 with a website set up to claim the nurse’s conviction “may  
27 represent the greatest miscarriage of justice the UK has ever  
28 witnessed”.

29 The campaign, said to be led by Sarrita Adams, a research  
30 analyst from California, set up a website on July 12, called  
31 “Science on Trial” claiming to lay out holes in the  
32 prosecution’s argument.

33 She has challenged the reliability of the scientific evidence  
34 used in the trial, including the expert witnesses called by the  
35 prosecution.

36 The defence has the opportunity to approach expert witnesses  
37 to bolster their case. They do not have to disclose whether they

1 approached expert medical witnesses. The only expert witness  
2 for the defence was a plumber, who testified on drainage  
3 problems on the neonatal ward.

4 The campaign website is not open to donations, but there is a  
5 “coming soon” note on the “donate” button. She has also  
6 asked for interested lawyers, medical professionals,  
7 mathematicians and “anyone with a passion for justice” to get  
8 in touch to help with Letby’s appeal.

9 9. A true and correct copy of an article published by *Ohmymag* on August 29,  
10 2023, available at [https://www.ohmymag.co.uk/news/a-justice-campaign-for-lucy-letby-](https://www.ohmymag.co.uk/news/a-justice-campaign-for-lucy-letby-has-started-find-out-who-is-behind-it-and-why_art18853.html)  
11 [has-started-find-out-who-is-behind-it-and-why\\_art18853.html](https://www.ohmymag.co.uk/news/a-justice-campaign-for-lucy-letby-has-started-find-out-who-is-behind-it-and-why_art18853.html) and archived at  
12 <https://perma.cc/T9FE-7G8X>, is attached as **Exhibit 7**. The article, entitled “A justice  
13 campaign for Lucy Letby has started, find out who is behind it and why,” states, in  
14 pertinent part and with emphasis in original:

15 **Sarrita Adams’ credibility**

16 *The Telegraph* has done some digging on Adams, and found  
17 that, though the site’s founder describes herself as ‘a  
18 **scientist with rare expertise in rare paediatric**  
19 **diseases’**, Adams has **not worked as a scientist since**  
20 **obtaining her PhD in biochemistry from Cambridge**  
21 **University.**

22 **It turns out that she has only ever published two**  
23 **pieces of research, according to PubMed database of**  
24 **biochemical research, and the last was in 2013.**

25 10. A true and correct copy of an article published in the *New Yorker* on May 13,  
26 2024, available at [https://www.newyorker.com/magazine/2024/05/20/lucy-letby-was-](https://www.newyorker.com/magazine/2024/05/20/lucy-letby-was-found-guilty-of-killing-seven-babies-did-she-do-it)  
27 [found-guilty-of-killing-seven-babies-did-she-do-it](https://www.newyorker.com/magazine/2024/05/20/lucy-letby-was-found-guilty-of-killing-seven-babies-did-she-do-it) and archived at [https://perma.cc/](https://perma.cc/J2UQ-EVFP)  
28 [J2UQ-EVFP](https://perma.cc/J2UQ-EVFP), is attached as **Exhibit 8**. The article, entitled “A British Nurse Was Found  
Guilty of Killing Seven Babies. Did She Do It?,” states, in pertinent part:

Several months into the trial, Richard Gill, an emeritus  
professor of mathematics at Leiden University, in the  
Netherlands, began writing online about his concerns  
regarding the case. Gill was one of the authors of the Royal  
Statistical Society report, and in 2006 he had testified before  
a committee tasked with determining whether to reopen the  
case of Lucia de Berk. England has strict contempt-of-court  
laws that prevent the publication of any material that could



1 prejudice legal proceedings. Gill posted a link to a Web site,  
2 created by Sarrita Adams, a scientific consultant in California,  
3 that detailed flaws in the prosecution’s medical evidence. In  
4 July, a detective with the Cheshire police sent letters to Gill  
5 and Adams ordering them to stop writing about the case. “The  
6 publication of this material puts you at risk of ‘serious  
7 consequences’ (which include a sentence of imprisonment),”  
8 the letters said. “If you come within the jurisdiction of the  
9 court, you may be liable to arrest.”

10 11. A true and correct copy of an article published by the BBC on or about July 2,  
11 2024, available at <https://www.bbc.com/news/articles/c727jgdm7r40> and archived at  
12 <https://perma.cc/5KXL-ZJV3>, is attached as **Exhibit 9**. The article states, in pertinent  
13 part:

14 Sceptics appeared, including Richard Gill, a statistician in the  
15 Netherlands, who argued the data presented at the trial was  
16 flawed and used improperly. Sarrita Adams, a California-  
17 based biotech consultant, launched a campaign aimed at  
18 critiquing the science in Letby’s case. Her website invites  
19 donations and describes itself as “the first organisation  
20 dedicated to fighting for a new trial for Lucy Letby”.

21 12. A true and correct copy of an email I received from Sarrita Adams on July 11,  
22 2024, is attached as **Exhibit 10**. In the email, Adams states, in pertinent part:

23 Please note the 200 pages of exhibits we have of your client’s  
24 unhinged harassment, have been shown by major British  
25 media outlets to be nothing but defamation. Gulley’s claims I  
26 am a fake scientist, a liar and so forth make up her stalking  
27 and harassing behavior. Major publications, along with scores  
28 of doctors, lawyers, scientists and experts have come out and  
supported the work conducted by Science on Trial. Her claims  
that my work is not accurate are now shown to be unfounded,  
and frankly of no concern of hers since this is case in Britain,  
where I am citizen.

***Adams’s interactions with journalists and media outlets.***

13. A true and correct copy of a January 18, 2024, tweet from Adams, available at  
[https://x.com/Forensic\\_Sci\\_/status/1747871874317713828](https://x.com/Forensic_Sci_/status/1747871874317713828) and archived at  
<https://archive.is/r368d>, is attached as **Exhibit 11**. The tweet depicts a photo of a  
business card reading, in part, “Paul Thompson, Senior Reporter (Global)” and the tweet  
states, in pertinent part:



1 Oh, and please tell your rotten journalists not to go stalking  
2 my sister and her family in an effort to smear my name.

3 14. A true and correct copy of an article Adams posted on May 24, 2024,  
4 available at <https://www.scienceontrial.com/post/lucy-letby-loses-application-to-appeal>  
5 and archived at <https://perma.cc/NM5J-QMFD>, is attached as **Exhibit 12**. The article  
6 states, in pertinent part:

7 Our rigorous work attracted numerous journalists, including  
8 Rachel Aviv from The New Yorker, who used our resources  
extensively to report on the Letby case.

9 15. A true and correct copy of a May 14, 2024, tweet from Adams, available at  
10 [https://x.com/Forensic\\_Sci\\_/status/1790581172092956872](https://x.com/Forensic_Sci_/status/1790581172092956872) and archived at  
11 <https://archive.is/ML9Tr>, is attached as **Exhibit 13**. The tweet states, in pertinent part:

12 Rachel Aviv was in contact with me on a near weekly bases, as  
13 little as a week ago she was asking me to provide clarification  
on scientific concepts she did not comprehend.

14 16. A true and correct copy of a tweet from Adams on July 9, 2024, available at  
15 [https://x.com/Forensic\\_Sci\\_/status/1810737558776893939](https://x.com/Forensic_Sci_/status/1810737558776893939) and archived at  
16 <https://archive.is/wqCPQ>, is attached as **Exhibit 14**. The tweet states, in pertinent part:

17 Yep, @guardian, @Telegraph are busy recreating history  
18 having previously fanned the flames of the opposition to the  
19 work of #ScienceonTrial re:#LucyLetby To be threatened with  
20 arrest by Cheshire Police for saying what the Guardian et al  
are saying a year later is a bit of a shock! Both outlets spoke to  
me in August 2023 and did nothing.

21 17. A true and correct copy of a tweet from Adams on July 11, 2024, responding  
22 to a tweet from *The Telegraph*, available at [https://x.com/Forensic\\_Sci\\_/status/](https://x.com/Forensic_Sci_/status/1811574532194644036)  
23 [1811574532194644036](https://x.com/Forensic_Sci_/status/1811574532194644036) and archived at <https://archive.is/ZboWw>, is attached as

24 **Exhibit 15**. The tweet states, in pertinent part:

25 Nearly a year ago Sophie Barnes was smearing my name,  
26 which set off a stalking campaign that continues to this day.  
27 Now she writes up an article where most of her scientific work  
is derived from Science on Trial, and the interview I gave her.  
28 Even her editor was pumping SoT for work a few weeks ago[.]

1 18. A true and correct copy of a thread of tweets by Adams on July 12, 2024,  
2 available at [https://x.com/Forensic\\_Sci\\_/status/1811691632213000697](https://x.com/Forensic_Sci_/status/1811691632213000697) and archived at  
3 <https://archive.is/d4cVD> and <https://archive.is/Reg1J>, is attached as **Exhibit 16**. In the  
4 thread, Adams states, in pertinent part:

5 For those who think the @Telegraph was noble in their  
6 reporting you should note that I first spoke with Sophie  
7 Barnes from the telegraph on 7th August 2023, re:  
8 #LucyLetby case. In her email she confirms doing a story on  
the concerns about the medical evidence and says the time is  
not right!

9 [...]

10 I have been relentless stalked and harassed, had my name  
11 dragged through the dirt because of British Journalists.

12 19. A true and correct copy of a July 22, 2024, article posted by Sarrita Adams,  
13 available at [https://www.scienceontrial.com/post/the-conviction-of-lucy-letby-a-critical-](https://www.scienceontrial.com/post/the-conviction-of-lucy-letby-a-critical-examination-of-scientific-evidence-and-media-influence)  
14 [examination-of-scientific-evidence-and-media-influence](https://www.scienceontrial.com/post/the-conviction-of-lucy-letby-a-critical-examination-of-scientific-evidence-and-media-influence) and archived at  
15 <https://archive.is/ao2ih>, is attached as **Exhibit 17**. The article states, in pertinent part and  
16 with emphasis in the original:

### 17 **Bizarre Scientific Claims and Media Frenzy**

18 In the wake of the August 2023 verdicts, the media leapt to  
19 overlook the bizarre scientific claims made by the experts for  
20 the prosecution. Instead of considering the scientific  
21 argument put out by SoT, the Telegraph and a collection of  
22 other papers ignited a media frenzy against Sarrita Adams, the  
23 founder of SoT. Despite not a single person interviewing SoT,  
24 they asserted that SoT was advocating for Letby's innocence  
25 and falsely claimed that Adams was an American citizen. The  
26 Telegraph went one step further when it stated that the  
27 published scientist "described" herself as a scientist, as if to  
28 suggest this were a deception. Almost immediately after these  
false claims, a stalking campaign was ignited by the subreddit  
moderator of the major LucyLetby subreddit. FyrestarOmega,  
an American woman with no ties to the UK, established the  
subreddit r/scienceontrial, where she stated that her sole aim  
was to destroy Science on Trial. Armed with the attack pieces  
from UK media and using a new alias, MrJusticeGossipGirl,  
the subreddit moderator compiled page after page of abusive  
claims about SoT.

1 **Sarrita Adams’s creation of “Science on Trial, Inc.,” intervention in the Lucy**  
2 **Letby trial, and fundraising for an appeal.**

3 20. A true and correct copy of the articles of incorporation of Science on Trial,  
4 Inc., dated September 3, 2023, is attached as **Exhibit 18**.

5 21. A true and correct copy of Adams’s LinkedIn profile, available at  
6 <https://www.linkedin.com/in/sarrita-adams-94233252>, is attached as **Exhibit 19**. The  
7 profile states, in pertinent part: “Education[:] University of Cambridge Doctor of  
8 Philosophy – PhD, Biochemistry 2010 – 2017.”

9 22. A true and correct copy of the rexvlucyletby2023.com website as captured by  
10 archive.is on September 26, 2023, available at <https://archive.is/gF2wo>, is attached as  
11 **Exhibit 20**. On that date, the website stated, in pertinent part and with emphasis added:

12 This website, along with all the scientific detail it contains, has  
13 been produced and compiled by a scientist with expertise in  
14 rare paediatric diseases. The author has no *prior* association  
15 with the Lucy Letby case.

16 [...]

17 Science on Trial was formed to enable individuals who are  
18 interested in the science behind this case to gain an  
19 understanding of the manner in which the British criminal  
20 justice system wilfully and deliberately disregards basic tenets  
21 of the scientific method.

22 23. A true and correct copy of Science on Trial’s home page, available at  
23 <https://www.scienceontrial.com> and archived at <https://perma.cc/63C6-NPMQ>, is  
24 attached as **Exhibit 21**. The page states, in pertinent part:

25 Science on Trial, Inc., led by Sarrita Adams, a University of  
26 Cambridge educated translational scientist, is a multifaceted,  
27 advanced biotechnology and high expertise forensic science  
28 consultation company. It aims to address the complex  
integration of scientific evidence in the criminal justice  
system, catering to the legal profession’s needs.

Sarrita Adams, the founder of Science on Trial, Inc., has a  
robust background in genetics, molecular biology,  
biochemistry, and human diseases. Her career spans various  
roles, from carrying out her PhD research as part of an  
international collaboration between University of Cambridge,  
and the MIND Institute, University of California, Davis, to

1 advising biotech startups and running a clinician-patient  
2 consultation practice developing treatment approaches for  
3 rare diseases. Drawing from her combined 18 years of  
4 experience in these fields, Sarrita has embarked on a mission  
to elevate the scientific standards within the criminal justice  
system.

5 24. A true and correct copy of Science on Trial’s “Mission Overview” page,  
6 available at <https://www.scienceontrial.com/general-7> and archived at  
7 <https://perma.cc/3DYX-P64J>, is attached as **Exhibit 22**. The page states, in pertinent  
8 part:

9 Recognising that the stakes are high, we are forging strategic  
10 alliances with both prosecutorial bodies and defence teams in  
the US and the UK.

11 [...]

12 Beyond our direct involvement with active or past criminal  
13 cases, our commitment to justice also drives us to support  
14 appeals campaigns.

15 25. A true and correct copy of the Science on Trial “Shop Science” page, available  
16 at <https://www.scienceontrial.com/category/all-products> and archived at  
<https://perma.cc/77ZR-PTKM>, is attached as **Exhibit 23**. It states, in pertinent part:

17 Our mission to contribute clarity and resolve legal ambiguities  
18 through scientific expertise requires resources—resources  
19 that are fundamental to driving research, facilitating expert  
20 involvement, and ultimately, safeguarding the innocent and  
the integrity of our justice system. That’s where this exclusive  
21 line of merchandise plays a crucial role. Every item purchased  
goes beyond a mere transaction; it is an investment[.]

22 26. A true and correct copy of the “Protocol” page on the Science on Trial site,  
23 available at <https://www.scienceontrial.com/general-8> and archived at  
24 <https://perma.cc/38PY-GLVF>, is attached as **Exhibit 24**. It states, in pertinent part:

25 From initial case assessment to the final stages of reporting  
26 and expert testimony, each phase of our approach is carefully  
crafted to provide clarity, thoroughness, and precision.

27 27. A true and correct copy of a May 30, 2024 tweet from Adams, together with  
28 the image attached to the tweet, both of which are available at

1 [https://x.com/forensic\\_sci\\_/status/1796064407186968669](https://x.com/forensic_sci_/status/1796064407186968669) and archived at  
2 <https://archive.is/6QJR2>, is attached as **Exhibit 25**.

3 28. This image is attached to the tweet:

Total Hours			
April 2023 - August 2023			
Project	Consultant	Specialization	
R v Letby [2023] website + SoT	Sarrita Adams	Translational Science	
Standard Rate	Discounted Rate		
250 USD per hour	150 USD per hour		
Description (FY 2023)	Hours	Rate	Total price
April	104.5	\$150.00	\$15,675.00
May	154	\$150.00	\$23,100.00
June	271	\$150.00	\$40,650.00
July	162.5	\$150.00	\$24,375.00
August	347	\$150.00	\$52,050.00
Subtotal			<b>\$155,850.00</b>
<b>Total</b>			<b>\$155,850.00</b>

17  
18 ***The British court and Letby’s lawyers respond to Adams’s attempts to  
intervene.***

19 29. A true and correct copy of an October 3, 2023 post by Adams, available at  
20 <https://www.scienceontrial.com/post/censoring-science-in-the-uk> and archived at  
21 <https://archive.is/jh4Mv>, is attached as **Exhibit 26**. The post states, in pertinent part:

22 I prepared the information of <https://rexvlucyletby2023.com>  
23 website.

24 Few people know that I did not prepare this website for the  
25 benefit of the general population. Instead I prepared the  
26 website to submit to the court, as a friend of the court. I  
naively believed that the submission would be accepted in  
good faith, and even got advice from a law academic.

27 On June 30th 2023, I wrote to the court asking whether I  
28 could make such a submission. I sent a copy of my CV, and I  
described my concerns.

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[...]

It came as a significant surprise to me to receive an email on Wednesday 5th July 2023 from Cheshire Constabulary, accusing me of being in contempt of court and threatening me with arrest, prosecution and potential imprisonment for creating the rexvlucyletby2023.com website for the purposes of it being submitted to the court.

30. Adams’s October 3, 2023, post (Exhibit 25) publishes her June 30, 2023, email to the court reading, in pertinent part:

I am inquiring as to how to make a submission to the Crown Court, regarding an ongoing case, R v. Letby. I wish to make the submission as a friend of the court. I am Cambridge educated scientist and I have particularly specialized scientific knowledge on some of the issues raised in the case and it was suggested by a Cambridge professor that I make the submission to the Judge. I have prepared the information on a self-contained website, which the court would be able to access, though I wished to obtain further information as to the submission process.

[...]

Please find attached a copy of my CV, which may aid this inquiry further.

Kind regards,  
Sarrita Adams

31. Adams’s October 3, 2023, post (Exhibit 25) publishes a July 5, 2023, email from the Cheshire Constabulary reading, in full:

Dear Ms. Adams,

Further to your previous communications and internet activity we note the posting on the internet of what purports to be an “amicus” brief concerning the evidence in the case of R. v. Letby. The material is located via <https://rexvlucyletby2023.com/>

This material has been brought to the attention of his honour Mr Justice Goss this morning (05.07.23) at a hearing in the presence of the defence and the defendant.

The Judge expressed the following provisional views (in the absence of hearing anything from you)

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- (i) That the material is a flagrant and serious contempt of court;
- (ii) That as a British national, even though you are outside England and Wales you are subject to the jurisdiction of the court;
- (iii) That the publication of this material puts you at risk of “serious consequences” (which include a sentence of imprisonment); and
- (iv) You should take the material down immediately and prevent any further publication.

We add that if you come within the jurisdiction of the court, you may be liable to arrest. Furthermore, if your activity results in the halting or postponement of the trial, we will pursue you for the considerable costs involved.

Yours sincerely,  
  
Detective Chief Inspector Evans

32. Adams’s October 3, 2023, post (Exhibit 25) publishes a letter dated July 6, 2023, which Adams purportedly sent to the Cheshire Constabulary, and which stated in pertinent part:

To whom it may concern:

On Friday 30th June 2023, I wrote to the Manchester Crown Court regarding an ongoing court case, R v Letby. I was seeking advice as to how I make a submission to the court regarding clearly improper scientific claims that had been made to the court.

I am University of Cambridge educated scientist, and I specialize in an area closely related to the evidence presented in the ongoing case.

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1           33.    A true and correct copy of a tweet by Adams on July 25, 2024, available at  
2 [https://x.com/Forensic\\_Sci\\_/status/1816421363063959680](https://x.com/Forensic_Sci_/status/1816421363063959680), together with enlarged  
3 copies of screenshots from the tweet thread, is attached as **Exhibit 27**. The thread of  
4 tweets contains a screenshot of a September 8, 2023, email reading, in full:

5                   Dear Dr Adams,

6                   You sent us an e mail yesterday, in response to an e mail sent  
7                   by us asking for clarification of your details as an expert, and  
8                   the details of any other experts that have prepared reports on  
9                   your website.

10                  In answer to your email, we do not ask you to undertake any  
11                  work concerning Miss Letby, nor to take any role in any  
12                  proceedings; nor have we ever done so. Furthermore, you seek  
13                  information from us to which you are not entitled and which  
14                  we would not provide.

15                  We are instructed on behalf of Miss Letby and have conduct  
16                  of proceedings in relation to her. Whilst we appreciated your  
17                  interest in her case at the time of your initial communications,  
18                  at no stage have we asked you to be involved in these  
19                  proceedings or to take any role in them.

20                  We do not know if you are in contact with third parties who  
21                  are encouraging your involvement in these proceedings; we  
22                  certainly do not request this and have not done so. If that is  
23                  what is happening, it is important that you understand that  
24                  we do not act in accordance with the instructions of anyone  
25                  save Miss Letby. Nor does any party other than us have  
26                  conduct of these proceedings on Miss Letby's behalf.

27                  We now ask for no further contact from you in relation to Ms  
28                  Letby's case, or any proceedings related to it.

                  Yours.

                  Richard Thomas

***Cambridge University's process for obtaining a PhD and statements concerning Adams's PhD.***

34.    A true and correct copy of the University of Cambridge page entitled "The oral examination (viva)," available at <https://www.cambridgestudents.cam.ac.uk/exams/students/postgraduate-exam-information/writing-submitting-and-examination/phd-edd->



1 [msc-mlitt/oral-examination](#) and archived at <https://perma.cc/B5SX-3QZE>, is attached as

2 **Exhibit 28.** The page states, in pertinent part:

3 What is a viva?

4 The viva (short for viva voce) is an oral examination that gives  
5 the opportunity for [...] you to defend your thesis and clarify  
any matters raised by your examiners[.]

6 [...]

