

IN THE IOWA DISTRICT COURT IN AND FOR STORY COUNTY

ALEXANDRA “SONDRA” WILSON,	)	
<i>Plaintiff,</i>	)	CASE NO. LACV053674
	)	
<i>v.</i>	)	
	)	
RELIABLE STREET INC, LOCKWOOD	)	
CAFE, LOVE CLUB LLC, LYNDSEY	)	
NISSEN, SHARON STEWART, WILLA	)	
COLVILLE, DENISE MARTINEZ, and	)	
CHARLIE ESKER	)	
<i>Defendants</i>	)	
	)	

Exhibit E — Statements and Submitted Materials Sent by Defendants Stewart and Nissen Pertaining to Defendant Martinez (December 2021–July 2022), with Contextual Communications Demonstrating the True Nature of the Relationship

This exhibit compiles statements submitted to the Iowa Civil Rights Commission alongside contemporaneous communications to document timing, context, and consistency of the allegations at issue.

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Section 1 (Exhibits E-1 – E-3): Allegations Submitted to the ICRC by Defendants Stewart and Nissen Pertaining to Defendant Martinez (May–July 2022).

These three submissions include:

1. A statement sent by Defendant Sharon Stewart (Vice President of Reliable Street and co-owner of Lockwood Café) to the ICRC;
2. A statement sent by Defendant Lyndsay Nissen (President of Reliable Street Inc. and co-owner of Love Club LLC) to the ICRC; and
3. A statement and screenshot of an exchange between Plaintiff and Defendant Martinez (Lockwood Café employee). Stewart sent these to the ICRC alongside her own statement and reported that these materials were prepared by Martinez. The excerpt purports to support allegations of racist by Plaintiff.

The collective thread between these Exhibits is a set of allegations against Plaintiff that were later used to justify punitive action by Stewart and Nissen on March 31, 2022. These Martinez-associated allegations (distinct from those addressed in Exhibits B–D) are threefold:

1. Allegations that Plaintiff made passive and directly racist comments toward or around Martinez;
2. Allegations that Plaintiff made anti-LGBT+ comments directed toward Martinez; and
3. Allegations relating to a February 2022 meeting in which Nissen claims to have spoken with Plaintiff about communication and boundaries. Plaintiff contends that while a meeting did occur, the subject matter was not as represented, and that the nature of this meeting was later recast in ICRC submissions to portray Plaintiff in a negative and defamatory light.

These allegations form part of the evidentiary basis for Plaintiff’s claims of defamation, fraud, and conspiracy. Each is addressed individually — alongside supporting evidence — in **Sections 2, 3, and 4** of this Exhibit. Exhibits B–D provide additional detail regarding Nissen’s reframing and the retaliatory motive underlying these coordinated actions.

Exhibit E-1 — Relevant excerpts from Defendant Stewart’s written statement submitted to the Iowa Civil Rights Commission between May and July 2022, which purport to attribute racist and anti-LGBT+ comments to Plaintiff in relation to Defendant Martinez.

¶ 1:

As a regular she began to build friendships with a few of the individuals who work at Lockwood Cafe, including myself. Two individuals in particular had similar interests including gardening

and they began to volunteer with garden. As time went by the amount of her communication, the way that she communicated and the amount of time she spent in the cafe during their shifts increased. In late February, Denise mentioned to me that she felt unheard and disrespected as well as overwhelmed by the volume of texts and communication coming from Sondra. I mentioned this to Lyndsay and she had a conversation with Sondra to encourage her to be an active listener and respect personal boundaries.

¶ 2:

Shortly thereafter, Willa spoke with me about feeling harassed by Sondra and didn’t know what to do but wanted to talk about it with me. Lyndsay, Denise, Willa, and I sat down for a conversation so we (Lyndsay and I) could better understand what was happening and discuss how to move forward. It was in this conversation that new information relating to how Denise and Willa were being treated that I became concerned for their health and well being while working in my business. I absolutely want to provide a safe space for customers that come to Lockwood, but providing a safe space for the employees of Lockwood is also vital.

¶ 3:

Denise spoke about the passive and direct racism she had experienced from Sondra as well as pulling away from all of the garden conversations because of how much Sondra was communicating. The most recent conversation where Denise was made uncomfortable was when Sondra asked for money to help with the costs of gardening materials. Denise said she was made to feel bad for not providing financial assistance. Additionally Denise was concerned for the highschool students involved in SHEPH (Students Helping to End Poverty and Hunger) as Sondra was also soliciting funding from them as well and her communication on a shared platform was overwhelming to everyone involved. We did not reach out to SHEPH students because we were not looking for more "dirt" on Sondra and by having a conversation with them it could potentially harm Sondra's reputation.

