

IN THE IOWA DISTRICT COURT IN AND FOR STORY COUNTY

ALEXANDRA “SONDRA” WILSON,	)	
	)	Case No. LACV053674
Plaintiff,	)	
	)	
v.	)	<b>DEFENDANTS’ MOTION FOR</b>
	)	<b>SUMMARY JUDGMENT</b>
RELIABLE STREET INC., LOCKWOOD	)	
CAFÉ, LYND SAY NISSEN, SHARON	)	
STEWART, WILLA COLVILLE, DENISE	)	
MARTINEZ, and CHARLIE ESKER.	)	
	)	
Defendants.	)	
	)	

Defendants Reliable Street Inc., Lockwood Café, Lyndsay Nissen, Sharon Stewart, Willa Colville, Denise Martinez, and Charlie Esker (collectively, “Defendants”), by and through the undersigned counsel, respectfully move this Court pursuant to Iowa Rule of Civil Procedure 1.981 for summary judgment. In support thereof, Defendants state:

1. The operative Petition in this case is Plaintiff’s Amended Petition. (*See* D0020, filed June 17, 2024).<sup>1</sup>
2. Defendants previously filed a Motion to Dismiss. (D0022). All claims were dismissed except one. (*See* D0036, Order).
3. The sole claim remaining is Count II, which claims libel based on statements Defendants allegedly submitted to the Iowa Civil Rights Commission in 2022.

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<sup>1</sup> Plaintiff has submitted various filings seeking leave to further amend the Petition, or indicating an intention to do so at some point. The most recent is at D0079 (“Motion for Leave to Amend”). Defendants Resisted (D0082). The Motion at D0079 remains pending before the Court. In the event the Court grants D0079, or the operative Petition changes in any way, Defendants request summary judgment on any claim that seeks recovery for alleged libel related to statements submitted to the ICRC (mirroring the current Count II).

4. It is undisputed that Plaintiff initiated an action with the ICRC, who in turn solicited information from Defendants about Plaintiff's claims as part of the ICRC investigation.

5. The allegedly libelous statements at issue in Count II were made in direct response to this official investigation conducted by the Iowa Civil Rights Commission ("ICRC").

6. Defendants are entitled to summary judgment on Count II for two primary reasons.

7. **First**, the statements at issue in Count II are absolutely privileged as a matter of law because they were part of judicial proceeding, and thus cannot constitute defamation (*i.e.*, litigation privilege). Iowa law recognizes an absolute privilege for statements made in judicial and quasi-judicial proceedings, barring any defamation claim based on those statements regardless of their content.

8. **Second**, even setting aside the litigation privilege, Plaintiff cannot recover on Count II, and thus it must be resolved as a matter of law. There are at least three fatal flaws to Plaintiff's ICRC libel claim: (1) even if absolute litigation privilege does not apply, conditional or "qualified" privilege does; (2) the undisputed facts show that the statements submitted to the ICRC were true; (3) Plaintiff cannot establish damages—particularly in light of the narrow alleged "publication" of the statements: a private ICRC submission.

9. All four of these issues provide an independent and sufficient basis for Defendants' request for summary to judgment on Count II. If the Court agrees with Defendants on any one of these four issues, it need not reach the others, and could enter judgment in favor of Defendants and resolve this litigation.

10. This motion is supported by the Statement of Material Facts and Memorandum of Authorities filed herewith.

WHEREFORE, Defendants respectfully request that this Court enter summary judgment in Defendants' favor on Count II of Plaintiff's Amended Petition, dismiss this action in its entirety, and assess all costs to Plaintiff.

/s/ Paul J. Esker  
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<b>CERTIFICATE OF SERVICE</b>	
I certify that a true copy of this document was served upon each of the attorneys of record of all parties to this action at the addresses disclosed by the pleadings on April 6, 2026.	
By:	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Email <input checked="" type="checkbox"/> EDMS/ECF <input type="checkbox"/> Other
Signature:	<u>/s/ James Phan</u>