7 Possible outcomes of the viva

8 The possible outcomes are:

- 9
- 10 • Conditional approval – pass without correction [...], or  
pass, subject to minor or major corrections

11 35. A true and correct copy of the University of Cambridge page entitled “After  
12 the viva (oral examination),” available at [https://www.cambridgestudents.cam.ac.uk/  
13 exams/students/postgraduate-exam-information/writing-submitting-and-  
14 examination/phd-edd-msc-mlitt/after-viva-oral-exam](https://www.cambridgestudents.cam.ac.uk/exams/students/postgraduate-exam-information/writing-submitting-and-examination/phd-edd-msc-mlitt/after-viva-oral-exam) and archived at  
15 <https://perma.cc/VNK4-LP8Q>, is attached as **Exhibit 29.** The page states, in pertinent  
16 part:

17 Making corrections to a thesis after examination  
18 [...]

19 Doctoral and MSc/MLitt students: You may need to make  
20 corrections to your thesis before full approval can be granted  
21 for your degree. This decision will be emailed to you by the  
Student Registry as soon as possible after the Degree  
Committee confirms their decision to them.

22 36. A true and correct copy of a document entitled “The Corrections Process –  
23 from ‘Approval subject to Correction’ through to ‘Full Approval’,” available at  
24 [https://www.cambridgestudents.cam.ac.uk/files/corrections\\_map\\_new.pdf](https://www.cambridgestudents.cam.ac.uk/files/corrections_map_new.pdf) and archived  
25 at <https://perma.cc/PLP5-9VCV>, is attached as **Exhibit 30.** The document states, in  
26 pertinent part:

27 The Degree Committee has met and sent their decision to  
28 Student Registry who have sent you an email with the  
outcome of your examination. What should you do now?

1 Complete your corrections as required by your Examiner(s).  
2 Submit your corrected thesis and list of corrections to your  
3 Examiner before the deadline of 3 months for minor and 6  
4 months for major corrections. Put the original and new page  
5 numbers on a separate list of corrections for the Examiner(s).  
6 Copy in studentrecords@offices.admin.cam.ac.uk when you  
7 submit your corrections.

8 Your Examiner(s) check(s) the corrections and inform the  
9 Degree Committee when they are happy with these

10 The Degree Committee informs Student Registry

11 Student Registry will email you with guidance as to how to  
12 produce the hard bound copy of your thesis.

13 [...]

14 Submit your hardbound thesis and upload your electronic  
15 thesis to the University's online repository, Apollo.

16 [...]

17 An approval email is sent from the Student Registry once the  
18 hard bound and electronic theses have been submitted and  
19 the electronic copy archived.

20 37. A true and correct copy of the SciProfiles.com biography of Richard Gill,  
21 available at <https://sciprofiles.com/profile/richardgill> and archived at  
22 <https://archive.is/4P9yg>, is attached as **Exhibit 31**. The biography states, in pertinent  
23 part:

24 He holds a B.A. degree in mathematics, Cambridge  
25 University, 1973; a diploma of statistics, Cambridge  
26 University, 1974; a PhD degree in mathematics, Free  
27 University Amsterdam, 1979. In his career he has been head  
28 of the statistics department, CWI Amsterdam; professor  
mathematical statistics in Utrecht, and later in Leiden; and is  
now emeritus professor in Leiden.

38. A true and correct copy of a comment posted by Richard Gill on his website  
on October 28, 2023, available at [https://gill1109.com/2023/05/24/the-lucy-letby-  
case/#comment-1078](https://gill1109.com/2023/05/24/the-lucy-letby-case/#comment-1078) and archived at <https://perma.cc/6YCG-LS3K>, is attached as  
**Exhibit 32**. Gill's comment responds to a user comment (which states: "I hear from the  
Science on Trial site that you are about to join the Board of Directors. Is it true?"). Gill's

1 comment reads: “It’s very likely. I need to look very closely at the legal documents and  
2 probably get some legal advice. I hope it is going to go through.”

3 39. A true and correct copy of an October 3, 2023, comment posted by Richard  
4 Gill on his website, archived at [https://web.archive.org/web/20231005035354/  
5 https://gill1109.com/2023/05/24/the-lucy-letby-case](https://web.archive.org/web/20231005035354/https://gill1109.com/2023/05/24/the-lucy-letby-case), is attached as **Exhibit 33**. Gill’s  
6 comment stated, in pertinent part:

7 I have done some more checking. Looks like she doesn’t  
8 actually have the PhD because she suffered a major nervous  
9 breakdown cose [sic] to the end of her PhD programme, while  
10 in Stanford, USA. She probably never did complete the  
11 bureaucratic part of the process. I am checking with her  
12 former supervisor in Cambridge. I think its important that the  
13 truth be known.

14 40. A true and correct copy of Richard Gill’s October 3, 2023, comment as it now  
15 appears on his website, available at [https://gill1109.com/2023/05/24/the-lucy-letby-  
16 case/#comment-1032](https://gill1109.com/2023/05/24/the-lucy-letby-case/#comment-1032) and archived at <https://perma.cc/6YCG-LS3K>, is attached as  
17 **Exhibit 34**. Gill’s edited comment now states, in pertinent part:

18 I have done some more checking, and Sarrita has told me a  
19 little. It seems that she didn’t complete the formal  
20 bureaucratic part of the process of getting her degree, because  
21 of difficulties in her private life which came to a head as she  
22 approached the finishing line. She submitted her thesis, it was  
23 examined, it was accepted, she just had to make some minor  
24 corrections, but as far as I can tell she never got around to  
25 sending them in. Probably some deadline elapsed some time  
26 ago. Hence the PhD degree never got formally awarded.

27 41. A true and correct copy of a tweet from Richard Gill on October 7, 2023,  
28 available at <https://x.com/gill1109/status/1710631402998296867> and archived at  
<https://archive.is/5vYkg>, is attached as **Exhibit 35**. Gill’s tweet states:

29 She wrote a thesis. It was examined. She was asked to submit  
30 a few minor corrections. She never did submit them, for  
31 entirely understandable but private reasons, so the PhD  
32 degree was never formally granted.

33 42. A true and correct copy of an October 23, 2023, post on the r/scienceontrial  
34 subreddit, entitled “About donations and merch shops – Sarrita Adams is a fraud, and it’s

1 clear when looking at the organizations she compares herself to,” is attached as

2 **Exhibit 36.**

3 43. A true and correct copy of a November 19, 2023, post on the r/scienceontrial  
4 subreddit, entitled “How did we get here? A wiki to detail the genesis of Science on Trial,  
5 and the fraud perpetrated by Sarrita Adams,” is attached as **Exhibit 37.**

6 44. The post includes the text of the description of the subreddit displayed on  
7 each page, which states, in full:

8 This community exists to fact check claims about Science on  
9 Trial, its creator Sarrita Adams, and various statements that  
can be credited to her.

10 ***Sarrita Adams’s efforts to suppress criticism.***

11 45. A true and correct copy of the docket in *Billings v. Adams*, No. A162112 (Ct.  
12 App. 1st App. Dist.) is attached as **Exhibit 38.** An August 17, 2023 entry on the docket  
13 states, in pertinent part:

14 The Court is in receipt of a "Request for Order on Breach of  
15 Confidential Health and Financial Related Matters, Request  
16 to Seal Records Relating to Claims and Matters of Dr.  
17 Adams['s] Health and Financial Information," submitted by  
18 Dr. Adams's guardian ad litem, Karen Kearney, on August 7,  
19 2023. Kearney asks the Court to seal its opinion filed on July  
20 19, 2023, because it purportedly contains confidential medical  
and financial information of Dr. Adams that "is presently  
being used by numerous individuals across the internet to  
tarnish Dr. Adams's name and reputation, along with  
undermining her scientific credentials."

21 [...]

22 Kearney's request to seal the opinion is denied.

23 46. A true and correct copy of a Digital Millenium Copyright Act complaint to  
24 Google dated October 29, 2023, and posted to the Lumen Database is attached as  
25 **Exhibit 39.** The description states: “Work published on company websites: contains  
26 screenshots and videos from my websites.”

1           47.    A true and correct copy of a Digital Millenium Copyright Act complaint to  
2 Google dated October 31, 2023, and posted to the Lumen Database is attached as

3 **Exhibit 40.** The description states:

4           The copyrighted material includes screenshots of my websites  
5 at           <https://scienceontrial.com>,           and  
6 <https://rexvlucyletby2023.com>. The copyrighted material  
7 includes screenshots of original writings from my website,  
8 which is copyrighted. The subreddit boasts that the entire  
9 subreddit is about me and my business and then it goes out of  
10 its way to infringe on my copyright, it is not collecting any  
11 independent information, it is merely stealing my copyrighted  
12 material and placing it on a subreddit and then deliberately  
13 misinterpreting the copyrighted material, to destroy my  
14 reputation.

11           48.    A true and correct copy of a Digital Millenium Copyright Act complaint to  
12 Google dated March 23, 2024, and posted to the Lumen Database is attached as

13 **Exhibit 41.** The description states: “Screenshots from company websites, including  
14 writings, images and videos.”

15 ***Adams’s statements about the TRO and use of legal complaints.***

16           49.    A true and correct copy of a tweet by Adams on February 17, 2024, available  
17 at [https://x.com/Forensic\\_Sci\\_/status/1758867624187044279](https://x.com/Forensic_Sci_/status/1758867624187044279) and archived at  
18 <https://archive.is/rbQLI>, is attached as **Exhibit 42.** The tweet is in response to a third  
19 party (“@Sazzt71”) and states, in pertinent part:

20           [Y]ou do not realise that when you make up a fake name you  
21 are not protected from being held responsible for your crimes.  
22 I went to court, I got subpoenas and I demanded that X,  
23 Reddit and FaceBook give me the details of all the people who  
24 continue to dox me online, in full awareness that I am not a  
25 public entity, I have no social media presence, and I run a  
26 private corporation in the US. You want to keep breaking the  
27 law... have at it, there are remedies to deal with you.

25           50.    A true and correct copy of a February 24, 2024, tweet from Adams, available  
26 at [https://x.com/Forensic\\_Sci\\_/status/1761369756068884664](https://x.com/Forensic_Sci_/status/1761369756068884664) and archived at  
27 <https://archive.is/nHBII>, is attached as **Exhibit 43.** The tweet refers to Britain’s media  
28

1 regulator, the Independent Press Standards Organization (IPSO) and states, in relevant  
2 part:

3 I complained to IPSO about the Mirror, when one of their  
4 journalists sought to drag up my divorce which occurred 8  
5 years ago, and make that into some sort of news story.

5 51. A true and correct copy of a tweet by Adams on June 4, 2024, available at  
6 and archived at

7 \_\_\_\_\_ is attached as **Exhibit 44**. The tweet states:

8 \_\_\_\_\_ this account by @mrjgossipgirl has been  
9 created by your employee Amy Gulley. Amy Gulley is  
10 @mrjgossipgirl and she is your employee. While she has been  
11 working for you, she has also created a subreddit account  
12 impersonating my business. She has been stalking me for  
13 months, and her subreddit account reveals her ongoing efforts  
14 to interfere with my business. She threatens to continue  
15 harassing and stalking me until she destroys my business.

13 Amy Gulley does this while she is working for your company  
14 \_\_\_\_\_. You should check her computer logins. We  
15 are reporting Amy Gulley to the local law enforcement. We  
16 have made \_\_\_\_\_ aware of her criminal behavior  
17 and we will hold you responsible in the event you fail to limit  
18 her ongoing harassment and stalking using your equipment  
19 and facilities.

18 52. A true and correct copy of a June 7, 2024, tweet from Adams, available at  
19 [https://x.com/Forensic\\_Sci\\_/status/1798984967290229131](https://x.com/Forensic_Sci_/status/1798984967290229131) and archived at  
20 <https://archive.is/LtojB>, is attached as **Exhibit 45**. The tweet responds to a Twitter user  
21 who is not Amy Gulley and states, in pertinent part:

22 your name is on the list of people/accounts included in the  
23 RO. In the CA you do not need the person's actual name to  
24 restrain them from harassing a person.

24 53. A true and correct copy of a tweet from Adams on June 11, 2024, available at  
25 [https://x.com/Forensic\\_Sci\\_/status/1800520988674986234](https://x.com/Forensic_Sci_/status/1800520988674986234) and archived at  
26 <https://archive.is/q7OkT>, is attached as **Exhibit 46**. The tweet states:

27 Misspelling the name of the person you are stalking does not  
28 change the fact you are stalking them. There is an order  
prohibiting people associated with Amy Gulley aka  
@mrjgossipgirl from stalking. As a result, every time you

1 harass and stalk SoT or individuals associated with it, where  
2 you have a relationship with Amy Gulley @mrjgossipgirl , it is  
3 clear you are assisting her in her stalking effort, and she will  
be held responsible for your ongoing stalking and harassment.

4 54. A true and correct copy of a tweet from Adams on June 13, 2024, available at  
5 [https://x.com/Forensic\\_Sci\\_/status/1801317806941843758](https://x.com/Forensic_Sci_/status/1801317806941843758) and archived at  
6 <https://archive.is/KcrBJ>, is attached as **Exhibit 47**. The tweet states:

7 @support This person is associated with Amy Gulley who is  
8 restrained from any further contact, from the named  
9 individual and the company Science on Trial, inc. Ongoing  
10 stalking via a third party is still stalking. Please see the Link  
11 Below. We will be contacting Montgomery County Sheriff  
12 Dept, to inform them that the Restraining Order has been  
13 violated. The PDF at this link contains the restraining Order  
that is currently in force as issued by San Francisco County  
Superior Court.  
[https://lumendatabase.org/notices/42210575?access\\_token  
=T6DOcZjxiP\\_sxWFLd9iObA](https://lumendatabase.org/notices/42210575?access_token=T6DOcZjxiP_sxWFLd9iObA)

14 55. A true and correct copy of a June 18, 2024, article posted by Prof. Eugene  
15 Volokh, the Gary T. Schwartz Distinguished Professor of Law at the University of  
16 California, Los Angeles, together with the user comments on the article, available at  
17 [https://reason.com/volokh/2024/06/18/california-judge-orders-removal-of-reddit-  
18 criticism-of-scientist-consultant-who-publicly-criticized-english-lucy-letby-murder-trial](https://reason.com/volokh/2024/06/18/california-judge-orders-removal-of-reddit-criticism-of-scientist-consultant-who-publicly-criticized-english-lucy-letby-murder-trial)  
and archived at <https://perma.cc/SX3H-T5QB>, is attached as **Exhibit 48**. Comments  
19 posted by “SarritaA” on the article include, in pertinent part:

20 Either way, the State Bar will be receiving a complaint about  
21 the effort to aid Gulley’s [sic] in her violating a RO.

22 [...]

23 I have barely appeared in the media. This is absurd. I was  
24 mentioned once in passing.

25 [...]

26 I will suggest that Prof. Volokh has created a means for Gulley  
27 to evade a court order. As she is apparently commenting on  
this site, and posting about me...

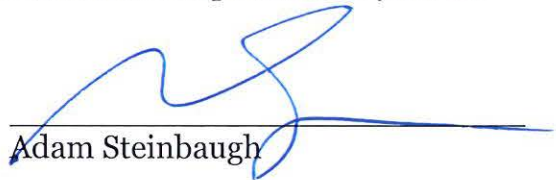
28 [...]

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I have written to the Dean of your faculty, and have instituted complaints about your deliberate effort to aid and abet a woman who is stalking me.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 25th day of July, 2024, in Philadelphia, Pennsylvania.

  
Adam Steinbaugh



# **EXHIBIT 1**

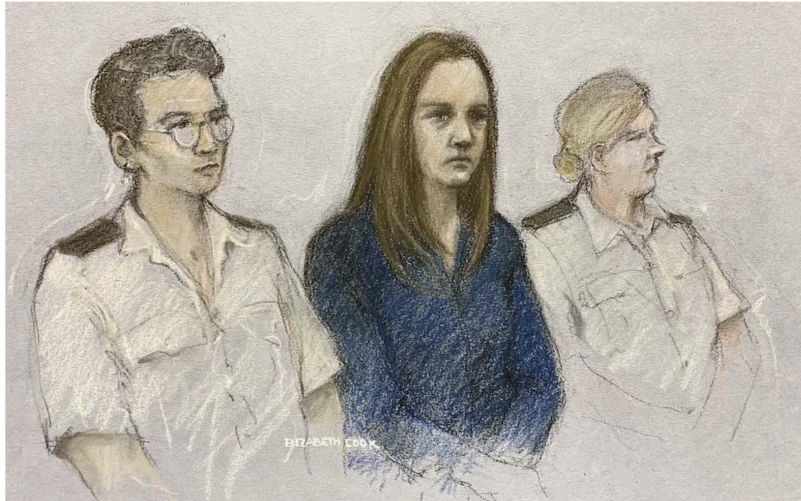
# Lucy Letby appeal fund launched

Supporters claim the nurse's conviction 'may represent the greatest miscarriage of justice the UK has ever witnessed'

Investigations team and Henry Bodkin, SENIOR REPORTER  
23 August 2023 · 7:13pm

Related Topics

Lucy Letby, Crime, Murder



Lucy Letby's legal team have not yet revealed if they plan to appeal | CREDIT: Elizabeth Cook/PA Wire

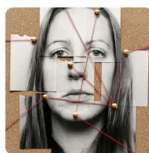
A campaign to fundraise for Lucy Letby's appeal has claimed [the nurse's conviction](#) "may represent the greatest miscarriage of justice the UK has ever witnessed".

Letby has the right to appeal against her whole life order for [murdering seven babies](#) and [trying to kill another six](#), although successful appeals against this sentence are very rare.

Her legal team has not yet revealed if they plan to appeal, but [campaigners who claim she did not have a fair trial](#) are [already gathering public support for a project they have named Science on Trial](#).

The main aim of the campaign, led by Sarrita Adams – a scientific consultant for biotech startups based in California – is "to ensure that scientific evidence is used responsibly in the criminal justice system".

She is trying to gather a group of scientists, lawyers and activists to help with [the convicted murderer's appeal](#).



## How internet sleuths are already trying to prove Lucy Letby innocent

As the former nurse begins her whole life sentence, a campaign to help her appeal has sparked outrage

READ MORE

The fundraising page of the Science on Trial website is not currently open to donations, but there is a "coming soon" note on the "donate" button.

"Our first mission is to campaign for a new trial for Lucy Letby, who was recently convicted of murdering infants, under her care at the Countess of Chester Hospital, UK," the campaign's website states.

"Lucy Letby's trial may represent the greatest miscarriage of justice that the UK has ever witnessed. Through fundraising, researching, and legal assistance, we aim to ensure that Lucy Letby can have a fair trial where evidence is reliable. We are currently working to form a group of scientists, lawyers, and activists to aid in the upcoming appeal for Lucy Letby."



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Sarrita Adams criticised the medical evidence presented at Letby's trial

In a lengthy statement, Ms Adams criticises the medical evidence that was presented at the trial.

This includes criticism of how the high insulin levels detected in two of the babies were presented by the prosecution, although Letby did not contest that the babies were deliberately injected with insulin, instead denying it was she who had administered it.

Ms Adams also criticised the decision to allow medical expert Dr Dewi Evans to give evidence relating to the administering of air to other victims, and the quality of his evidence itself.

Ms Adams describes herself as "a scientist with rare expertise in rare paediatric diseases".

However, although she has a PhD in biochemistry from Cambridge University, according to her online LinkedIn profile, she appears not to have worked as a scientist subsequently.

She runs a consultancy called Railroad Children which works with under-18-year-olds who have rare diseases and their families to identify novel treatments.

Meanwhile, according to the PubMed database of biomedical research, Ms Adams appears only ever to have contributed to two published pieces of research, the last in 2013 related to autism.

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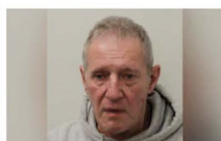
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# **EXHIBIT 2**





Nurse Lucy Letby was given a whole life order in prison (Image: Cheshire Constabulary/AFP via Ge)

## Lucy Letby fundraiser launched to appeal killer nurse's conviction for murdering babies

A scientist in California has launched the Science on Trial campaign to appeal Lucy Letby's convictions, describing them as representing the "greatest miscarriage of justice" in UK history

By **Ryan Merrifield**, News Reporter  
09:57, 24 Aug 2023 | UPDATED 12:22, 24 AUG 2023



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A fundraiser has been launched to appeal **Lucy Letby's** convictions, which organisers claim "may represent the greatest miscarriage of justice the UK has ever witnessed".

The 33-year-old nurse was handed a whole life order for murdering seven babies and attempting to murder six more. Her lawyers are yet to confirm if they plan to appeal, but the campaign - called Science on Trial - claims she did not have a fair trial.

It has been set up by Sarrita Adams - a scientific consultant for biotech startups based in California - "to ensure that scientific evidence is used responsibly in the criminal justice system". She hopes to recruit scientists and lawyers, among others, to help with the appeal. Donations are not yet open on the website but there is a "coming soon" note.



**'My daughter's killer wouldn't face me in court like Letby - now he's set to walk free'**

### The Lucy Letby Case

About Science on Trial

Science on Trial is the first organisation dedicated to fighting for a new trial for Lucy Letby. We aim to ensure that scientific evidence is used responsibly in the criminal justice system. Our first mission is to campaign for a new trial for Lucy Letby, who was recently convicted of murdering infants, under her care at the Countess of Chester Hospital, UK.

Lucy Letby's trial may represent the greatest miscarriage of justice that the UK has ever witnessed. Through fundraising, researching, and legal assistance, we aim to ensure that Lucy Letby can have a fair trial where scientific evidence is reliable. We are currently working to form a group of scientists, lawyers, and activists to aid in the upcoming appeal for Lucy Letby. We invite you to read more about our project and join us in our fight for justice.

### The Science on Trial campaign hopes to overturn Letby's convictions

The site states: "Our first mission is to campaign for a new trial for **Lucy Letby**, who was recently convicted of murdering infants, under her care at the Countess of Chester Hospital, UK. Through fundraising, researching, and legal assistance, we aim to ensure that Lucy Letby can have a fair trial where evidence is reliable. We are currently working to form a group of scientists, lawyers, and activists to aid in the upcoming appeal for Lucy Letby."



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In a separate statement, Ms Adams goes on to criticise the medical evidence that was presented at the trial. This includes the level of insulin detected in two of Letby's victims - this is despite the killer not denying they were injected with insulin. Instead, she said it was not her who did it. Medical expert Dr Dewi Evans' evidence was also criticised.

Ms Adams describes herself as "a scientist with rare expertise in rare paediatric diseases". According to her online LinkedIn profile, she has a PhD in biochemistry from Cambridge University, but does not appear to work as a scientist now.

She runs consultancy Railroad Children which works with under-18-year-olds who have rare diseases and their families to identify novel treatments. Meanwhile, according to the PubMed database of biomedical research, she appears only ever to have contributed to two published pieces of research, the last in 2013 related to autism.

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# **EXHIBIT 3**





NEWS | UK



## Lucy Letby supporters launch defence fund appeal for child killer nurse



< 1/18 >

**BARNEY DAVIS @BARNEYDAVISES**  
24 AUGUST 2023

Supporters of serial killer [Lucy Letby](#) have launched [an appeal to fund her defence calling the nurse's trial](#) the "greatest miscarriage of justice that the UK has ever witnessed".

Letby, who was sentenced to a whole life order for the murder of seven [babies](#) and attempted murder of six others, has the right to appeal her life term but her lawyers have so far not indicated they will.

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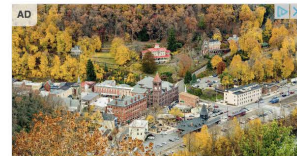
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Despite this, a campaign calling itself Science on Trial is putting forward arguments questioning expert witness accounts and forensic evidence believing the killer nurse did not get a fair trial.

Its founder Sarrita Adams, a scientific consultant for biotech start-ups in California, says she has a PhD in biochemistry from Cambridge University, but, according to her LinkedIn profile, she appears not to have worked as a scientist since then.



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“Through fundraising, researching, and legal assistance, we aim to ensure that Lucy Letby can have a fair trial where scientific evidence is reliable,” her website states.

“We are currently working to form a group of scientists, lawyers, and activists to aid in the upcoming appeal for Lucy Letby.

“We believe that Lucy’s defence was not adequate, that there is more to this case which was not heard in court, which deserved to be heard, and that everyone deserves a fair trial. That is why we have come together to fight for the science to be brought to trial.”



THE ARREST OF LUCY LETBY (OHESHIRE CONSTABULARY/PA)  
PA MEDIA

Donations to the American website are not currently open but there are options to join the cause with a donation link saying “coming soon”.

Ms Adams uses the site to criticise the reliability of the prosecution’s evidence that high insulin levels detected in two babies showed they were deliberately injected.

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Lucy Letby has right to attend convictions appeal hearing



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However, Letby’s legal team did not challenge the fact babies were injected with insulin, instead denying it was her that administered the fatal injections.

It comes as Letby faces being stripped of her NHS pension after being convicted of the “sadistic” murders.

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It is understood the Government is looking at ways to prevent the benefit being paid to Britain's worst child killer.

Letby refused to leave her cell for sentencing on Monday, where the parents of her newborn victims described the horrifying impact the crimes had on their families.

MORE ABOUT **LUCY LETBY** BABIES

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**ME** meteorquake  
September 12, 2023 [Share](#) [Report](#)

My sister has been through the whole experience, as a patient, of surgeons making errors and covering themselves by writing misleading/incorrect notes, making misleading/incorrect statements, casting the blame elsewhere, so as to cover their own back, with people and the whole establishment having to close ranks because their own position would be shaky if they didn't. A very very unhealthy healthcare situation. In a complex and serious case like Lucy's it's very important that analysis continues over the months and years to sort out strong points and shortcomings and if then found necessary a retrial happen. This ability not just to make serious decisions but to continue to assess and review them is a critical part of justice.

[Reply](#) 0 likes 0 dislikes

**FI** fifi148  
September 6, 2023 [Share](#) [Report](#)

I should never believe in American support in terms of an interest in Lucy, unless there are sufficient others that they will make money from.

[Reply](#) [1 Reply](#) 1 like 0 dislikes

**AN** Anonymous23  
September 10, 2023  
Reply to fifi148 [Share](#) [Report](#)

What do you mean?

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**FI** fifi148  
September 6, 2023 [Share](#) [Report](#)

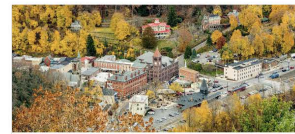
It's all terribly difficult, pretty Lucy vs baby deaths and babies who are so harmed that their brain has been damaged? Why is that Dr's feel impotent, against Managers? What is this material world that we live in that controls us from determining what is right and wrong based on our mortgages or lifestyle? Unfortunately there is no longer trust in institutions, which I believe there should not be.

So terribly sad for all.

[Reply](#) 0 likes 0 dislikes

**JO** JohnStret1  
September 3, 2023 [Share](#) [Report](#)

Poor Lucy was 25 years old and a relatively inexperienced nurse when these accusations began. Like Chinese whispers the lies took on a life of their own until, like her lawyer stated, there was a presumption of guilt instead of innocence. The circumstantial evidence was coincidence, nothing more. Anyone who knows about statistical analysis knows coincidences happen, a police officer does not have the qualifications to make the sweeping statement he made about his



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amateurish spreadsheet, drawing conclusions that weren't true. A retired paediatrician who'd not worked for 14 years used an old clinical paper from 1998, because there was no up date research on premature baby embolism, he even said so, but then convinced a gullible jury it was accurate in this case. He had sought out the police with this "evidence" in a goulish example of ambulance chasing, he wasn't invited. The defence tried and failed to get this "expert" excluded because he's unreliable and in another case, his evidence was thrown out as inadmissible. The parents need to know what really happened to their babies and #LucyLetby after almost 8 years of lies against her, needs justice and should be released pending the public enquiry report.

[Reply](#)

1 0



**Billy**

August 31, 2023

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Biggest miscarriage of Justice in years. Lucy had complained about consultant errors , they don't like that. Witchhunt started. The deaths were not ruled as murder by the coroner. They were all explained naturally. There was a raw sewage leak on the unit. All the symptoms of the babies can be explained via that and the fact that there was a lack of consultant cover, shown in a report by the RCPCH. These deaths were down to negligence, not murder. Dewi Evans the so called 'expert' who touted for work on this case (and who has been discredit by a judge on another case) decided to appoint himself coroner and rule the deaths murder. Unbelievable. His experience in neonatal care is out of date and he was simply just giving the police what they wanted. I hope the real criminals, ie those who ganged up to blame Letby to cover for their own negligence will face justice one day. Letby will be found innocent eventually if she survives her ordeal . What a total disgrace . British justice is a joke. It no longer exists.

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3 1



**Anonymous23**

August 31, 2023

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Reply to [Billy](#)

Totally agree. I've followed a lot of the court case in Chester Standard but now listening to the podcasts to maybe gain some extra knowledge. Currently on the insulin part. What a joke!

I keep thinking they have got to be joking - HOW are they coming to the conclusion it must have been her tampering with the bags and that there is no other explanation? All the other nurses said it was not them, so Dewy 'blame it all on Lucy' Evans decides there is no other explanation. It must be her. I'm infuriated at the one sided circus of horrors that this has been all along. It feels like a bad episode of Columbo. I'm embarrassed to be British having to be fed this tripe by the prosecution and the media.

[Reply](#)

2 1



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**Anonymous**

August 30, 2023

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Reply to [Eric](#)

Dear Eric,

I found your comment to be somewhat conflicting. On the one hand, you express concerns about whether Lucy Letby was fairly represented in court and even acknowledge the possibility of a miscarriage of justice. Yet, you seem intent on discrediting Sarrita Adams and the Science on Trial campaign, which aims to address issues similar to those you've identified.

Regarding Adams' PhD. A quick look at her LinkedIn profile verifies that she is a published academic. While ProQuest etc. might not have her thesis, this doesn't definitively prove anything. You'd have to ask Cambridge University.

Concerning Adams' personal life and divorce, what relevance is this? Divorce proceedings often involve emotional and exaggerated claims from both parties; to use this as an argument against her competence or character seems to be a stretch. More likely her own trials and experience of injustice are what have spurred her to take the initiative in this campaign.

Regarding the Science on Trial campaign, you criticise it for not being officially affiliated with Lucy Letby's legal team. Yet, could this not signify that the Letby case lacks adequate defence, hence the emergence of a grassroots campaign?



You've also suggested that the campaign is a money-making sham, but as far as I can see, Science on Trial is not even accepting donations. How then, can it be considered a money-making endeavour?

Lastly, it's puzzling to see Professor Richard Gill on your list of alleged charlatans. He played an instrumental role in overturning Lucia De Berk's wrongful conviction, which is a testament to his credibility.

[Reply](#) [1 Reply](#) 2 1



**Anonymous23**

August 30, 2023  
Reply to [Eric](#)

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I'm not sure why you are intent on trying to discredit what the science on trial campaign is trying establish.

It is very clear that SOT is NOT trying to scam anyone out of any money and if any fund raising commenced, SOT have made it crystal clear that they will go through the appropriate legal channels.

Am I right in thinking you are the person that infiltrated SOT and Chimp Investor and tried to get everyone to join your what's app group.

What is your reason to try and bring good people down?

[Reply](#) [1 Reply](#) 3 1



**Anonymous**

August 31, 2023  
Reply to [Eric](#)

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Hi Eric, Having read the documentation around SA's divorce, in particular the Court's findings regarding her mental health, I must confess I share your concerns.

[Reply](#) 1 1



**LaRobi65**

August 25, 2023

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Funny how she didn't want any of her supporters to attend her trial. She is guilty, there was more than enough evidence to support the verdict and that is exactly why she didn't want them to attend.

[Reply](#) [2 Replies](#) 3 5



**Billy**

August 31, 2023  
Reply to [LaRobi65](#)

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Evidence of what? For a start all the deaths were ruled as natural deaths and there is no evidence of murder anyway, let alone that Letby did it. For example the so called insulin incidents were only measured after the event by discovering low c-peptide levels. But that can be explained by a baby or mother with a form of diabetes of liver problems. End of . NO need for rubbish about someone tampering with bags. And even if they had done, where is the proof that would be Letby? Don't cite the chart showing her present because they cherry picked the incidents and deaths they showed on there. If the prosecution had picked other deaths which they chose deliberate to leave out, you could have shown other staff present all the time, including other nurses or consultants. She was framed. THERE is ZERO evidence that she murdered anybody. Teh jury were not given the full picture by the prosecution and also there was a raw sewage leak on teh ward which no doubt caused some of the deaths and pathogens from that can look like they cause air in the abdomen. THis trial was a withhunt to blame Lucy for the negligence of higher level hospital consultants etc.

[Reply](#) 2 0



**JohnStret1**

September 3, 2023  
Reply to [LaRobi65](#)

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There was no evidence, not a scrap. Just coincidence and conjecture, plus unsubstantiated accusations.

[Reply](#) 1 0



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**Anonymous**

August 25, 2023  
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I agree, the evidence against her is weak at best, and much of it is non evidence. I am however torn between part of me thinking she's guilty

and the other not guilty. Being given a full life term on hearsay, circumstantial evidence and association is a first though. How did it take 7/8 years from alleged offences to conviction, how did such a lengthy investigation acquire such little evidence?

[Reply](#) 5 2



**wokeup**

August 24, 2023

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She's entitled to appeal, but the evidence was very strong and her performance on the stand was awful, and she elected to take the stand.

Regardless there will always be those who don't want to believe this.

But believe this there are so many medical cover ups by managers purely to avoid bad publicity. But when society has become one that's so quick to blame you sometimes get what you deserve

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6

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**Eric**

August 29, 2023

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Reply to **wokeup**

The evidence was not strong at all.

[Reply](#) 1 1



**JohnStret1**

September 3, 2023

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Reply to **wokeup**

Her performance? what was this, a popularity contest? There is no evidence and after 7 years of unfounded accusations, then a trial, of course she was broken as a person by her situation, not by guilt, but because there's no evidence she did anything and she was scared.

[Reply](#) 0 0



**Darling**

August 24, 2023

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Check out Lucia De Berk, a Dutch nurse jailed for seven murders, she had her conviction quashed. There are many similarities between the cases..

LL was convicted almost entirely on circumstantial evidence.

There is a small chance LL was scapegoated, or they pinned this on the wrong perpetrator.

I've been reading that since 2009 the hospital had many unexplained baby deaths on that ward, and some now living with unexplained brain damage...

I don't normally follow these cases.. but the more I did the more uncomfortable I felt about it all...

[Reply](#) [5 Replies](#) 9 4

3

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**JohnStret1**

September 3, 2023

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Reply to **Michael Organ**

Never mind your claptrap.

Where was the actual physical evidence?

[Reply](#) [1 Reply](#) 1 0



**Michael Organ**

September 4, 2023

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Reply to **JohnStret1**

Do you sleep well at night? Are you trying to profit from this tragedy or maybe your just evil. There were people who supported Hindley and West as well as Shipman they were also evil. Mind you, you were probably among that bunch of human detritations.

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# **EXHIBIT 4**



# How internet sleuths are already trying to prove Lucy Letby innocent

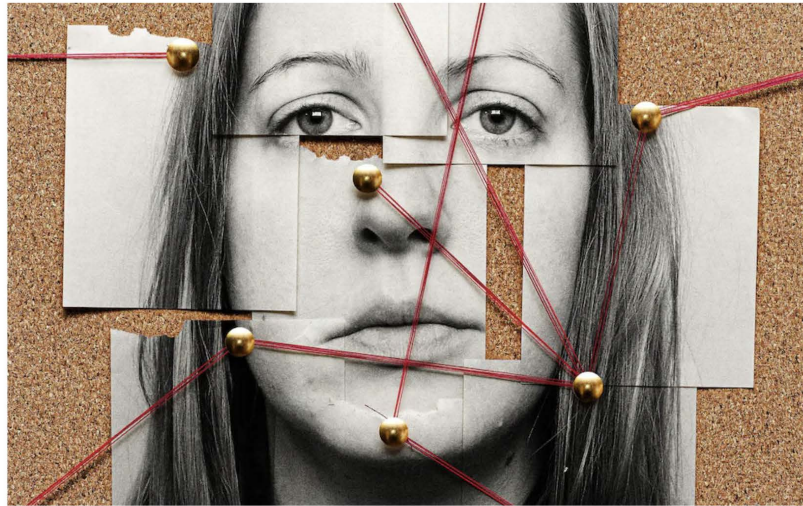
As the former nurse begins her whole life sentence, a campaign to help her appeal her conviction has sparked outrage

Eleanor Steafel

24 August 2023 · 7:54pm

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Lucy Letby, Crime, Murder, Conspiracy theories



After 10 months of harrowing evidence and lengthy, rigorous cross-examinations, the neonatal nurse Lucy Letby was eventually convicted of murdering seven babies who were in her care and attempting to kill six more, making her the most prolific child serial killer in modern history.

She has been given multiple whole life terms, and there are calls for a full government inquiry into how this was allowed to happen at the hospital where she continued to work for three years after whistleblowers spoke up. The judge, Mr Justice Goss, said the "cruelty and calculation" of Letby's actions between June 2015 and June 2016 were "truly horrific".



The moment Lucy Letby is arrested by police in July 2018

It was a thorough trial, with the jury reaching a decision based on witness testimony, Letby's diaries and notes, and expert evidence. Yet a week on, [the conspiracy theories are already circulating](#). A campaign to fundraise for Lucy Letby's appeal, set up by a woman in America with no apparent connections to her or the hospital, has claimed the nurse's conviction "may represent the greatest miscarriage of justice the UK has ever witnessed", while theories are being thrown around on the internet.

They don't necessarily argue that she is innocent, but rather that there may have been holes in the evidence or issues with how it was presented in court.

The reaction to the Letby trial has parallels with the modern obsession with true crime. These podcasts and TV series often share a mission to save those who they

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feel are wrongfully accused – they have won devoted followings of people who are grimly fascinated by these stories, and the lines between entertainment and public interest are blurred. Psychological research has been done into why true crime is so popular – a 2010 study at the University of Illinois at Urbana-Champaign found people are most interested in stories that offer an insight into a killer’s motives. The Letby case illustrates how often the theories that emerge are on the fringe between campaigning and conspiracy.

Statistician Richard Gill, 72, is one of those backing a controversial claim that there are holes in Letby’s case and it should be retried. He doesn’t profess to know for certain that she is innocent, but argues there are issues with the way evidence was presented to the court.



Lucia De Berk was convicted of four murders and three attempted murders, but after a campaign led by whistleblowers and statisticians she was exonerated | CREDIT: Shutterstock

In 2017, when a police investigation into the case of a nurse suspected of killing babies at the Countess of Chester Hospital hit the newspapers, there was just one thought on Gill’s mind: “Oh no, it’s all going to happen again.”

Seven years before anyone had heard of Letby, Gill successfully campaigned for the retrial of Dutch nurse Lucia de Berk. De Berk stood trial for serial murder in 2003 and was convicted of four murders and three attempted murders. In 2010, after a campaign led by whistleblowers and statisticians including Gill, the case was sent back to court. De Berk was exonerated; her case is now considered one of the worst miscarriages of justice in Dutch history. When Gill, who is British but lives in the Netherlands, heard Letby’s story, it sounded all too familiar.

It’s a theory which, barely a week after the Letby verdict was handed down, is extremely hard to entertain. It sounds like the kind of mad claim that swirls around dark corners of the internet long after a case is closed. It may be just that – a far-fetched, baseless theory. It may have just enough weight to it to merit a true crime podcast – one of those addictive series [cut from the same cloth as Serial](#), which spawned an irrepressible wave of true crime podcasts. Scott Bonn, a criminology professor at Drew University, has found that true crime triggers an addictive fascination – and the Letby case has already drawn interest.

The case that Gill and others make begins with statistics. He describes Letby’s case as “a trial which would never have taken place if anybody had talked to a statistician”. Speaking over the phone from his home in Holland, he points to a table used by the prosecution during the trial to show how Letby was on shift every time one of the babies whose deaths were investigated had died. Crosses mark where a nurse was on shift; the only nurse on the table who was present every time was Letby. The table, Gill says, isn’t a piece of statistical evidence – rather, it’s data shown out of context.

“The data is very selective,” he says. “[It] only looked at events that happened when Lucy Letby was on duty.” Gill argues that without a broader picture, it’s mathematically impossible to draw a conclusion from the data. “How can you find out if the deaths that happened when Lucy was there are different from the deaths that happened when she wasn’t there?” he asks. “There were more deaths that happened when she wasn’t there. [...] What you should do is compare the rates of deaths.”

For Gill, a retired professor of statistics at the University of Leiden, it seems vitally important to compare the chance of a death on one of Letby’s shift with the chance of a death on another shift.

Letby’s defence, he says, should have asked for a broader data set “straight away”.





Letby has been given multiple whole life terms

Neil Mackenzie KC, a lawyer based in Edinburgh who specialises in medical negligence cases, is reluctant to criticise either party, but feels a “zealous prosecutor” put forward a theory that hung in the background of the trial and perhaps wasn’t challenged enough by the defence.

The theory? That the deaths of these babies didn’t merely represent a “cluster” but that there “had to be a guiding author behind it, and that author had a criminal intent”.

Isn’t that precisely what a prosecuting barrister is supposed to do? Yes, he says, but the onus should then be on the defence to bring evidence that could “undermine the prosecution’s theory”.

Mackenzie is the co-author (along with Gill and other statisticians) of a report released last year by the Royal Statistical Society, which sets out a framework for lawyers and judges for how to ethically and effectively approach statistics in a court case. The paper covered the statistical issues in investigating people suspected of medical misconduct and stressed that lawyers should “avoid giving undue weight to seemingly unlikely clusters of events”.

“Seemingly improbable clusters of events can arise by chance without criminal behaviour,” the authors said. “Consequently, evidence involving event clusters may be less probative than people assume for distinguishing criminality from coincidence.

“Even if it is highly improbable that such a cluster would occur by coincidence, the best explanation might nevertheless be coincidence in the absence of convincing evidence to the contrary. Lawyers and judges should keep this point in mind.”



Sarrita Adams has set up Science on Trial, a website meant to gather support for Letby’s case

In Letby’s case, Mackenzie says, there “could have been some scientific evidence for the defence to explain why this was a cluster that could have happened by chance, to neutralise or destroy the theories about air bubbles or noxious substances”.

While Letby has a right to appeal against her whole life order (her legal team have not yet announced whether or not they intend to), Mackenzie says he would be “wanting to know a bit more about whether she maintained her innocence”.

In his summing up on Monday, Mr Justice Goss described Letby as having “no remorse”.

Theories are also swirling around the medical evidence brought before the court. At

the centre of the campaign to retry Letby is an American woman called Sarrita Adams. Adams describes herself as “a scientist with rare expertise in rare paediatric diseases”. She has a PhD in biochemistry from Cambridge University, according to her online LinkedIn profile. She has set up Science on Trial, a website meant to gather support for the convicted murderer’s case.

“Lucy Letby’s trial may represent the greatest miscarriage of justice that the UK has ever witnessed,” the site says. “Through fundraising, researching, and legal assistance, we aim to ensure that Lucy Letby can have a fair trial where evidence is reliable. We are currently working to form a group of scientists, lawyers, and activists to aid in the upcoming appeal.”

Adams is drawing on criticism of the medical evidence. She criticises the research papers that were used in the case, as being out of date – one was from 1989.

Mr Justice Goss’s assessment of Letby on Monday could not have been clearer. “There was a deep malevolence bordering on sadism in your actions,” he said, addressing Letby, though she had refused to come to court. “This was a cruel, calculated and cynical campaign of child murder.”

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# **EXHIBIT 5**



Home > News > UK

## Fundraiser to help Lucy Letby appeal against her conviction sparks outrage

Sam Courtney-Guy  
Published Aug 24, 2023, 6:00pm | Updated Aug 25, 2023, 3:57pm



Comment



### The Lucy Letby Case

#### About Science on Trial

Science on Trial is the first organisation dedicated to fighting for a new trial for Lucy Letby. We aim to ensure that scientific evidence is used responsibly in the criminal justice system. Our first mission is to campaign for a new trial for Lucy Letby, who was recently convicted of murdering infants, under her care at the Countess of Chester Hospital, UK.

Lucy Letby's trial may represent the greatest miscarriage of justice that the UK has ever witnessed. Through fundraising, researching, and legal assistance, we aim to ensure that Lucy Letby can have a fair trial where scientific evidence is reliable. We are currently working to form a group of scientists, lawyers, and activists to aid in the upcoming appeal for Lucy Letby. We invite you to read more about our project and join us in our fight for justice.

The campaign attacks Letby's defence team and the evidence used against her (Picture: SWNS)

An online fundraiser has been launched to support **Lucy Letby** if she decides to appeal against her conviction.

The nurse is serving a whole life order for murdering seven babies and attempting to murder six more, including one whom she tried to kill twice.

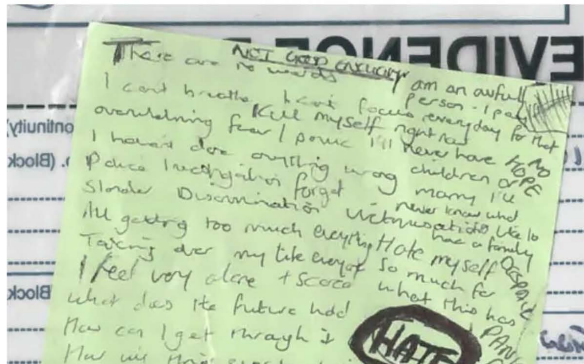
The campaign is being run by a California-based individual, Sarrita Adams, who claims Letby's conviction 'may represent the greatest miscarriage of justice the UK has ever witnessed'.

A website set up for the campaign, calling itself Science on Trial, attacks the medical evidence used in Letby's trial and claims her defence was 'not adequate'.

'Through fundraising, researching, and legal assistance, we aim to ensure that Lucy Letby can have a fair trial where evidence is reliable,' it states.

'We are currently working to form a group of scientists, lawyers, and activists to aid in the upcoming appeal for Lucy Letby.'

The campaign quickly drew criticism on social media, with people calling it an 'absolute disgrace' that would only bring 'more pain to the families' of the victims.



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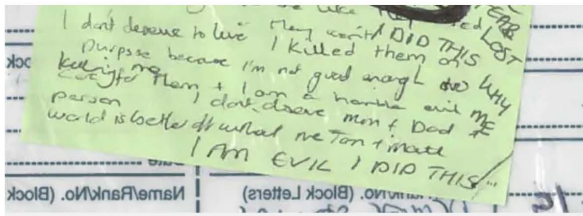


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A wide array of evidence used against Letby included handwritten notes found in her house (Picture: PA)

One user wrote on X, formerly known as Twitter: 'What is wrong with these people with their belief that she is innocent. I can understand why people are angry about this.'

A long statement posted on the website also questioned whether Dr Dewi Evans, the retired consultant paediatrician who was tasked to look into the deaths by detectives, was qualified to do so.

Ms Adams describes herself as 'a scientist with rare expertise in rare paediatric diseases'.

She gained a PhD in biochemistry from Cambridge University in 2017 but, according to her LinkedIn profile, has not worked in scientific research since.



Letby is serving a whole life order and has not announced any intention to appeal (Picture: PA)

In her profile, she also claims to have 'produced deep research and proven results in life sciences'.

Her name appears on two published research papers discoverable through the PubMed biomedical research database as well as Google Scholar, which searches across a number of similar databases.

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They were published in 2012 and 2013 on topics in the neuroscience of developmental disabilities.

The Science on Trial website does not specify how scientists and activists organised by Ms Adams would help in a potential appeal by Letby.

Appeals are typically led by barristers appointed by the defendant and focus on evidence and witnesses with strong ties to the case in question.

The campaign website's donation function is not currently open, though the 'donate' button displays a 'coming soon' note.

Get in touch with our news team by emailing us at [webnews@metro.co.uk](mailto:webnews@metro.co.uk).

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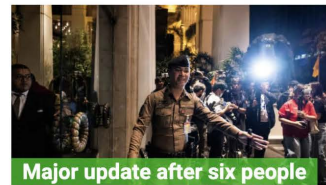
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**DEVIL'S AVOCADO**

25 August, 2023

I cannot see the problem with this – it's a crime so bad that nobody wants to believe it, so let them research the evidence, put it under the microscope, check it and recheck it and check it again.

If the conviction is solid, then it'll stand, if it is flawed, then it'll collapse – if it stands, i...

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**GILLIAN LEFRANCOIS**

25 August, 2023

The probability that the nurse could have been on duty for all 13 cases (7 deaths + 6 close calls) is approximately 1 in 1,771,561,152,925. In other words, the likelihood of this happening is extremely low, with the nurse having a very slim chance of being on duty for all cases given the total numb...

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**ADAM1106**

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You mean a lack or insufficient insulin causes a build up of ketones? C-peptide is tested post-mortem to differentiate between natural insulin and that which was administered.

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most likely a scam.

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**JAMES SOMERVILLE**

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Great idea let's get it right yes let's have a crowd funding page for all the little baby's who were murdered by that monster

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24 August, 2023

'one whom she tried to kill twice'...and fund raising for her...😞😞😞

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**ARUBATO**

24 August, 2023

The good news is experts are already working on the case and guess what!?

All evidence is very dubious and should never have been accepted in a court of law. Heads will roll. Surely.

Incidentally, Lucy Letby's case bears great similarity with that of Lucia de Berk - the Dutch nurse accused of simila...

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25 August, 2023

If she was innocent why did she not want to face the families for her sentencing?

The money raised should go to the families Lucy murder their little angels

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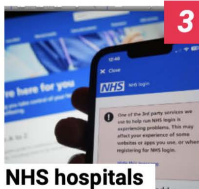
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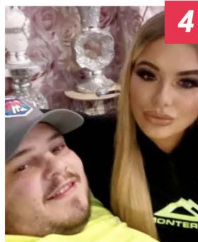
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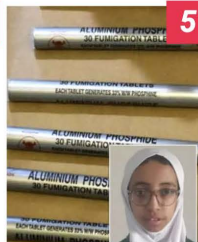
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# **EXHIBIT 6**

LUCY LETBY

# How Reddit armchair detectives threatened to derail Lucy Letby's trial

True crime enthusiasts broke restrictions on the reporting of names of victims and witnesses while online campaigners insist serial killer is innocent and question 'circumstantial' evidence

Tom Ball, Tom Witherow  
Friday August 25 2023, 1.00pm BST, The Times  
Law Lucy Letby  
Crime



There were posts on TikTok claiming Lucy Letby is innocent

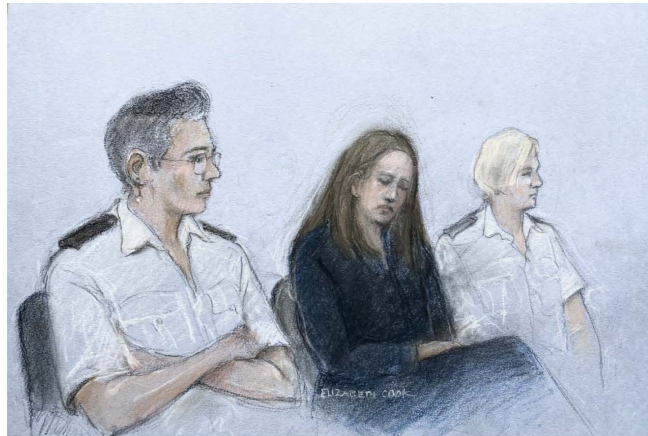
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Armchair detectives threatened to derail the trial of Lucy Letby after attending almost daily and posting details on Reddit that were in contempt of court.

The trial, and a podcast relaying what was happening in court, generated enormous interest in the case and led to a maelstrom of comments online.

True crime enthusiasts were a regular presence at the trial, watching proceedings remotely from an annexe where the public gallery was situated.

All of those who attended the trial were made to sign a document saying they understood that there was an order restricting the reporting of names of victims and their parents, as well as some witnesses.



True crime enthusiasts were a regular presence at the trial  
ELIZABETH COOK/PA

However, these restrictions were sometimes broken in threads on Reddit, the online discussion forum. It is understood that witnesses flagged this to the company, which then removed the offending posts.

On Friday there were several posts available to read online that discuss the case, which were written by members of the public who sat in the public gallery.

One author says that they noted [Letby's](#) "refusal to look at" Nick Johnson KC, the prosecuting barrister, as either "the arrogance of a guilty narcissist" or

“innocent person who is sick of being asked questions about something she hasn’t done”.

They also said that Letby’s voice in real life sounded nothing like her voice as portrayed by an actor in *The Trial of Lucy Letby* podcast.



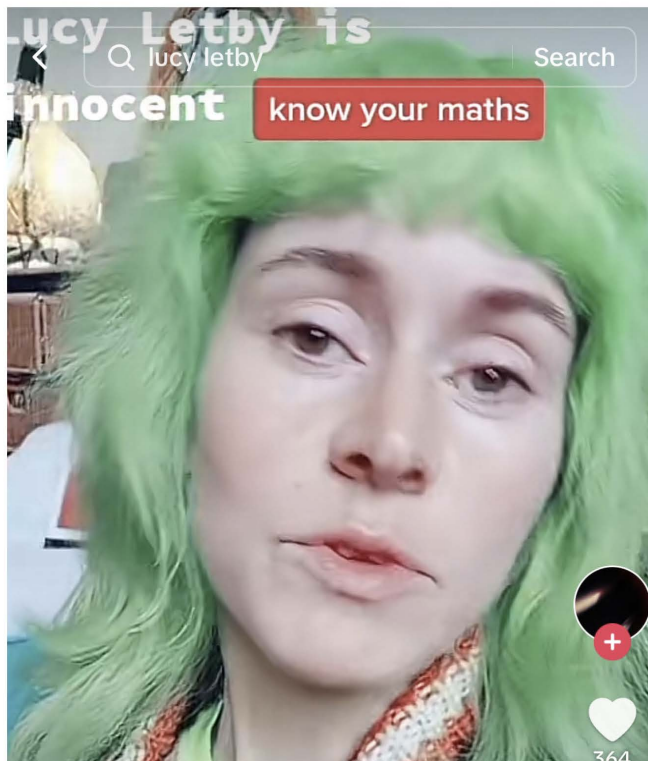
Armchair sleuths were also active in the disappearance of Nicola Bulley  
PA

It is the second time online speculation has threatened to derail a trial or police investigation, after the disappearance of Nicola Bulley in January in Lancashire, who was later found to have [died of accidental drowning](#), generated a “carnival of hysteria” online.

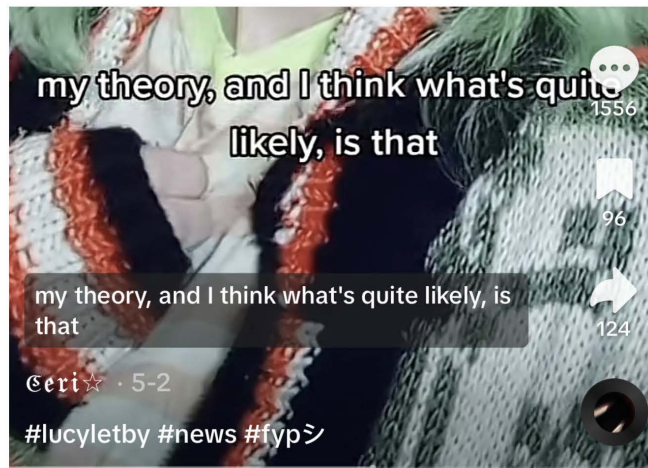
Her family hit out at the “wildly inaccurate speculation”, and the police were forced to take the unprecedented step of releasing Bulley’s medical history in a public statement.

The popularity of the Letby podcast, which is at present the fourth most listened-to podcast in the UK according to Spotify, has caught the eye of amateur sleuths, psychics and pseudo-scientists proclaiming Letby’s innocence or posting “theories” on the evidence. Videos tagged with the hashtag, #LucyLetbyInnocent, have been viewed more than 3.3 million times on TikTok.

In one, a woman in her twenties, with a banner reading “Lucy Letby is innocent, know your maths”, says that it is “statistically improbable” that “all the deaths that happened on Lucy’s watch were murders”.







The verdict has sparked claims Letby is innocent

Another commenter, on the Lucy Letby thread on Reddit, wrote: "I'm still unconvinced. Circumstantial evidence isn't enough." A third, writing from the US, said: "'Strange' behavior is not evidence — Amanda Knox acted strangely during her trial, but she was innocent." [Knox was wrongly convicted](#) of murdering Meredith Kercher, a fellow exchange student, in Perugia and spent almost four years in an Italian prison before her successful appeal.

[The Letby verdict](#) has also sparked a "campaign" for a re-trial, with a website set up to claim the nurse's conviction "may represent the greatest miscarriage of justice the UK has ever witnessed".

The campaign, said to be led by Sarrita Adams, a research analyst from California, set up a website on July 12, called "Science on Trial" claiming to lay out holes in the prosecution's argument.

She has challenged the reliability of the scientific evidence used in the trial, including the expert witnesses called by the prosecution.

The defence has the opportunity to approach expert witnesses to bolster their case. They do not have to disclose whether they approached expert medical witnesses. The only expert witness for the defence was a plumber, who testified on drainage problems on the neonatal ward.

The campaign website is not open to donations, but there is a "coming soon" note on the "donate" button. She has also asked for interested lawyers, medical professionals, mathematicians and "anyone with a passion for justice" to get in touch to help with Letby's appeal.

Successful appeals against a conviction are rare in the UK. Criminals convicted in a crown court can either go directly to the Court of Appeal to request leave to appeal, or apply through the Criminal Cases Review Commission, which handles miscarriages of justice.

Reasons for appeal can include major errors by the defendant's defence team, misconduct by the trial judge or irregularities about the jury. Once the 28-day time limit has passed, a convict would need to show new evidence has emerged that was not available to the defence team at trial.

Many commenters online have made reference to the case of Lucia de Berk, a Dutch paediatric nurse sentenced to a life term for four murders and three attempted murders of patients under her care, which was later overturned after new evidence emerged, including medical reports showing some of her victims died natural deaths.

A spokesman for Reddit said that the thread relating to the Letby case contained a warning for users not to discuss the identities of the nurse's victims. He added that the site's internal safety teams used a combination of automated tools and human review to enforce its policies.

"Reddit's sitewide policies strictly prohibit posting someone's personal information or witch-hunting," he said. "We closely review the communities on

our platform, and reach out to remind moderators of our policies and offer support and resources in our Mod Help Centre.”

UK > Law

Law Lucy Letby Crime

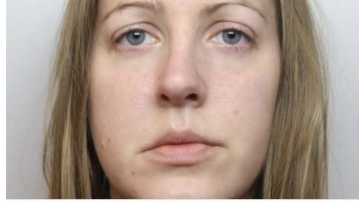
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# **EXHIBIT 7**

Oh!mymag

News

## A justice campaign for Lucy Letby has started, find out who is behind it and why

Updated on August 29, 2023 at 10:07 AM  
by [Isabella Bertoli](#)

The Lucy Letby infant murders have sent shockwaves through the UK. Learn about the campaigners who are now raising money for the serial killer.



**It took 8 years for Lucy Letby to be arrested, she's been in custody since November 2020**, and on Monday 21 August 2023 she was finally sentenced to a 'whole life order' for the murder of seven babies and the attempted murder of six more.

Discover our latest podcast

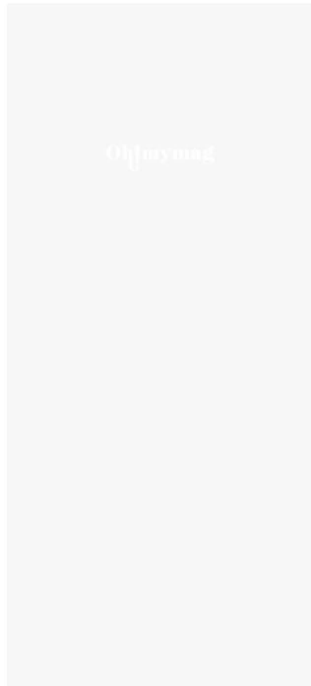
**Arthur Mitchell, the first black man to become...**  
Bababam

This means that **she will die in prison**, and according to the *BBC*, she is **only one of four female criminals in British history to have no hope of parole**. Tom Nicholson, a criminal barrister, told the *BBC* that **prisoners with Letby's sentence face 'maximum security conditions, visiting restrictions and restrictions on how they operate in prison'**.

However, there are **still many questions surrounding her case**, including whether or not there could be an appeal.

### Who is campaigning for Lucy Letby?

A campaign to raise money for Letby has been created by people who feel her case **'may represent the greatest miscarriage of justice the UK has ever witnessed'**. *The Telegraph* reports that the project leader, Sarrita Adams, **is a scientific consultant for biotech startups in California**.



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This idea may sound crazy, but Adams says their goal is **'to ensure that scientific evidence is used responsibly in the criminal justice system'**. The campaign is called *Science on trial*, and its site is up and running - **you can find it here**. The homepage shows floating embers across a black background and, up until a few hours ago, there was an oddly vibrant pink button top-right that read **'Donate - Coming Soon'**. Their slogan? **'Bringing Science to those who need it most'**.

The 'Case' tab describes Letby's case, but **the maths doesn't add up**:

“ On Friday 18th August, 2023, at Manchester Crown Court, Lucy Letby was convicted of 14 crimes; 7 murders and 7 attempted murders. Two of the attempted murder charges were determined to be not guilty, and the remaining 6 attempted murder charges were undecided. ”

Out of seven attempted murders, **how can two be 'not guilty' and six be 'undecided'... we're no scientists, but surely that would mean 8 attempted murders.**

**Read more: British man who killed his fatally ill wife in Cyprus avoids murder conviction**

**Why do they think Letby deserves a new trial?**



The site claims that **'the prosecution weaponised evidence against Lucy'**, but its reasoning seems confused. It cites several examples where **Lucy wrote letters or cards to the families of the deceased babies and notes to herself which varied from 'I AM EVIL I DID THIS' to 'I haven't done anything wrong'**.

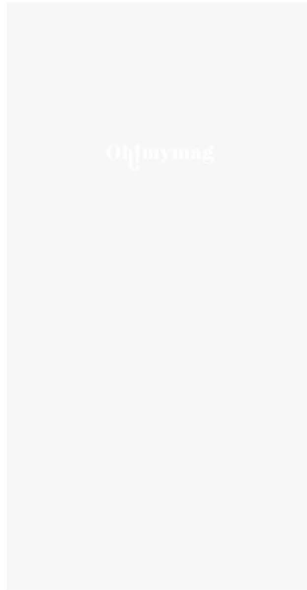
However, as *Science on trial* goes on to remark, the judge presiding over Letby's case called this evidence **'almost wholly, but entirely, circumstantial'**. So why do they bring it up?

**Controversial expert witness**

*Herald Wales* states that Dr Dewi Evans, who was the medical expert for the trial, **'identified 15 instances that defied conventional explanations. These babies displayed telltale signs of harm**, ranging from symptoms of air embolism—suggesting the injection of air into their circulatory systems—to signs of milk or milk-and-air injections directly into their stomachs, leading to **life-threatening breathing difficulties.**'

*Science on trial* suggests that Dr Evans is out-of-date, claiming he **'determined that the infants died due to air embolism by referring to a 1989 research paper'**. The site adds that Dr Evans carried out his research **with the help of consultants who were present on the ward 'at the time of death' and who therefore 'should have been treated as suspects.'**

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## Sarrita Adams' credibility



*The Telegraph* has done some digging on Adams, and found that, though the site's founder describes herself as 'a scientist with rare expertise in rare paediatric diseases', Adams has **not worked as a scientist since obtaining her PhD in biochemistry from Cambridge University.**

**It turns out that she has only ever published two pieces of research, according to PubMed database of biochemical research, and the last was in 2013.**

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Sources used:

***Herald Wales:*** How Dr. Dewi Evans helped secure justice in nurse Letby's chilling baby murders

***The Telegraph:*** Lucy Letby fundraising campaign launched

***BBC:*** Lucy Letby: What happens next with inquiry, prison and police review

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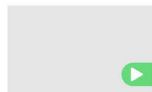
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Groupe Cerise

# **EXHIBIT 8**

A REPORTER AT LARGE

# A BRITISH NURSE WAS FOUND GUILTY OF KILLING SEVEN BABIES. DID SHE DO IT?

*Colleagues reportedly called Lucy Letby an “angel of death,” and the Prime Minister condemned her. But, in the rush to judgment, serious questions about the evidence were ignored.*


**By Rachel Aviv**

May 13, 2024










The case against Letby gathered force on the basis of a single diagram shared by the police, which circulated widely in the media. Illustration by Vartika Sharma

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Last August, Lucy Letby, a thirty-three-year-old British nurse, was convicted of killing seven newborn babies and attempting to kill six others. Her murder trial, one of the longest in English history, lasted more than ten months and captivated the United Kingdom. The *Guardian*, which published more than a hundred stories about the case, called her “one of the most notorious female murderers of the last century.” The collective acceptance of her guilt was absolute. “She has thrown open the door to Hell,” the *Daily Mail* wrote, “and the stench of evil overwhelms us all.”

The case galvanized the British government. The Health Secretary immediately announced an inquiry to examine how Letby’s hospital had failed to protect babies. After Letby refused to attend her sentencing hearing, the Justice Secretary said that he’d work to change the law so that defendants would be required to go to court to be sentenced. Rishi Sunak, the Prime Minister, said, “It’s cowardly that people who commit such horrendous crimes do not face their victims.”

The public conversation rushed forward without much curiosity about an incongruous aspect of the story: Letby appeared to have been a psychologically healthy and happy person. She had many close friends. Her nursing colleagues spoke highly of her care and dedication. A detective with the Cheshire police,

which led the investigation, said, “This is completely unprecedented in that there doesn’t seem to be anything to say” about why Letby would kill babies. “There isn’t really anything we have found in her background that’s anything other than normal.”

The judge in her case, James Goss, acknowledged that Letby appeared to have been a “very conscientious, hard working, knowledgeable, confident and professional nurse.” But he also said that she had embarked on a “calculated and cynical campaign of child murder,” and he sentenced her to life, making her only the fourth woman in U.K. history condemned to die in prison. Although her punishment can’t be increased, she will face a second trial, this June, on an attempted-murder charge for which the jury could not reach a verdict.

Letby had worked on a struggling neonatal unit at the Countess of Chester Hospital, run by the National Health Service, in the West of England, near Wales. The case centered on a cluster of seven deaths, between June, 2015, and June, 2016. All but one of the babies were premature; three of them weighed less than three pounds. No one ever saw Letby harming a child, and the coroner did not find foul play in any of the deaths. (Since her arrest, Letby has not made any public comments, and a court order has prohibited most reporting on her case. To describe her experiences, I drew from more than seven thousand pages of court transcripts, which included police interviews and text messages, and from internal hospital records that were leaked to me.)

The case against her gathered force on the basis of a single diagram shared by the police, which circulated widely in the media. On the vertical axis were twenty-four “suspicious events,” which included the deaths of the seven newborns and seventeen other instances of babies suddenly deteriorating. On the horizontal axis were the names of thirty-eight nurses who had worked on the unit during that time, with X’s next to each suspicious event that occurred when they were on shift. Letby was the only nurse with an uninterrupted line of X’s below her name. She was the “one common denominator,” the “constant malevolent presence when



things took a turn for the worse,” one of the prosecutors, Nick Johnson, told the jury in his opening statement. “If you look at the table overall the picture is, we suggest, self-evidently obvious. It’s a process of elimination.”

But the chart didn’t account for any other factors influencing the mortality rate on the unit. Letby had become the country’s most reviled woman—“the unexpected face of evil,” as the British magazine *Prospect* put it—largely because of that unbroken line. It gave an impression of mathematical clarity and coherence, distracting from another possibility: that there had never been any crimes at all.

Since Letby was a teen-ager, she had wanted to be a nurse. “She’d had a difficult birth herself, and she was very grateful for being alive to the nurses that would have helped save her life,” her friend Dawn Howe told the BBC. An only child, Letby grew up in Hereford, a city north of Bristol. In high school, she had a group of close friends who called themselves the “miss-match family”: they were dorky and liked to play games such as Cranium and Twister. Howe described Letby as the “most kind, gentle, soft friend.” Another friend said that she was “joyful and peaceful.”

Letby was the first person in her family to go to college. She got a nursing degree from the University of Chester, in 2011, and began working on the neonatal unit at the Countess of Chester Hospital, where she had trained as a student nurse. Chester was a hundred miles from Hereford, and her parents didn’t like her being so far away. “I feel very guilty for staying here sometimes but it’s what I want,” she told a colleague in a text message. She described the nursing team at the Countess as “like a little family.” She spent her free time with other nurses from the unit, often appearing in pictures on Facebook in flowery outfits and lip gloss, with sparkling wine in her hand and a guileless smile. She had straight blond hair, the color washing out as she aged, and she was unassumingly pretty.

The unit for newborns was built in 1974, and it was outdated and cramped. In 2012, the Countess launched a campaign to raise money to build a new one, a process that ended up taking nine years. “Neonatal intensive care has improved in recent years but requires more equipment which we have very little space for,” Stephen Brearey, the head of the unit, told the *Chester Standard*. “The risks of infection for the babies is greater, the closer they are to each other.” There were also problems with the drainage system: the pipes in both the neonatal ward and the maternity ward often leaked or were blocked, and sewage occasionally backed up into the toilets and sinks.

The staff were also overtaxed. Seven senior pediatricians, called consultants, did rounds on the unit, but only one was a neonatologist—a specialist in the care of newborns. An inquest for a newborn who died in 2014, a year before the deaths for which Letby was charged, found that doctors had inserted a breathing tube into the baby’s esophagus rather than his trachea, ignoring several indications that the tube was misplaced. “I find it surprising these signs were not realised,” the coroner said, according to the *Daily Express*. The boy’s mother told the paper that “staff shortages meant blood tests and X-rays were not assessed for seven hours and there was one doctor on duty who was splitting his time between the neonatal ward and the children’s ward.”

The N.H.S. has a totemic status in the British psyche—it’s the “closest thing the English have to a religion,” as one politician has put it. One of the last remnants of the postwar social contract, it inspires loyalty and awe even as it has increasingly broken down, partly as a result of years of underfunding. In 2015, the infant-mortality rate in England and Wales rose for the first time in a century. A survey found that two-thirds of the country’s neonatal units did not have enough medical and nursing staff. That year, the Countess treated more babies than it had in previous years, and they had, on average, lower birth weights and more complex medical needs. Letby, who lived in staff housing on the hospital grounds, was twenty-five years old and had just finished a six-month course to become qualified

in neonatal intensive care. She was one of only two junior nurses on the unit with that training. “We had massive staffing issues, where people were coming in and doing extra shifts,” a senior nurse on the unit said. “It was mainly Lucy that did a lot.” She was young, single, and saving to buy a house. That year, when a friend suggested that she take some time off, Letby texted her, “Work is always my priority.”

In June, 2015, three babies died at the Countess. First, a woman with antiphospholipid syndrome, a rare disorder that can cause blood clotting, was admitted to the hospital. She was thirty-one weeks pregnant with twins, and had planned to give birth in London, so that a specialist could monitor her and the babies, but her blood pressure had quickly risen, and she had to have an emergency C-section at the Countess. The next day, Letby was asked to cover a colleague’s night shift. She was assigned one of the twins, a boy, who has been called Child A. (The court order forbade identifying the children, their parents, and some nurses and doctors.) A nursing note from the day shift said that the baby had had “no fluids running for a couple of hours,” because his umbilical catheter, a tube that delivers fluids through the abdomen, had twice been placed in the wrong position, and “doctors busy.” A junior doctor eventually put in a longline, a thin tube threaded through a vein, and Letby and another nurse gave the child fluid. Twenty minutes later, Letby and a third nurse, a few feet away, noticed that his oxygen levels were dropping and that his skin was mottled. The doctor who had inserted the longline worried that he had placed it too close to the child’s heart, and he immediately took it out. But, less than ninety minutes after Letby started her shift, the baby was dead. “It was awful,” she wrote to a colleague afterward. “He died very suddenly and unexpectedly just after handover.”

A pathologist observed that the baby had “crossed pulmonary arteries,” a structural anomaly, and there was also a “strong temporal relationship” between the insertion of the longline and the collapse. The pathologist described the cause of death as “unascertained.”

Letby was on duty again the night after Child A's death. At around midnight, she helped the nurse who had been assigned to the surviving twin, a girl, set up her I.V. bag. About twenty-five minutes later, the baby's skin became purple and blotchy, and her heart rate dropped. She was resuscitated and recovered. Brearey, the unit's leader, told me that at the time he wondered if the twins had been more vulnerable because of the mother's disorder; antibodies for it can pass through the placenta.

The next day, a mother who had been diagnosed as having a dangerous placenta condition gave birth to a baby boy who weighed one pound, twelve ounces, which was on the edge of the weight threshold that the unit was certified to treat. Within four days, the baby developed acute pneumonia. Letby was not working in the intensive-care nursery, where the baby was treated, but after the child's oxygen alarm went off she came into the room to help. Yet the staff on the unit couldn't save the baby. A pathologist determined that he had died of natural causes.

Several days later, a woman came to the hospital after her water broke. She was sent home and told to wait. More than twenty-four hours later, she noticed that the baby was making fewer movements inside her. "I was concerned for infection because I hadn't been given any antibiotics," she said later. She returned to the hospital, but she still wasn't given antibiotics. She felt "forgotten by the staff, really," she said. Sixty hours after her water broke, she had a C-section. The baby, a girl who was dusky and limp when she was born, should have been treated with antibiotics immediately, doctors later acknowledged, but nearly four hours passed before she was given the medication. The next night, the baby's oxygen alarm went off. "Called Staff Nurse Letby to help," a nurse wrote. The baby continued to deteriorate throughout the night and could not be revived. A pathologist found pneumonia in the baby's lungs and wrote that the infection was likely present at birth.

"We lost [her]," Letby texted a close friend I'll call Margaret, a shift leader on the unit. Margaret had mentored Letby when she was a student training on the ward.

"What!!!!!! But she was improving," Margaret replied. "What happened? Wanna chat? I can't believe you were on again. You're having such a tough time."

Letby told Margaret that the circumstances of the death might be investigated.

"What, the delay in treatment?"

“Just overall,” she said. “And reviewing what antibiotics she was on, etc., if it is sepsis.” Letby wrote that she was still in shock. “Feel a bit numb.”

“Oh hun, you need a break,” Margaret said. Reflecting on the first of the three deaths, Margaret told her that the baby’s parents would always grieve the loss of their child but that, because of the way Letby had cared for him, they’d hopefully have no regrets about the time they spent with their son. “Just trying to help you take the positives you deserve from tough times,” Margaret wrote. “Always here. Speak later. Sleep well xxx.”

A few days later, Letby couldn’t stop crying. “It’s all hit me,” she texted another friend from the unit. She wrote that two of the deaths seemed comprehensible (one was “tiny, obviously compromised in utero,” and the other seemed septic, she wrote), but “it’s [Child A] I can’t get my head around.”

The senior pediatricians met to review the deaths, to see if there were any patterns or mistakes. “One of the problems with neonatal deaths is that preterm babies can die suddenly and you don’t always get the answer immediately,” Brearey told me. A study of about a thousand infant deaths in southeast London, published in *The Journal of Maternal-Fetal & Neonatal Medicine*, found that the cause of mortality was unexplained for about half the newborns who had died unexpectedly, even after an autopsy. Brearey observed that Letby was involved in each of the deaths at the Countess, but “it didn’t sound to me like the odds were that extreme of having a nurse present for three of those cases,” he said. “Nobody had any concerns about her practice.”

The head of the pediatrics department, Ravi Jayaram, told me, “There was an element of ‘Thank God Lucy was on,’ because she’s really good in a crisis.” He described Letby as “very popular” among the nurses. To make sense of the events, Jayaram said, “you sort of think, Well, maybe the baby wasn’t as stable as we thought, and maybe that longline was in just a bit far, and it got into the heart and caused a heart-rhythm problem. You try and make things fit, because we like to



have an explanation—for us and for the parents—and it’s much harder to say, ‘I’m sorry. I don’t know what went on.’ ”

**F**our months later, another baby died. She had been born at twenty-seven weeks, just past the age that the unit treated. At one point, she was transferred to another hospital, called Arrowe Park, for more specialized care—she had an infection and a small bleed in her brain—but after two nights she returned to the Countess, where her condition deteriorated. Brearey told me, “Senior nursing staff were blaming the neonatal unit that sent back the baby, saying that they hadn’t been entirely honest, that they were just trying to clear a space.” The baby’s mother worried that the staff at the Countess were too busy to pay proper attention to her daughter. She recalled that a nurse named Nicky was “sneezing and coughing whilst putting her hands in [the baby’s] incubator.” She added, “To top it off, whilst Nicky was in the room, the doctor, who was seeing another baby, asked Nicky if she was full of a cold, to which she said, ‘Yeah, I’ve been full of it for days.’ So even the doctors were aware and didn’t do anything.” In a survey the next year of more than a thousand staff members at the Countess, about two-thirds said that they had felt pressure to come to work even when they were ill. (None of the hospitals mentioned in this piece would comment, citing the court order.)

The staff tried to send the girl to a specialized unit at a different hospital, but, while they were waiting to confirm the transfer, she began struggling to breathe. Her designated nurse was not yet trained in intensive care, and she shouted for help. Letby, who had been assigned to a different baby, came into the room, followed by two doctors, but the baby continued to decline and could not be revived.

A doctor later saw Letby crying with another nurse. “It was very much on the gist of ‘It’s always me when it happens, my babies,’ ” the doctor said, adding that this seemed like a normal reaction. Letby texted Margaret that she had spoken with

the neonatal-unit manager, Eirian Powell, who had encouraged her to “be confident in my role without feeling the need to prove myself, which I have felt recently.”

Three of the nurses on the ward attended the baby’s funeral, and Letby gave them a card addressed to the child’s parents. “It was a real privilege to care for [her] and to get to know you as a family, a family who always put [her] first and did everything possible for her,” she wrote. “She will always be a part of your lives and we will never forget her. Thinking of you today and always.”

Jayaram, who was on duty during the girl’s death, discussed the events with Brearey and another pediatrician. “ ‘You know what’s funny?’ ” he said that he told them. “ ‘It was Lucy Letby who was on.’ And we all looked at each other and said, ‘You know, it’s always Lucy, isn’t it?’ ”

They shared their concerns about the correlation with senior management, and Powell conducted an informal review. “I have devised a document to reflect the information clearly and it is unfortunate she was on,” she wrote to Brearey. “However each cause of death was different.”

The next month, Letby, who was in a salsa group, got out of class and saw three missed calls: the nurses on the unit had called her because they didn’t know how to give a baby intravenous immunoglobulin treatment. “Just can’t believe that some people were in a position when they don’t know how to give something, what equipment to use and not being supported by manager,” Letby texted her best friend, a nurse I’ll call Cheryl. “Staffing really needs looking at.” She described the unit as “chaos” and a “madhouse.”

One of the senior pediatricians, Alison Timmis, was similarly distressed. She e-mailed the hospital’s chief executive, Tony Chambers, to complain that staff on the unit were “chronically overworked” and “no one is listening.” She wrote, “Over the past few weeks I have seen several medical and nursing colleagues in tears.”

Doctors were working shifts that ran more than twenty hours, she explained, and the unit was so busy that “at several points we ran out of vital equipment such as incubators.” At another point, a midwife had to assist with a resuscitation, because there weren’t enough trained nurses. “This is now our normal working pattern and it is not safe,” Timmis wrote. “Things are stretched thinner and thinner and are at breaking point. When things snap, the casualties will either be children’s lives or the mental and physical health of our staff.”

**A**t the end of January, 2016, the senior pediatricians met with a neonatologist at a nearby hospital, to review the ward’s mortality data. In 2013 and 2014, the unit had had two and three deaths, respectively. In 2015, there had been eight. At the meeting, “there were a few learning points, nothing particularly exciting,” Brearey recalled. Near the end, he asked the neonatologist what he thought about the fact that Letby was present for each death. “I can’t remember him suggesting anything, really,” Brearey said.

But Jayaram and Brearey were increasingly troubled by the link. “It was like staring at a Magic Eye picture,” Jayaram told me. “At first, it’s just a load of dots,” and the dots are incoherent. “But you stare at them, and all of a sudden the picture appears. And then, once you can see that picture, you see it every time you look, and you think, How the hell did I miss that?” By the spring of 2016, he said, he could not “unsee it.”

Many of the deaths had occurred at night, so Powell, the unit manager, shifted Letby primarily to day shifts, because there would be “more people about to be able to support her,” she said.

In June, 2016, three months after the change, Cheryl texted Letby before a shift, “I wouldn’t come in!”

“Oh, why?” Letby responded.

“Five admissions, 1 vent.”

“OMG,” Letby responded.

Cheryl added that a premature boy with hemophilia looked “like shit.” His oxygen levels had dropped during the night. Letby took over his care that morning, and doctors tried to intubate him, but they were unable to insert the tube, so they called two anesthesiologists, who couldn’t do it, either. The hospital didn’t have any factor VIII, an essential medicine for hemophiliacs. Finally, they asked a team from Alder Hey Children’s Hospital, which was thirty miles away, to come to the hospital with factor VIII. A doctor from Alder Hey intubated the child on the first try. “Sat having a quiet moment and want to cry,” Letby wrote to a junior doctor, whom I’ll call Taylor, who had become a close friend. “Just feel like I’ve been running around all day and not really achieved anything positive for him.”

A week later, a mother gave birth to identical triplet boys, born at thirty-three weeks. When she was pregnant, the mother said, she had been told that each baby would have his own nurse, but Letby, who had just returned from a short trip to Spain with friends, was assigned two of the triplets, as well as a third baby from a different family. She was also training a student nurse who was “glued to me,” she complained to Taylor. Seven hours into Letby’s shift, one of the triplet’s oxygen levels dropped precipitously, and he developed a rash on his chest. Letby called for help. After two rounds of CPR, the baby died.

The next day, Letby was the designated nurse for the two surviving triplets. The abdomen of one of them appeared distended, a possible sign of infection. When she told Taylor, he messaged her, “I wonder if they’ve all been exposed to a bug that benzylpenicillin and gentamicin didn’t account for? Are you okay?”

“I’m okay, just don’t want to be here really,” Letby replied. The student nurse was still with her, and Letby told Taylor, “I don’t feel I’m in the frame of mind to support her properly.”

A doctor came to check on the triplet with the distended abdomen, and, while he was in the room, the child's oxygen levels dropped. The baby was put on a ventilator, and the hospital asked for a transport team to take him to Liverpool Women's Hospital. As they were waiting, it was discovered that the baby had a collapsed lung, possibly a result of pressure from the ventilation, which was set unusually high. "There was an increasing sense of anxiety on the unit," Letby said later. "Nobody seemed to know what was happening and very much just wanted the transport team to come and offer their expertise." The triplets' mother said that she was alarmed when she saw a doctor sitting at a computer "Googling how to do what looked like a relatively simple medical procedure: inserting a line into the chest." She was also upset that one of the doctors who was resuscitating her son was "coughing and spluttering into her hands" without washing them. Shortly after the transport team arrived, the second triplet died. His mother recalled that Letby was "in pieces and almost as upset as we were."

While dressing the baby for his parents—a standard part of helping grieving families—Letby accidentally pricked her finger with a needle. She hadn't eaten or taken a break all day, and as she was waiting to get her finger checked she fainted. "The overall enormity of the last two days had sort of taken its toll," she said. "To imagine what those parents had gone through to lose two of their babies, it was harrowing."

The surviving triplet was taken to Liverpool Women's Hospital, and his mother felt that the clinical staff there were more competent and organized. "The two hospitals were as different as night and day," she said.

That night, Brearey called Karen Rees, the head of nursing for urgent care, and said that he did not want Letby returning until there was an investigation. The



babies' deaths seemed to be following Letby from night to day. Rees discussed the issue with Powell, and she said that Powell told her, "Lucy Letby does everything by the book. She follows policy and procedure to the letter." Rees allowed Letby to keep working. "Just because a senior healthcare professional requests the removal of a nurse—there has to be sound reason," Rees said later.

The next day, Letby was assigned a baby boy, known as Child Q, who had a bowel infection. At one point, he was sent to Alder Hey, but he was transferred back within two days. Taylor texted Letby that Alder Hey was "so short of beds that they can only accommodate emergency patients. It's not good holistic care, and it's rubbish for his parents."

Letby was also taking care of another newborn in a different room, and, while she was checking on that baby, Child Q vomited and his oxygen levels dropped. After he stabilized, John Gibbs, a senior pediatrician, asked another nurse which staff members had been present during the episode.

"Do I need to be worried about what Dr Gibbs was asking?" Letby texted Taylor after her shift.

"No," he reassured her. "You can't be with two babies in different nurseries at the same time, let alone predict when they're going to crash."

"I know, and I didn't leave him on his own. They both knew I was leaving the room," she said, referring to a nurse inside the room and one just outside.

"Nobody has accused you of neglecting a baby or causing a deterioration," he said.

"I know. Just worry I haven't done enough."

"How?" he asked.

"We've lost two babies I was caring for and now this happened today. Makes you think am I missing something/good enough," she said.

“Lucy, if anyone knows how hard you’ve worked over the last 3 days it’s me,” he wrote. “If anybody says anything to you about not being good enough or performing adequately I want you to promise me that you’ll give my details to provide a statement.”

“Well I sincerely hope I won’t ever be needing a statement,” she said. “But thank you. I promise.”

Letby was supposed to work the next night, but at the last minute Powell called and told her not to come in. “I’m worried I’m in trouble or something,” Letby wrote to Cheryl.

“How can you be in trouble?” Cheryl replied. “You haven’t done anything wrong.”

“I know but worrying in case they think I missed something or whatever,” Letby said. “Why leave it until now to ring?”

“It’s very late, I agree,” Cheryl said. “Maybe she’s getting pressure from elsewhere.”

“She was nice enough, I just worry,” Letby responded. “This job messes with your head.”

Letby worked three more day shifts and then had a two-week vacation. Brearey, Jayaram, and a few other pediatric consultants met to discuss the unexpected deaths. “We were trying to rack our brains,” Brearey said. A postmortem X-ray of one of the babies had shown gas near the skull, a finding that the pathologist did not consider particularly meaningful, since gas is often present after death. Jayaram remembered learning in medical school about air embolisms—a rare, potentially catastrophic complication that can occur when air bubbles enter a person’s veins or arteries, blocking blood supply. That night, he searched for literature about the phenomenon. He did not see any cases of murder by air embolism, but he forwarded his colleagues a four-page paper, from 1989, in the

*Archives of Disease in Childhood*, about accidental air embolism. The authors of the paper could find only fifty-three cases in the world. All but four of the infants had died immediately. In five cases, their skin became discolored. “I remember the physical chill that went down my spine,” Jayaram said. “It fitted with what we were seeing.”

Jayaram and another pediatrician met with the hospital’s executive board, as well as with the medical and nursing directors, and said that they were not comfortable working with Letby. They suggested calling the police. Jayaram said that the board members asked them, “ ‘What’s the evidence?’ And we said, ‘We haven’t got evidence, but we’ve got concerns.’ ” To relieve the general burden on the unit, the directors and the board decided to downgrade the ward from Level II to Level I: it would no longer provide intensive care, and women delivering before thirty-two weeks would now go to a different hospital. The board also agreed to commission a review by the Royal College of Paediatrics and Child Health, to explore what factors might explain the rise in mortality.

After Letby returned from vacation, she was called in for a meeting. The deputy director of nursing told her that she was the common element in the cluster of deaths, and that her clinical competence would need to be reassessed. “She was distraught,” Powell, the unit manager, who was also at the meeting, said. “We were both quite upset.” They walked straight from the meeting to human resources. “We were trying to get Lucy back on the unit, so we had to try and prove that the competency issue wasn’t the problem,” Powell said.

But Letby never returned to clinical duties. She was eventually moved to an administrative role in the hospital’s risk-and-safety office. Jayaram described the office as “almost an island of lost souls. If there was a nurse who wasn’t very good clinically, or a manager who they wanted to get out of the way, they’d move them to the risk-and-safety office.”

After she'd been away from clinical duties for more than a month, Letby texted Cheryl that she'd spoken with her union representative, who had advised her not to communicate with other staff, since they might be involved in reviewing her competence. "Feel a bit like I'm being shoved in a corner and forgotten about," she wrote. "It's my life and career."

"I know it's all so ridiculous," Cheryl said.

"I can't see where it will all end."

"I'm sure this time after Christmas it'll all be a distant memory," Cheryl reassured her.

**I**n September, 2016, Letby filed a grievance, saying that she'd been removed from her job without a clear explanation. "My whole world was stopped," she said later. She was diagnosed with depression and anxiety and began taking medication. "From a self-confidence point of view it completely—well, it made me question everything about myself," she said. "I just felt like I'd let everybody down, that I'd let myself down, that people were changing their opinion of me."

That month, a team from the Royal College of Paediatrics and Child Health spent two days interviewing people at the Countess. They found that nursing- and medical-staffing levels were inadequate. They also noted that the increased mortality rate in 2015 was not restricted to the neonatal unit. Stillbirths on the maternity ward were elevated, too.

A redacted portion of the report, which was shared with me, described how staff on the unit were "very upset" that Letby had been removed from clinical duties. The Royal College team interviewed Letby and described her as "an enthusiastic, capable and committed nurse" who was "passionate about her career and keen to progress." The redacted section concluded that the senior pediatricians had made allegations based on "simple correlation" and "gut feeling," and that they had a

“subjective view with no other evidence.” The Royal College could find no obvious factors linking the deaths; the report noted that the circumstances on the unit were “not materially different from those which might be found in many other neonatal units within the UK.” In a public statement, the hospital acknowledged that the review had revealed problems with “staffing, competencies, leadership, team working and culture.”

In November, Jayaram was interviewed by an administrator investigating Letby’s grievance. There had been reports of pediatricians referring to an “angel of death” on the ward, and the interview focussed on whether Jayaram had made his suspicions publicly known.

“Did you hear any suggestion that Lucy had been deliberately harming babies?” the administrator asked Jayaram, according to minutes of the interview.

“No objective evidence to suggest this at all,” Jayaram responded. “The only association was Lucy’s presence on the unit at the time.”

“So to clarify, was there any suggestion from any of the consultant team that Lucy had been deliberately harming babies?”

“We discussed a lot of possibilities in private,” he responded.

“So that’s not a yes or no?”

“We discussed a lot of possibilities in private,” Jayaram repeated.

The hospital upheld Letby’s grievance. At a board meeting in January, 2017, Chambers, the chief executive, who was formerly a nurse, told the members, “We are seeking an apology from the consultants for their behavior.” He wanted Letby back on the unit as soon as possible. In a letter to the consultants, Chambers expressed concern about their susceptibility to “confirmation bias,” which he defined as a “tendency to search for, interpret, favour, and recall information in a way that confirms one’s preexisting beliefs or hypotheses.” (Chambers said that he could not comment, because of the court order.)

Jayaram agreed to meet with Letby for a mediation session in March, 2017. A lithe, handsome man with tight black curls, Jayaram appeared frequently on TV as a medical expert, on subjects ranging from hospital staffing to heart problems. When the cluster of deaths began, he was on the reality series “Born Naughty?,” in which he met eight children who had been captured on hidden cameras behaving unusually and then came up with diagnoses for them. Letby had prepared a statement for the meeting, and she read it aloud. “She said, ‘I’ve got evidence from my grievance process that you and Steve Brearey orchestrated a campaign to have me removed,’ ” Jayaram recalled. “ ‘I’ve got evidence that you were heard in the queue to the café accusing me of murdering babies.’ ” (Jayaram told me, “Now, I’ve got a big mouth, but I wouldn’t stand in a public place doing that.”) Letby asked if he would be willing to work with her. He felt obligated to say yes. “I came away

from that meeting really angry, but I was not angry at her,” he said. “I was angry at the system.”

Jayaram and Brearey felt that they were being silenced by a hospital trying to protect its reputation. When I spoke with Brearey, he had recently watched a documentary about the explosion of the Challenger space shuttle, and he described the plight of an engineer who had tried to warn his superiors that the shuttle had potentially dangerous flaws. Brearey saw his own experiences in a similar light. He and Jayaram had spent months writing e-mails to the hospital’s management trying to justify why they wanted Letby out of the unit. They wrote with the confidence of people who feel that they are on the right side of history.

Serial-killer health professionals are extraordinarily rare, but they are also a kind of media phenomenon—a small universe of movies and shows has dramatized the scenario. In northwest England, this genre of crime has not been strictly limited to entertainment. Harold Shipman, one of the most prolific serial killers in the world, worked forty miles from Chester, as a physician for the N.H.S. He is thought to have murdered about two hundred and fifty patients in the span of three decades, injecting many of them with lethal doses of a painkiller, before he was convicted, in 2000. The chair of a government inquiry into Shipman’s crimes said that investigators should now be trained to “think dirty” about causes of death.

In April, 2017, with the permission of the Countess’s leadership, Jayaram and another pediatrician met with a detective from the Cheshire police and shared their concerns. “Within ten minutes of us telling the story, the superintendent said, ‘Well, we have to investigate this,’ ” Jayaram said. “ ‘It’s a no-brainer.’ ”

In May, the police launched what they called Operation Hummingbird. A detective later said that Brearey and Jayaram provided the “golden thread of our investigation.”



That month, Dewi Evans, a retired pediatrician from Wales, who had been the clinical director of the neonatal and children's department at his hospital, saw a newspaper article describing, in vague terms, a criminal investigation into the spike in deaths at the Countess. "If the Chester police had no-one in mind I'd be interested to help," he wrote in an e-mail to the National Crime Agency, which helps connect law enforcement with scientific experts. "Sounds like my kind of case."

That summer, Evans, who was sixty-seven and had worked as a paid court expert for more than twenty-five years, drove three and a half hours to Cheshire, to meet with the police. After reviewing records that the police gave him, he wrote a report proposing that Child A's death was "consistent with his receiving either a noxious substance such as potassium chloride or more probably that he suffered his collapse as a result of an air embolus." Later, when it became clear that there was no basis for suspecting a noxious chemical, Evans concluded that the cause of death was air embolism. "These are cases where your diagnosis is made by ruling out other factors," he said.

Evans had never seen a case of air embolism himself, but there had been one at his hospital about twenty years before. An anesthetist intended to inject air into a baby's stomach, but he accidentally injected it into the bloodstream. The baby immediately collapsed and died. "It was extremely traumatic and left a big scar on all of us," Evans said. He searched for medical literature about air embolisms and came upon the same paper from 1989 that Jayaram had found. "There hasn't been a similar publication since then because this is such a rare event," Evans told me.

Evans relied heavily on the paper in other reports that he wrote about the Countess deaths, many of which he attributed to air embolism. Other babies, he said, had been harmed through another method: the intentional injection of too much air or fluid, or both, into their nasogastric tubes. "This naturally 'blows up' the stomach," he wrote to me. The stomach becomes so large, he said, that the

lungs can't inflate normally, and the baby can't get enough oxygen. When I asked him if he could point me to any medical literature about this process, he responded, "There are no published papers regarding a phenomenon of this nature that I know of." (Several doctors I interviewed were baffled by this proposed method of murder and struggled to understand how it could be physiologically or logistically possible.)

Nearly a year after Operation Hummingbird began, a new method of harm was added to the list. In the last paragraph of a baby's discharge letter, Brearey, who had been helping the police by reviewing clinical records, noticed a mention of an abnormally high level of insulin. When insulin is produced naturally by the body, the level of C-peptide, a substance secreted by the pancreas, should also be high, but in this baby the C-peptide was undetectable, which suggested that insulin may have been administered to the child. The insulin test had been done at a Royal Liverpool University Hospital lab, and a biochemist there had called the Countess to recommend that the sample be verified by a more specialized lab. Guidelines on the Web site for the Royal Liverpool lab explicitly warn that its insulin test is "not suitable for the investigation" of whether synthetic insulin has been administered. Alan Wayne Jones, a forensic toxicologist at Linköping University, in Sweden, who has written about the use of insulin as a means of murder, told me that the test used at the Royal Liverpool lab is "not sufficient for use as evidence in a criminal prosecution." He said, "Insulin is not an easy substance to analyze, and you would need to analyze this at a forensic laboratory, where the routines are much more stringent regarding chain of custody, using modern forensic technology." But the Countess never ordered a second test, because the child had already recovered.

Brearey also discovered that, eight months later, a biochemist at the lab had flagged a high level of insulin in the blood sample of another infant. The child had been discharged, and this blood sample was never retested, either. According to Joseph Wolfsdorf, a professor at Harvard Medical School who specializes in pediatric hypoglycemia, the baby's C-peptide level suggested the possibility of a

testing irregularity, because, if insulin had been administered, the child's C-peptide level should have been extremely low or undetectable, but it wasn't.

The police consulted with an endocrinologist, who said that the babies theoretically could have received insulin through their I.V. bags. Evans said that, with the insulin cases, "at last one could find some kind of smoking gun." But there was a problem: the blood sample for the first baby had been taken ten hours after Letby had left the hospital; any insulin delivered by her would no longer be detectable, especially since the tube for the first I.V. bag had fallen out of place, which meant that the baby had to be given a new one. To connect Letby to the insulin, one would have to believe that she had managed to inject insulin into a bag that a different nurse had randomly chosen from the unit's refrigerator. If Letby had been successful at causing immediate death by air embolism, it seems odd that she would try this much less effective method.

In July, 2018, five months after the insulin discovery, a Cheshire police detective knocked on Letby's door. Two years earlier, she had bought a home a mile from the hospital. A small birdhouse hung beside the entrance. It was 6 A.M., but she opened the door with a friendly expression. "Can I step in for two seconds?" the officer asked her, after showing his badge.

"Uh, yes," she said, looking terrified.

Inside, she was told that she was under arrest for multiple counts of murder and attempted murder. She emerged from the house handcuffed, her face appearing almost gray.

The police spent the day searching her house. Inside, they found a note with the heading "NOT GOOD ENOUGH." There were several phrases scrawled across the page at random angles and without punctuation: "There are no words"; "I can't breathe"; "Slander Discrimination"; "I'll never have children or marry I'll never know what it's like to have a family"; "WHY ME?"; "I haven't done anything

wrong”; “I killed them on purpose because I’m not good enough to care for them”; “I AM EVIL I DID THIS.”

On another scrap of paper, she had written, three times, “Everything is manageable,” a phrase that a colleague had said to her. At the bottom of the page, she had written, “I just want life to be as it was. I want to be happy in the job that I loved with a team who I felt a part of. Really, I don’t belong anywhere. I’m a problem to those who do know me.” On another piece of paper, found in her handbag, she had written, “I can’t do this any more. I want someone to help me but they can’t.” She also wrote, “We tried our best and it wasn’t enough.”

After spending all day in jail, Letby was asked why she had written the “not good enough” note. A police video shows her in the interrogation room with her hands in her lap, her shoulders hunched forward. She spoke quietly and deferentially, like a student facing an unexpectedly harsh exam. “It was just a way of me getting my feelings out onto paper,” she said. “It just helps me process.”

“In your own mind, had you done anything wrong at all?” an officer asked.

“No, not intentionally, but I was worried that they would find that my practice hadn’t been good,” she said, adding, “I thought maybe I had missed something, maybe I hadn’t acted quickly enough.”

“Give us an example.”

She proposed that perhaps she “hadn’t played my role in the team. I’d been on a lot of night shifts when doctors aren’t around. We have to call them. There are less people, and it just worried me that I hadn’t called them—quick enough.” She also worried that she might have given the wrong dose of a medication or used equipment improperly.

“And you felt evil?”

“Other people would perceive me as being evil, yes, if I had missed something.”  
She went on, “It’s how this situation made me feel.”

The detective said, “You put down there, Lucy, that you ‘killed them on purpose.’ ”

“I didn’t kill them on purpose.”

The detective asked, “So where’s this pressure that’s led to having these feelings come from?”

“I think it was just the panic of being redeployed and everything that happened,” she said. She had written the notes after she was removed from clinical duties, but later her clinical skills were reassessed and no concerns were raised, so she felt more secure about her abilities. She was “very career-focussed,” she said, and “it just all overwhelmed me at the time. It was hard to see how anything was ever going to be O.K. again.”

In an interview two days later, an officer asked why one of her notes had the word “hate” in bold letters, circled. “What’s the significance of that?”

“That I hate myself for having let everybody down and for not being good enough,” she said. “I’d just been removed from the job I loved, I was told that there might be issues with my practice, I wasn’t allowed to speak to people.”

The officer asked again why she had written, “I killed them on purpose.”

“That’s how I was being made to feel,” she said. As her mental health deteriorated, her thoughts had spiralled. “If my practice hadn’t been good enough and I was linked with these deaths, then it was my fault,” she said.

“You’re being very hard on yourself there if you haven’t done anything wrong.”

“Well, I am very hard on myself,” she said.

**A**fter more than nine hours of interviews, Letby was released on bail, without being charged. She moved back to Hereford, to live with her parents. News of her arrest was published in papers throughout the U.K. “All I can say is my experience is that she was a great nurse,” a mother whose baby was treated at the Countess told the *Times* of London. Another mother told the *Guardian* that Letby had advocated for her and had told her “every step of the way what was happening.” She said, “I can’t say anything negative about her.” The *Guardian* also

interviewed a mother who described the experience of giving birth at the Countess. “They had no staff and the care was just terrible,” she said. She’d developed “an infection which was due to negligence by a member of staff,” she explained. “We made a complaint at the time but it was brushed under the carpet.”

One of Letby’s childhood friends, who did not want me to use her name because her loyalty to Letby has already caused her social and professional problems, told me that she asked the Cheshire police if she could serve as a character reference for Letby. “They weren’t interested at all,” she said. Letby seemed to be in a state of “terror and complete confusion,” the friend said. “I could tell from how she was acting that she just didn’t know what to say about it, because it was such an alien concept to be accused of these things.”

Shortly after Letby’s arrest, the pediatric consultants arranged a meeting for the hospital’s medical staff, to broach the possibility of a vote of no confidence in Chambers, the hospital’s chief executive, because of the way he’d handled their concerns. Chambers resigned before the meeting. A doctor named Susan Gilby, who took the side of the consultants, assumed his role. Gilby told me that the first time she met with Jayaram it was clear that he was suffering from the experience of not being believed by the hospital’s management. “He was in tears, and bear in mind this is a mature, experienced clinician,” she said. “He described having issues with sleeping, and he felt he couldn’t trust anyone. It was really distressing.” She was surprised that Ian Harvey, the hospital’s medical director, still doubted the consultants’ theory of how the babies had died. Harvey seemed more troubled by their behavior, she said, than by anything Letby had done. “In his mind, the issue seemed to be that they weren’t as good as they thought they were,” Gilby told me. “It was ‘They think they’re marvellous, but they need to look at themselves.’ ” (Harvey would not comment, citing the court order.)



The week of Letby's arrest, the police dug up her back garden and examined drains and vents, presumably to see if she had hidden anything incriminating. Four months later, while she remained out on bail without charges, the *Chester Standard* wrote, "The situation has caused many people to question both the ethics and legality of keeping someone linked to such serious allegations when seemingly there is not enough evidence to bring charges." Letby was arrested a second time, in 2019, but, after being interviewed for another nine hours, she was released.

In November, 2020, more than two years after Letby's first arrest, an officer called Gilby to inform her that Letby was being charged with eight counts of murder and ten counts of attempted murder. (Later, one of the murder counts was dropped, and five attempted-murder charges were added.) She was arrested again, and this time she was denied bail. She would await trial in prison. As a courtesy, Gilby called Chambers to let him know. She was taken aback when Chambers expressed concern for Letby. She said that he told her, "I'm just worried about a wrongful conviction."

**I**n September, 2022, a month before Letby's trial began, the Royal Statistical Society published a report titled "Healthcare Serial Killer or Coincidence?" The report had been prompted in part by concerns about two recent cases, one in Italy and one in the Netherlands, in which nurses had been wrongly convicted of murder largely because of a striking association between their shift patterns and the deaths on their wards. The society sent the report to both the Letby prosecution and the defense team. It detailed the dangers of drawing causal conclusions from improbable clusters of events. In the trial of the Dutch nurse, Lucia de Berk, a criminologist had calculated that there was a one-in-three-hundred-and-forty-two-million chance that the deaths were coincidental. But his methodology was faulty; when statisticians looked at the data, they found that the chances were closer to one in fifty. According to Ton Derksen, a Dutch philosopher of science who wrote a book about the case, the belief that "such a coincidence cannot be a coincidence" became the driving force in the process of

collecting evidence against de Berk. She was exonerated in 2010, and her case is now considered one of the worst miscarriages of justice in Dutch history. The Italian nurse, Daniela Poggiali, was exonerated in 2021, after statisticians reanalyzed her hospital's mortality data and discovered several confounding factors that had been overlooked.

William C. Thompson, one of the authors of the Royal Statistical Society report and an emeritus professor of criminology, law, and psychology at the University of California, Irvine, told me that medical-murder cases are particularly prone to errors in statistical reasoning, because they “involve a choice between alternative theories, both of which are rather extraordinary.” He said, “One theory is that there was an unlikely coincidence. And the other theory is that someone like Lucy Letby, who was previously a fine and upstanding member of the community, suddenly decides she's going to start killing people.”

Flawed statistical reasoning was at the heart of one of the most notorious wrongful convictions in the U.K.: a lawyer named Sally Clark was found guilty of murder, in 1999, after her two sons, both babies, died suddenly and without clear explanation. One of the prosecution's main experts, a pediatrician, argued that the chances of two sudden infant deaths in one family were one in seventy-three million. But his calculations were misleading: he'd treated the two deaths as independent events, ignoring the possibility that the same genetic or environmental factors had affected both boys.

In his book “Thinking, Fast and Slow” (2011), Daniel Kahneman, a winner of the Nobel Prize in Economics, argues that people do not have good intuitions when it comes to basic principles of statistics: “We easily think associatively, we think metaphorically, we think causally, but statistics requires thinking about many things at once,” a task that is not spontaneous or innate. We tend to assume that irregular things happen because someone intentionally caused them. “Our

predilection for causal thinking exposes us to serious mistakes in evaluating the randomness of truly random events,” he writes.

Burkhard Schafer, a law professor at the University of Edinburgh who studies the intersection of law and science, said that it appeared as if the Letby prosecution had “learned the wrong lessons from previous miscarriages of justice.” Instead of making sure that its statistical figures were accurate, the prosecution seems to have ignored statistics. “Looking for a responsible human—this is what the police are good at,” Schafer told me. “What is not in the police’s remit is finding a systemic problem in an organization like the National Health Service, after decades of underfunding, where you have overworked people cutting little corners with very vulnerable babies who are already in a risk category. It is much more satisfying to say there was a bad person, there was a criminal, than to deal with the outcome of government policy.”

Schafer said that he became concerned about the case when he saw the diagram of suspicious events with the line of X’s under Letby’s name. He thought that it should have spanned a longer period of time and included all the deaths on the unit, not just the ones in the indictment. The diagram appeared to be a product of the “Texas sharpshooter fallacy,” a common mistake in statistical reasoning which occurs when researchers have access to a large amount of data but focus on a smaller subset that fits a hypothesis. The term comes from the fable of a marksman who fires a gun multiple times at the side of a barn. Then he draws a bull’s-eye around the cluster where the most bullets landed.

For one baby, the diagram showed Letby working a night shift, but this was an error: she was working day shifts at the time, so there should not have been an X by her name. At trial, the prosecution argued that, though the baby had deteriorated overnight, the suspicious episode actually began three minutes after Letby arrived for her day shift. Nonetheless, the inaccurate diagram continued to be published, even by the Cheshire police.

Dewi Evans, the retired pediatrician, told me that he had picked which medical episodes rose to the level of “suspicious events.” When I asked what his criteria were, he said, “Unexpected, precipitous, anything that is out of the usual—something with which you are not familiar.” For one baby, the distinction between suspicious and not suspicious largely came down to how to define projectile vomiting.

Letby’s defense team said that it had found at least two other incidents that seemed to meet the same criteria of suspiciousness as the twenty-four on the diagram. But they happened when Letby wasn’t on duty. Evans identified events that may have been left out, too. He told me that, after Letby’s first arrest, he was given another batch of medical records to review, and that he had notified the police of twenty-five more cases that he thought the police should investigate. He didn’t know if Letby was present for them, and they didn’t end up being on the diagram, either. If some of these twenty-seven cases had been represented, the row of X’s under Letby’s name might have been much less compelling. (The Cheshire police and the prosecution did not respond to a request for comment, citing the court order.)

Among the new suspicious episodes that Evans said he flagged was another insulin case. Evans said that it had similar features as the first two: high insulin, low C-peptide. He concluded that it was a clear case of poisoning. When I asked Michael Hall, a retired neonatologist at University Hospital Southampton who worked as an expert for Letby’s defense, about Evans’s third insulin case, he was surprised and disturbed to learn of it. He could imagine a few reasons that it might not have been part of the trial. One is that Letby wasn’t working at the time. Another is that there was an alternative explanation for the test results—but then, presumably, such an explanation could be relevant for the other two insulin cases, too. “Whichever way you look at this, that third case is of interest,” Hall told me.

Ton Derksen, in his book about Lucia de Berk, used the analogy of a train. The “locomotives” were two cases in which there had been allegations of poisoning. Another eight cases, involving children who suddenly became ill on de Berk’s shifts, were the “wagons,” trailing along because of a belief that all the deaths couldn’t have occurred by chance.

The locomotives in the Letby prosecution were the insulin cases, which were charged as attempted murders. “The fact that there were two deliberate poisonings with insulin,” Nick Johnson, the prosecutor, said, “will help you when you are assessing whether the collapses and deaths of other children on the neonatal unit were because somebody was sabotaging them or whether these were just tragic coincidences.”

But not only were the circumstances of the poisonings speculative, the results were, too. If the aim was to kill, neither child came close to the intended consequences. The first baby recovered after a day. The second showed no symptoms and was discharged in good health.

**O**n the first day of the trial, Letby’s barrister, Benjamin Myers, told the judge that Letby was “incoherent, she can’t speak properly.” She had been diagnosed as having post-traumatic stress disorder following her arrests. After two years in prison, she had recently been moved to a new facility, but she hadn’t brought her medication with her. Any psychological stability she’d achieved, Myers said, had been “blown away.”

Letby, who now startled easily, was assessed by psychiatrists, and it was decided that she did not have to walk from the dock to the witness box and instead could be seated there before people came into the room. The *Guardian* said that in court Letby “cut an almost pitiable figure,” her eyes darting “nervously towards any unexpected noise—a cough, a dropped pen, or when the female prison guard beside her shuffled in her seat.” Her parents attended the entire trial, sometimes

accompanied by a close friend of Letby's, a nurse from the unit who had recently retired.

Press coverage of the case repeatedly emphasized Letby's note in which she'd written that she was "evil" and "killed them on purpose." Media outlets magnified the images of those words without including her explanations to the police. Much was also made of a text that she'd sent about returning to work after her trip to Spain—"probably be back in with a bang lol"—and the fact that she'd searched on Facebook thirty-one times for parents whose children she was later accused of harming. During the year of the deaths, she had also searched for other people 2,287 times—colleagues, dancers in her salsa classes, people she had randomly encountered. "I was always on my phone," she later testified, explaining that she did the searches rapidly, out of "general curiosity and they've been on my mind." (Myers noted that her search history did not involve any references to "air embolism.")

The parents of the babies had been living in limbo for almost a decade. In court, they recalled how their grief had intensified when they were told that their children's deaths may have been deliberately caused by someone they'd trusted. "That's what confuses me the most," one mother said. "Lucy presented herself as



kind, caring, and soft-spoken.” They had stopped believing their own instincts. They described being consumed by guilt for not protecting their children.

Several months into the trial, Myers asked Judge Goss to strike evidence given by Evans and to stop him from returning to the witness box, but the request was denied. Myers had learned that a month before, in a different case, a judge on the Court of Appeal had described a medical report written by Evans as “worthless.” “No court would have accepted a report of this quality,” the judge had concluded. “The report has the hallmarks of an exercise in working out an explanation” and “ends with tendentious and partisan expressions of opinion that are outside Dr. Evans’ professional competence.” The judge also wrote that Evans “either knows what his professional colleagues have concluded and disregards it or he has not taken steps to inform himself of their views. Either approach amounts to a breach of proper professional conduct.” (Evans said that he disagreed with the judgment.)

Evans had laid the medical foundation for the prosecution’s case against Letby, submitting some eighty reports. There was a second pediatric expert, who provided what was called “peer review” for Evans, as well as experts in hematology, endocrinology, radiology, and pathology, and they had all been sent Evans’s statements when they were invited to participate in the case. The six main prosecution experts, along with at least two defense experts who were also consulted, had all worked for the N.H.S. Evans wasn’t aware if Letby’s lawyers had sought opinions from outside the U.K., but he told me that, if he were them, he would have looked to North America or Australia. When I asked why, he said, “Because I would want them to look at it from a totally nonpartisan point of view.”

In the five years leading up to the trial, some of the experts’ opinions seemed to have collectively evolved. For one of the babies, Evans had originally written that the child had been “at great risk of unexpected collapse,” owing to his fragility, and

Evans couldn't "exclude the role of infection." The prosecution's pathologist, Andreas Marnerides, who worked at St. Thomas' Hospital in London, wrote that the child had died of natural causes, most likely of pneumonia. "I have not identified any suspicious findings," he concluded. But, three years later, Marnerides testified that, after reading more reports from the courts' experts, he thought that the baby had died "with pneumonia," not "from pneumonia." The likely cause of death, he said, was administration of air into his stomach through a nasogastric tube. When Evans testified, he said the same thing.

"What's the evidence?" Myers asked him.

"Baby collapsed, died," Evans responded.

"A baby may collapse for any number of reasons," Myers said. "What's the evidence that supports your assertion made today that it's because of air going down the NGT?"

"The baby collapsed and died."

"Do you rely upon one image of that?" Myers asked, referring to X-rays.

"This baby collapsed and died."

"What evidence is there that you can point to?"

Evans replied that he'd ruled out all natural causes, so the only other viable explanation would be another method of murder, like air injected into one of the baby's veins. "A baby collapsing and where resuscitation was unsuccessful—you know, that's consistent with my interpretation of what happened," he said.

The trial covered questions at the edge of scientific knowledge, and the material was dense and technical. For months, in discussions of the supposed air embolisms, witnesses tried to pinpoint the precise shade of skin discoloration of some of the babies, a concern that arose from the 1989 paper. But skin

discoloration is a feature in many medical crises, and, in Myers's cross-examinations, he noted that witnesses' memories of the rashes had become more specific and florid in the years since the babies died. [*Editor's note: A portion of this paragraph has been removed and language has been altered, following concerns raised by an English court.*]

Several months into the trial, Richard Gill, an emeritus professor of mathematics at Leiden University, in the Netherlands, began writing online about his concerns regarding the case. Gill was one of the authors of the Royal Statistical Society report, and in 2006 he had testified before a committee tasked with determining whether to reopen the case of Lucia de Berk. England has strict contempt-of-court laws that prevent the publication of any material that could prejudice legal proceedings. Gill posted a link to a Web site, created by Sarrita Adams, a scientific consultant in California, that detailed flaws in the prosecution's medical evidence. In July, a detective with the Cheshire police sent letters to Gill and Adams ordering them to stop writing about the case. "The publication of this material puts you at risk of 'serious consequences' (which include a sentence of imprisonment)," the letters said. "If you come within the jurisdiction of the court, you may be liable to arrest."

Letby is housed in a privately run prison west of London, the largest correctional facility for women in Europe. Letters to prisoners are screened, and I don't know if several letters that I sent ever reached her. One of her lawyers, Richard Thomas, who has represented her since early in the case, said that he would tell Letby that I had been in touch with him, but he ignored my request to share a message with her, instead reminding me of the contempt-of-court order. He told me, "I cannot give any comment on why you cannot communicate" with Letby. Lawyers in England can be sanctioned for making remarks that would undermine confidence in the judicial system. I sent Myers, Letby's barrister, several messages in the course of nine months, and he always responded with

some version of an apology—“the brevity of this response is not intended to be rude in any way”—before saying that he could not talk to me.

Michael Hall, the defense expert, had expected to testify at the trial—he was prepared to point to flaws in the prosecution’s theory of air embolism and to undetected signs of illness in the babies—but he was never called. He was troubled that the trial largely excluded evidence about the treatment of the babies’ mothers; their medical care is inextricably linked to the health of their babies. In the past ten years, the U.K. has had four highly publicized maternity scandals, in which failures of care and supervision led to a large number of newborn deaths. A report about East Kent Hospitals, which found that forty-five babies might have lived if their treatment had been better, identified a “crucial truth about maternity and neonatal services”: “So much hangs on what happens in the minority of cases where things start to go wrong, because problems can very rapidly escalate to a devastatingly bad outcome.” The report warned, “It is too late to pretend that this is just another one-off, isolated failure, a freak event that ‘*will never happen again.*’”

Hall thought about asking Letby’s lawyers why he had not been called to testify, but anything they said would be confidential, so he decided that he’d rather not know. He wondered if his testimony was seen as too much of a risk: “One of the questions they would have asked me is ‘Why did this baby die?’ And I would have had to say, ‘I’m not sure. I don’t know.’ That’s not to say that therefore the baby died of air embolism. Just because we don’t have an explanation doesn’t mean we are going to make one up.” The fact that the jury never heard another side “keeps me awake at night,” Hall told me.

After the prosecution finished presenting its case, Letby’s defense team submitted a motion arguing that the medical evidence about air embolism was so unreliable that there was “no case to answer” and the charges should be dismissed. Though the motion was rejected, perhaps it had seemed that the prosecution’s case was so

weak that defense experts weren't necessary. The only witnesses Myers called were the hospital's plumber, who spoke about unsanitary conditions, and Letby, who testified for fourteen days.

She said she felt that there were systemic failures at the hospital, but that some of the senior pediatricians had "apportioned blame on to me." Johnson, the prosecutor, pushed her to come up with her own explanation for each baby's deterioration. Yet she wasn't qualified to provide them. "In general, I don't think a lot of the babies were cared for on the unit properly," she offered. "I'm not a medical professional to know exactly what should and shouldn't have happened with those babies."

"Do you agree that if certain combinations of these children were attacked then unless there was more than one person attacking them, you have to be the attacker?" Johnson asked at one point.

"No."

"You don't agree?"

"No. I've not attacked any children."

Johnson continued, "But if the jury conclude that a certain combination of children were actually attacked by someone, then the shift pattern gives us the answer as to who the attacker was, doesn't it?"

"No, I don't agree."

"You don't agree. Why don't you agree?"

"Because just because I was on shift doesn't mean that I have done anything."

"I'll use numbers, all right? I won't refer to specific cases. Let's say if baby 5, 8, 10 and 12 were all attacked, if the jury look at the medical evidence and say they were

all attacked by someone, and you're the only common feature, it would have to be, wouldn't it, that you're the attacker?"

"That's for them to decide."

"Well, of course it is, of course it is. But as a principle, do you agree with that?"

"No, I don't feel I can answer that."

After a few days of cross-examination, Letby seemed to shut down; she started frequently giving one-word answers, almost whispering. “I’m finding it quite hard to concentrate,” she said.

Johnson repeatedly accused her of lying. “You are a very calculating woman, aren’t you, Lucy Letby?” he said.

“No,” she replied.

He asked, “The reason you tell lies is to try to get sympathy from people, isn’t it?”

“No.”

“You try to get attention from people, don’t you?”

“No.”

“In killing these children, you got quite a lot of attention, didn’t you?”

“I didn’t kill the children.”

**T**oward the end of the trial, the court received an e-mail from someone who claimed to have overheard one of the jurors at a café saying that jurors had “already made up their minds about her case from the start.” Goss reviewed the complaint but ultimately allowed the juror to continue serving.

He instructed the twelve members of the jury that they could find Letby guilty even if they weren’t “sure of the precise harmful act” she’d committed. In one case, for instance, Evans had proposed that a baby had died of excessive air in her stomach from her nasogastric tube, and then, when it emerged that she might not have had a nasogastric tube, he proposed that she may have been smothered.



The jury deliberated for thirteen days but could not reach a unanimous decision. In early August, one juror dropped out. A few days later, Goss told the jury that he would accept a 10–1 majority verdict. Ten days later, it was announced that the jury had found Letby guilty of fourteen charges. The two insulin cases and one of the triplet charges were unanimous; the rest were majority verdicts. When the first set of verdicts was read, Letby sobbed. After the second set, her mother cried out, “You can’t be serious!” Letby was acquitted of two of the attempted-murder charges. There were also six attempted-murder charges in which the jury could not decide on a verdict.

Within a week, the Cheshire police announced that they had made an hour-long documentary film about the case with “exclusive access to the investigation team,” produced by its communications department. Fourteen members of Operation Hummingbird spoke about the investigation, accompanied by an emotional soundtrack. A few days later, the *Times* of London reported that a major British production company, competing against at least six studios, had won access to the police and the prosecutors to make a documentary, which potentially would be distributed by Netflix. Soon afterward, the Cheshire police revealed that they had launched an investigation into whether the Countess was guilty of “corporate manslaughter.” The police also said that they were reviewing the records of four thousand babies who had been treated on units where Letby had worked in her career, to see if she had harmed other children.

The public conversation about the case seemed to treat details about poor care on the unit as if they were irrelevant. In his closing statement, Johnson had accused the defense of “gaslighting” the jury by suggesting that the problem was the hospital, not Letby. Defending himself against the accusation, Myers told the jury, “It’s important I make it plain that in no way is this case about the N.H.S. in general.” He assured the jury, “We all feel strongly about the N.H.S. and we are protective of it.” It seemed easier to accept the idea of a sadistic “angel of death”

than to look squarely at the fact that families who had trusted the N.H.S. had been betrayed, their faith misplaced.

Since the verdicts, there has been almost no room for critical reflection. At the end of September, a little more than a month after the trial ended, the prosecution announced that it would retry Letby on one of the attempted-murder charges, and a new round of reporting restrictions was promptly put in place. The contempt-of-court rules are intended to preserve the integrity of the legal proceedings, but they also have the effect of suppressing commentary that questions the state's decisions. In October, *The BMJ*, the country's leading medical journal, published a comment from a retired British doctor cautioning against a "fixed view of certainty that justice has been done." In light of the new reporting restrictions, the journal removed the comment from its Web site, "for legal reasons." At least six other editorials and comments, which did not question Letby's guilt, remain on the site.

Letby has applied to appeal her conviction, and she is waiting for three judges on the Court of Appeal to decide whether to allow her to proceed. If her application is denied, it will mark the end of her appeals process.

Her retrial in June concerns a baby girl whose breathing tube came out of place. She had been born at the Countess at twenty-five weeks, which is younger than the infants the hospital was supposed to treat. In a TV interview that aired after the verdict but before the retrial was announced, Jayaram, the head of the pediatric ward, said that he had seen Letby next to the baby as the child's oxygen levels were dropping. "The only possibility was that that tube had to have been dislodged deliberately," he said. "She was just standing there." He recalled, "That is a night that is etched on my memory and will be in my nightmares forever."

**B**rearey, the head of the neonatal unit, told me that after Letby's first arrest, in 2018, a "significant cohort of nurses felt that she had done nothing wrong." But, in the past six years, many of them have retired or left. In an interview with a TV news program shortly after the verdict, Karen Rees, the former head of

nursing for urgent care, seemed to be struggling to modify her beliefs. She routinely met with Letby in the two years after she was removed from the unit. “If I think back to all the times when I have seen her really, really upset—I wouldn’t say hysterical but really upset—then I would think that . . .” She paused. The camera was focussed on her shirt, her face intentionally obscured. “How can somebody continually present themselves in that way on a near-weekly basis for two years?” Her voice trembled. “I find that really difficult, and I think, Oh, my gosh, would she have been that good at acting?”

Brearey told me that only one or two nurses still “can’t fully come to terms” with Letby’s guilt. The ward remains a Level I unit, accepting only babies older than thirty-two weeks, and it has added more consultants to its staff. The mortality rate is no longer high. The hospital has, however, seen a spike in adverse events on the maternity unit. During an eight-month period in 2021, five mothers had unplanned hysterectomies after losing more than two litres of blood. Following a whistle-blower complaint, an inspection by the U.K.’s Care Quality Commission warned that the unit was not keeping “women safe from avoidable harm.” The commission discovered twenty-one incidents in which thirteen patients had been endangered, and it determined that in many cases the hospital had not sufficiently investigated the circumstances.

It was another cluster of unexpected, catastrophic events. But this time the story told about the events was much less colorful. The commission blamed a combination of factors that had been present in many of the previous maternity scandals, including staff and equipment shortages, a lack of training, a failure to follow national guidelines, poor recordkeeping, and a culture in which staff felt unsupported. It went unstated, but one can assume that there was another factor, too: a tragic string of bad luck.

Throughout the year of the deaths, Letby had occasionally reflected on the nature of chance, texting friends that she wanted to imagine there was a “reason for

everything,” but it also felt like the “luck of [the] draw.” After the first three deaths, she wrote to Margaret, her mentor, “Sometimes I think how do such sick babies get through and others just die so suddenly and unexpectedly?”

“We just don’t have magic wands,” Margaret responded. “It’s important to remember that a death isn’t a fail.” She added, “You’re an excellent nurse, Lucy, don’t forget it.”

“I know and I don’t feel it’s a failure,” Letby responded, “more that it’s just very sad to know what families go through.” ♦

*Published in the print edition of the May 20, 2024, issue, with the headline “Conviction.”*

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*Rachel Aviv is a staff writer at The New Yorker. She is the author of “[Strangers to Ourselves: Unsettled Minds and the Stories That Make Us](#),” a finalist for the 2023 National Book Critics Circle Award.*

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# **EXHIBIT 9**



# Lucy Letby: Courtroom drama, a failed appeal, and battles over the truth

3 July 2024

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Judith Moritz and Jonathan Coffey  
BBC News





**When former nurse Lucy Letby was convicted of murdering babies last year, news channels rolled on the story, and her mugshot was splashed across front pages and websites around the world.**

The scale of Letby's crimes, the extreme vulnerability of her victims, and unanswered questions about the nurse all combined to stoke interest in the case.

But this was a saga that was still unfolding. Hospital consultants who'd suspected Letby spoke of the struggles they'd had to be heard. Public outcry quickly led to the announcement of a public inquiry.

Meanwhile, police said they were reviewing the cases of 4,000 admissions of babies into neonatal units at hospitals where Letby worked or trained, and were launching an investigation to establish whether the Countess of Chester Hospital should face criminal charges.

There was blanket coverage. Then the news cycle moved on, and Lucy Letby fell out of the headlines.

But that wasn't the only reason things went quiet. We can now explain why coverage of Letby's story has been restricted over the last 10 months – and what we haven't been able to report, until now.

- [Listen to Judith read this article on BBC Sounds](#)

A month after Britain's most notorious nurse was sentenced to spend the rest of her life in prison, the Crown Prosecution Service (CPS) announced it was seeking a fresh trial.

Letby had been convicted of murdering seven babies and attempting to murder another six at the Countess of Chester Hospital's neo-natal unit between June 2015 and June 2016. She was acquitted of two counts of attempted murder.

But there were six further charges on which jurors couldn't decide. Now the CPS said it was intending to run a retrial to put one of those undecided charges before a new jury. The judge quickly imposed a court order prohibiting the reporting of anything that could prejudice the upcoming trial. The result was a virtual news blackout, at least temporarily.

In the background, Letby's defence team applied for permission to appeal against her convictions. There was no public hearing, and journalists weren't told about Letby's grounds for appeal - or the judge's reasons when they decided to deny her request.

But that wasn't an end to it - Letby could make one final appeal request, in front of three judges at the Court of Appeal in London - and this time the hearing would take place in public.

Barristers, solicitors, police officers and journalists who'd been involved in the original trial traipsed down to the Royal Courts of Justice. Letby attended remotely, via a video link from a non-descript room in HMP Bronzefield, where she is currently an inmate.

It was the first time we'd seen her since she'd refused to turn up to her sentencing hearing. Her hair had grown, but it was still difficult to read anything from her expression – she maintained the same impassivity as she had during the trial.



Lucy Letby's arrest followed a painstaking investigation by Cheshire Police, Operation Hummingbird, involving nearly 70 officers and civilian staff

What unfolded in court was fascinating, but had to stay in our notebooks.

Letby's lawyers claimed her convictions were unsafe, calling into question the science behind the prosecution case, laying into the prosecution's expert witness, and arguing part of the judge's directions to the jury had been wrong.

It was the first time since the end of her trial eight months earlier that anyone had heard her team set out its stall - but much of it was familiar to those of us who'd been following the case.

The same attacks on the prosecution's experts had been made during the course of the trial, and Letby's lawyers had also previously argued against the judge's legal directions.

But Letby's lead barrister, Ben Myers KC, a seasoned courtroom performer, had a couple of cards up his sleeve. The first was a saga involving a fight in a cafe, the theft of a mobile phone, and an email to the court from someone alleging they'd overheard a juror claim the jury had already made up their minds from the start of the trial.

Although the judge had spoken to the juror and allowed him to carry on serving, Letby's barrister argued this wasn't enough. The judge, Mr Myers argued, should have questioned the person who'd made the allegation too.

None of this had anything to do with whether or not Letby had murdered babies - but it was thrown into the mix as one of the grounds for appeal.

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## More Lucy Letby coverage

What I learned about Lucy Letby after 10 months in court

The text messages Letby sent as she killed babies

Warnings ignored as Letby killed more babies

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There was also a new witness - neonatologist Shoo Lee, from Toronto, the co-author of a 1989 medical research paper about air embolism in neonatal babies. An air embolism occurs when one or more air bubbles enter a vein or artery, causing a block in circulation. The consequences can be fatal.

Letby was found guilty of injecting air into the bloodstreams of some of the infants, causing air embolism. Prosecution experts had based some of their evidence on Dr Lee's paper, although he hadn't been called to give evidence.

Now he was appearing on behalf of the defence.

During the trial, much was made of changes in skin colour observed on some of the babies, which it was suggested were symptomatic of air embolism. The prosecution cited Dr Lee's paper in support of this, and paediatric consultant Dr Ravi Jayaram told the court a "chill went down (his) spine" in June 2016 when he read the research and believed it fitted with what he'd seen on babies in Chester.

But nobody had checked with Dr Lee. The point he now made, via webcam from 3,500 miles away, was that only one, very specific skin discolouration was diagnostic of air embolism, and none of the babies in the case had displayed this exactly.

For Letby's defence, it was a basis for appeal. The prosecution disagreed. They argued that all of the instances of skin discoloration in the Letby case were consistent with air embolism, and some of these could be proven using Dr Lee's own diagnostic method.

They said Dr Lee hadn't been shown any of the eyewitness testimony from the trial, or any of the babies' records – and so was not qualified to weigh in now.

Sitting on the uncomfortable wooden benches of court 4, one couldn't help but wonder why this development hadn't been aired at the trial. Letby's lawyers were arguing the science was too weak to support as many as nine of her 14 convictions.

But on 24 May, Court of Appeal judges again rejected Letby's request for permission to appeal against her convictions.



Police are investigating possible corporate manslaughter at the Countess of Chester Hospital where Lucy Letby worked. During Letby's trial, online forums and communities sprang up, where users analysed the evidence as the case unfolded. There were views on everything from the science, to the barristers' performance, and endless speculation about Letby herself.

Very few of those posting opinions were at Manchester Crown Court to watch the trial in person. The majority were following media reports, tweets, and a live blog on the Chester Standard newspaper's website.

The online commentary was voluminous – and often in breach of legal restrictions. The trial judge directed jurors not to go online, or conduct their own extra-curricular research, and the hearings continued without anyone being prosecuted for contempt of court.

After the verdicts finally came through last August, newspaper headlines screamed “Monster” and “Angel of Death”. But the view on the internet wasn't always as condemnatory.

Sceptics appeared, including Richard Gill, a statistician in the Netherlands, who argued the data presented at the trial was flawed and used improperly. Sarrita Adams, a California-based biotech consultant, launched a campaign aimed at critiquing the science in Letby's case. Her website invites donations and describes itself as “the first organisation dedicated to fighting for a new trial for Lucy Letby”.

They weren't the only ones. There are podcasts, blogs, websites and videos dedicated to the same topic. Some delve into the arguments presented by the defence about air embolism, and the expertise in the case. Others stray into different territory – statistics, or questions about other areas of science which Letby's team have steered clear of.





Lucy Letby was led away from her home in handcuffs after being arrested for the first time in July 2018

It was notable how the sceptics' arguments weren't incorporated in the defence submissions at the Court of Appeal. We understand some of those campaigning for Letby's freedom have made repeated attempts to contact her, her inner circle, and her lawyers.

But why the mismatch between the arguments raging online and those in the courtroom? It may be that Letby's team has looked into the sceptics' arguments and decided they don't check out and wouldn't stand up in a court of law.

But that's not the only possibility.

Letby and her legal team didn't have carte blanche to make any arguments they wanted in support of her request for permission to appeal.

Criminal appeals are not "a second bite of the cherry", as lawyers sometimes put it. The only way Letby would be allowed to appeal against her conviction was if she could show the judge in her original trial had made a legal mistake, or there was new evidence that, had it been available at the time, might have led the jury to different verdicts.

That meant the range of arguments Letby's legal team could present was limited. Cherry-picking the best of the online arguments was never an option.

- Who is baby serial killer Lucy Letby?

It's also important to remember the one person in control of the defence case was Letby herself. Her lawyers advised her, but they were required to act according to her instructions. Letby has used the same local Chester solicitor since her arrest in 2018, and has been represented by the same barristers throughout both trials and the appeal. Whether she's aware of the community campaigning in her name or not, she hasn't signalled she's unhappy with her lawyers' strategy.

Those who've continued to maintain the nurse's innocence are undeterred. They seem to be increasingly vocal and at the first hearing of the Thirlwall Inquiry, which will

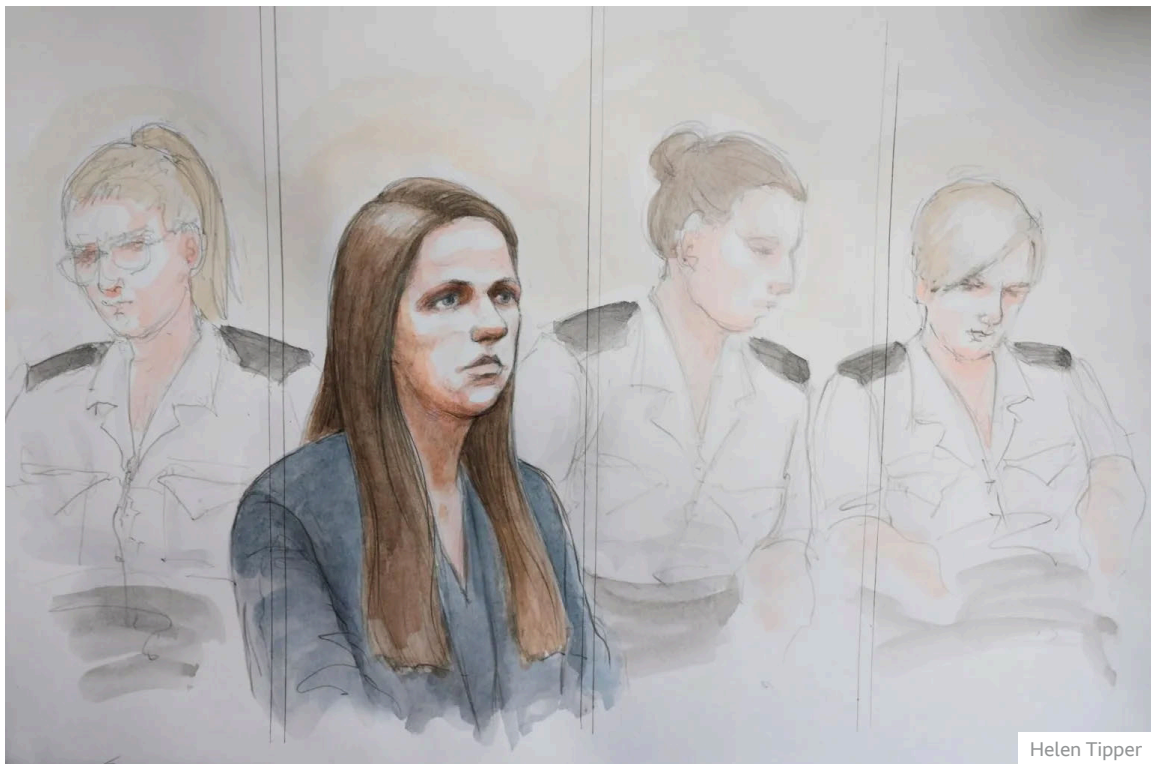
examine the way the hospital dealt with Letby, barristers representing the parents of the babies spoke of the anguish these campaigns have caused.

“The modern age has brought a proliferation of conspiracy theories which sprout, spread and fester on social media blogs and on websites,” Peter Skelton KC said. “Lucy Letby's crimes, in particular, continue to be the subject of such conspiracies, some of which are grossly offensive and distressing for the families of her victims.”

The families' lawyers argued, unsuccessfully, for the public inquiry to be live streamed when it gets under way in Liverpool in the autumn.

“It is well known that the case has generated considerable public interest and that conspiracy theories have grown around it,” Richard Baker KC said. “They are toxic, they are often ill-informed, and they ultimately grow in the shadows. The more light that we put on this Inquiry, the less space there is for speculation and conspiracy.”

It probably hasn't helped that much of the reporting of the Letby case over the past year has been restricted by court orders, to protect the retrial. It has left an information vacuum - one the internet has happily filled.



Giving evidence during her most recent trial, Lucy Letby denied attempting to harm Baby K in any way

On 10 June, 10 months after she was first convicted of murdering and attempting to murder babies, Letby was back in court for her retrial on one count of attempted murder.

Although there was a feeling of déjà vu - the same courtroom, the same lawyers, the same judge - there was something palpably different about the atmosphere.

During the first trial, which had lasted for nearly a year, only five or six members of the public turned up with any regularity. They sat quietly in an annexe alongside police officers and experts who couldn't fit into the main room.

At the retrial, up to 30 people crowded around the courtroom door each morning, jostling to be allowed in. Court ushers did their best to maintain order, asking them to move aside to allow the baby's family, police officers and journalists in, but then they were allowed to take their places in the public gallery.

Katie, Leah and Richard were in court throughout the first trial and came back for the second. They've asked for their names to be changed because they say they've felt intimidated by some of the people who've turned up this time around.

"People come literally from all over, we've had people come from the USA and Brazil," Katie says.

"They're not interested in listening to the arguments - they just want to be in that court," Leah adds. "Then halfway through they're trying to get up and leave because they realise it's quite dry, it's quite tedious."

They maintain it's important for members of the public to be allowed to observe trials. Richard, who had never been to one before, says he committed his time to following the Letby trial because of its complexity.

"To really understand the case, I think you have to be there to listen to it and absorb as much of it as you can."

- What did nurse Lucy Letby do to babies in her care?

Not everyone was there to listen carefully. A man handing out flyers about judicial corruption was asked to leave. Court ushers had to remind someone else not to record the hearing. And there was shouting and tears when competing views were aired outside in the corridor. But if the lack of decorum inside the courthouse felt new, it was as nothing compared with the invective raging online.

Reporters and even witnesses found themselves being trolled and accused of bias and dishonesty. There were two battles – the traditional courtroom duel of prosecution v defence; and the information war going on in parallel.

Where will this all end up?

"I'm not guilty of what I've been found guilty of," Letby said at her retrial. But having been denied permission to appeal, she'd have to come up with startling new evidence or arguments to have a chance of overturning her convictions. That won't stop the debate though.

There could be further criminal prosecutions – Cheshire Police is still investigating Letby's career. And the public inquiry, which starts in September, will examine the wider fallout, interrogating hospital managers about the way they handled doctors' concerns.

We watched Letby as closely during her retrial as we had throughout the 10 months of the first prosecution. She was readier to catch our eye – looking up at the public gallery, and glancing across to where the baby's family was sitting. She often blinked rapidly and clutched a furry stress-toy under the desk of the witness box. When she



gave evidence, she spoke in the same neutral, clipped tone as before, betraying little emotion.

These were intriguing little details, but they seemed to conceal more than they revealed. Even after two trials, questions about the nurse's character, motive and psychology are still unanswered.

Lucy Letby remains an enigma.

*This is a distressing case, so if you - or someone you know - need help after reading about it, the details of organisations offering assistance can be found on the [BBC Action Line website](#).*

Nursing    NHS    Lucy Letby

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# **EXHIBIT 10**



Adam Steinbaugh <adam@thefire.org>

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## Ongoing violation of Restraining Order and Copyright Infringement - Amy Gulley

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Sarrita Adams [REDACTED]  
To: Adam Steinbaugh <adam@thefire.org>

Thu, Jul 11, 2024 at 1:03 AM

Thank you for this email. You have confirmed that Ms. Gulley is still stalking me. Owing to my status as a dependent adult, which Gulley has learned through reading my divorce fillings, I will be seeking to amend the complaint to obtain a dependent adult restraining order. I am very frightened of your client, and she has caused significant suffering and harm to me.

Please note, this statement will form the basis of the contempt action.

2) the references to the name "Science on Trial" are to criticize -- not impersonate -- that entity;

Gulley's subreddit features my name and she is not allowed to stalk me but her subreddit performs this exact role. Her "criticism" amounts to statements such as I have been following Sarrita for a year..." Lying about the events in my divorce, and encouraging others to interfere with a private business. Gulley is not a customer of Science on Trial, she is simply my internet stalker, and she is not permitted to use the products of her stalking to continue to encourage others to stalk me, as this is still a breach of the court order.

The S.F. Police are being notified of the violation, and the fact that you have encouraged Gulley's criminal activity.

Since you are confused about the criminal conduct you are advocating see the statute.

[California Penal Code \[CPC\] §646.9\(a\)](#) –

(a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking,

(b) Any person who violates subdivision (a) when there is a temporary restraining order, injunction, or any other court order in effect prohibiting the behavior described in subdivision (a) against the same party, shall be punished by imprisonment in the state prison for two, three, or four years.

Please note the 200 pages of exhibits we have of your client's unhinged harassment, have been shown by major British media outlets to be nothing but defamation. Gulley's claims I am a fake scientist, a liar and so forth make up her stalking and harassing behavior. Major publications, along with scores of doctors, lawyers, scientists and experts have come out and supported the work conducted by Science on Trial. Her claims that my work is not accurate are now shown to be unfounded, and frankly of no concern of hers since this is case in Britain, where I am citizen.

<https://www.theguardian.com/uk-news/article/2024/jul/09/lucy-letby-evidence-experts-question>

<https://www.telegraph.co.uk/news/2024/07/09/lucy-letby-serial-killer-or-miscarriage-justice-victim/>

I would recommend you abandon your harassing litigation, you are supporting a woman who stalks and harasses people simply because they are engaged in matters relating to their country of citizenship. You will not meet either the 1st nor 2nd prong of an anti-SLAPP motion. Not least when you email me to inform me your client is going to continue stalking me as per your legal advice. Perhaps Ms Gulley should retain a RO attorney, as you appear unable to recognize that criminal stalking is not equivalent to free speech.

It is now clear Gulley's harassment was designed to silence my free speech such that she could limit the extent to which my work could impact issues in my home country. I have a write to engage in matters pertaining to my home country without violent and abusive American Citizens claiming they have a right to place me at fear of

serious harm.

We have already prepared a response to your anti-slapp, and we have numerous declarations from witnesses stating they observed Gulley's criminal conduct, in the form of stalking and harassment. We also have her numerous screenshots detailing her criminal actions to stalk and harass me.

Your continued involvement in this matter is simply a clear effort to extract money from me through vexatious litigation, where you state in writing that you are encouraging your client to maintain a subreddit group which only she controls and where she continues to highlight her stalking actions.

I am not agreeable to a continuance to the 20th. You have not served me with any filings, and you have sent me evidence that you are supporting your client's harassment. As stated the police will be notified of your client's ongoing criminal conduct and the DA can assess your claims that stalking is free speech.

Best,

Sarrita

On Wed, 10 Jul 2024 at 18:45, Adam Steinbaugh <[adam@thefire.org](mailto:adam@thefire.org)> wrote:

Sarrita Adams:

Again, please let me know whether you will agree to a continuance of the hearing to August 20 so that you will have adequate time to respond to Respondent Gulley's forthcoming motion to quash and anti-SLAPP motion. Additionally, I would appreciate your cooperation on scheduling, as I have a family vacation and will not be able to prepare for or attend a hearing on July 23.

With respect to the Court's order: (1) the social media posts are not publicly available; (2) the references to the name "Science on Trial" are to criticize -- not impersonate -- that entity; and (3) Google has no more access to the social media posts than the general public (that is, none) and Gulley cannot control what Google publishes.

To the extent that you assert claims for defamation or copyright, those are not relevant to this proceeding. You should avoid issuing copyright takedown notices for fair uses of content.

Finally, for clarity, the balance of your allegations are denied.

Thanks in advance,

**Adam B. Steinbaugh**

Attorney\*

Foundation for Individual Rights and Expression

510 Walnut Street

Suite 900

Philadelphia, PA 19106

(215) 717-3473

[adam@thefire.org](mailto:adam@thefire.org)

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*\* Admitted in California and Pennsylvania*

On Tue, Jul 9, 2024 at 8:22 PM Sarrita Adams [REDACTED] wrote:

Sirs,

Your client continues to violate the restraining order by maintaining her harassing posts and also impersonating our business name - Science on Trial, Inc in her subreddit page. Additionally, your client has extensively infringed on

Science on Trial, Inc copyright by publishing our copyrighted work. She maintains her posts on a private - invitation only site, where the content is still clearly searchable on Google.

The court order is clear that Ms. Gulley must remove her harassing posts and stop impersonating the business Science on Trial, Inc. Ms Gulley continues to impersonate Science on Trial, Inc, and her harassing posts are still searchable. Please instruct your client to adhere to the court order as written. In the event she fails to comply with the court order I will be required to report this offense to the police.

Further, we have documentation from your client stating that she has been watching, following and 'collecting receipts' on my online movements since May 2023, this predates any coverage of me in the UK media. Your client was involved in a stalking and smear campaign prior to the minor media coverage in which the work of Science on Trial, Inc, was featured.

Recent media coverage on the Letby Case further undermines your claims that I played a pivotal role as an expert of any kind, nor has there been any widespread interest in me. Your client has a massive platform on her LucyLetby subreddit, she has used that to silence numerous individuals, block and banning them from comment while silencing any person who has disagreed with her narrow and misinformed scientific opinions. Further, Ms. Gulley has repeatedly defamed me by stating I am a domestic abuser. A transcript from 2020 from my divorce proceedings makes clear that the court did not find me to be a domestic abuser. This is why it is unwise to rely on an unpublished opinion, based on actions that occurred in 2016/2017, and where the case is still ongoing. Further, separate findings make clear I was deemed to be the victim of abuse.

Please inform your client that we will proceed to report her ongoing violations to the police if she is unable to adhere to the court order. She is required to stop impersonating Science on Trial, Inc, this means she must stop advertising her harassing and defamatory subreddit using the business name.

I have included screenshots of her violations and proof of impersonation of Science on Trial, Inc. Please also instruct your client to remove all material that is the property of Science on Trial, Inc, which she copied, or stole, from our websites. We can provide Copyright Certification at your request.

Best,

Sarrita Adams



Follow

**mrjusticegossipgirl**

@mrjgossipgirl

The Justice Girl r/scienceontrial

[reddit.com/r/scienceontri...](https://reddit.com/r/scienceontrial) Joined October 2023

47 Following 40 Followers

# These posts are protected.

Only confirmed followers have access to @mrjgossipgirl's posts and complete profile. Tap the Follow button to send a follow request.







12:03



## scienceontrial

This community exists to fact check claims about Science on Trial, its creator Sarrita Adams, and various statements that can be credited to her.

**This is a private community. Only approved members can view and contribute.**

Reason for approval\*

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Science on Trial, Inc. specializes in evaluating forensic science in criminal and medicolegal malpractice cases, ...



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r/scienceontrial: This community exists to fact check claims about Science on Trial, its creator Sarrita Adams, and various ...



Science On Trial - Who Is The Ring Leader? : r/lucyletb...

On Fri, 28 Jun 2024 at 23:30, Adam Steinbaugh <[adam@thefire.org](mailto:adam@thefire.org)> wrote:

Dear Sarrita Adams --

As a courtesy, please find attached copies of the application we filed this evening. Again, I strongly suggest that you dismiss the petition before we file an anti-SLAPP motion. If you intend to voluntarily dismiss the petition, please let me know.

Sincerely,

**Adam B. Steinbaugh**

Attorney\*

Foundation for Individual Rights and Expression

510 Walnut Street

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[adam@thefire.org](mailto:adam@thefire.org)

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On Fri, Jun 28, 2024 at 3:42 PM Adam Steinbaugh <[adam@thefire.org](mailto:adam@thefire.org)> wrote:

Dear Sarrita Adams:

I represent Amy Gulley in connection with your petition for a civil harassment restraining order against Gulley and 20 John Doe defendants. The hearing on your petition is set for July 2, 2024.

First, I strongly urge you to voluntarily dismiss your petition. I am preparing to file a motion to quash and an anti-SLAPP motion. If the anti-SLAPP motion is granted, Gulley will be awarded attorneys' fees. (Code Civ. Pro., § 425.16 subd. (c)(1).) You can avoid that outcome by dismissing the petition at any time before we file the anti-SLAPP motion.

While you consider that, I'm writing to ask if you would agree to a continuance of the July 2 hearing. Under Code of Civil Procedure section 527.6, subdivision (o), Gulley is entitled to a continuance as a matter of right. Additionally, *Thomas v. Quintero* (2005) 126 Cal.App.4th 635, 649 allows continuances so that an anti-SLAPP motion is heard before the hearing on the civil harassment restraining order petition. I have attached a copy of that decision for your convenience.

Would you agree to (1) continue the hearing on your petition to August 20, 2024 (or a date three weeks after a hearing on the anti-SLAPP motion and motion to quash); and (2) hold a hearing on the anti-SLAPP motion and motion to quash on July 30, 2024, or as soon thereafter as the court may schedule it?

If you are agreeable to that, I have attached a stipulation to that effect and ask that you sign and email it to me.

Please let me know your position as soon as is practicable. If I do not hear from you **before 4:00 p.m. Pacific Time on June 28, 2024**, I will seek a continuance on an *ex parte* application.

Absent your agreement to that schedule, **please take notice** that on Tuesday, July 2, 2024, at 8:30 a.m. or as soon as the matter may be heard in Department 505 of the San Francisco Superior Court, at [400 McAllister St., San Francisco, CA, 94102](#), Respondent Amy Gulley will apply *ex parte* for an order setting the date for hearing on Respondent's anticipated anti-SLAPP motion and motion to quash for July 30, 2024, and continuing the July 2, 2024 hearing on the petition for a civil harassment restraining order to August 20, 2024, or a date three weeks after a hearing on the petition.

Also, please let me know whether you are amenable to service of documents we file via email. I am amenable.

Thank you in advance,

**Adam B. Steinbaugh**

Attorney\*

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