¶ 4:

Willa spoke about how Sondra was affecting her health. She was overwhelmed with the communication. She didn't want to hurt Sondra, but she also felt trapped. She explained that she didn't want to come to work, because Sondra came in on her shifts and would wait until she could corner Willa and have her attention. Willa also opened up and told us that early on in her friendship with Sondra, she had asked Willa out. Willa explained to Sondra that she was in a relationship and was not interested in a romantic relationship but happy to be friends. As time went on, Willa began to be overwhelmed by the attention and amount of communication from Sondra but did not know how to approach it. I have spoken with others who were in abusive relationships and all of Willa's body language was that of someone in an abusive relationship. Willa said that Sondra had recently sent her a link to a social media profile that was pornographic in nature and then questioned her if she had seen it and what she thought. She didn't want to be a part of the garden any longer, she was fearful of coming to work, and she didn't want to be forced to have a conversation with Sondra. Additionally Denise said she also no longer wanted to be a part of the community garden because of how Sondra had

Stewart's Statement regarding Defendant Martinez (E-1) — page 2 of 3.

Relevance

These excerpts are relevant because they document **specific defamatory allegations involving Defendant Martinez**, made or relayed by Defendant Sharon Stewart to the Iowa Civil Rights Commission between May and July 2022. The following statements, attributed to Martinez and relayed through Stewart, formed part of the evidence underlying Plaintiff's claims for defamation, fraud, and conspiracy:

- ¶1 — Stewart references communications with Martinez in late February, claiming that Martinez felt “unheard and disrespected” by Plaintiff due to text messaging and communication volume. This is used to frame Plaintiff as not integrating other peoples’ thoughts and ideas, and disregarding others’ boundaries.
- ¶2 — Stewart asserts that in conversations involving Defendants Nissen, Martinez, and Colville, Martinez allegedly provided “new information” about how she and Colville were “being treated,” contributing to a characterization of Plaintiff as harmful in interpersonal and workplace contexts.
- ¶3 — Stewart directly attributes to Martinez allegations of “passive and direct racism,” and claims Martinez reported feeling “uncomfortable” and “overwhelmed” by Plaintiff’s conduct, including alleged solicitations for funding. These statements represent the **first appearance of alleged racist conduct by Plaintiff**, and are central to Martinez’s defamatory claim.
- ¶4 — Stewart further references Martinez’s purported discomfort with Plaintiff’s communications and participation in the garden, positioning Martinez as another alleged “victim” of Plaintiff’s behavior. These allegations mirror and amplify similar claims made by Defendant Colville.

Collectively, these statements:

1. **Tie Martinez to the initial defamatory narrative**, providing the foundation for later coordinated allegations made to the ICRC.
2. Are **relayed by Stewart on Martinez’s behalf**, showing collaboration among Respondents.
3. Are **inconsistent with contemporaneous friendly communications** between Plaintiff and Martinez, which are presented in Sections 2, 3, and 4 of this exhibit.

These representations were made without prior notice to Plaintiff and were later used to justify retaliatory and exclusionary actions. As such, they are probative of Defendants’ coordinated conduct and the falsity and pretextual nature of the accusations.

Stewart’s Statement regarding Defendant Martinez (E-1) — page 3 of 3.

¶1:

Once Sondra had permission for her prairie, she continued to push for more control over the entire garden project. I did my best to try to make her understand she needed to listen to all the involved parties. Unfortunately she bulldozed those people with her ideas instead. She did not listen to others. She over communicated, flooding people with emails and links in a Discord forum, texting more than several messages before people responded, sending messages in the middle of the night. The other volunteers started expressing their concerns then.

¶2:

I believe it was in February when I sat down with her and made my final attempt to get her to listen to people. I encouraged her to read about active listening. I tried to explain that people felt unheard, like their ideas weren't valid and that she made them feel like they didn't know anything. When you're working with volunteers, stuff like that makes them quit. She was defensive and did not seem to grasp her overbearing style. She did at that point thank me for trying to help her. I was hopeful that I may have gotten through at least a little bit.

¶3:

The other employee did not have the same obsessive experience with Sondra, but felt uncomfortable for other reasons. The employee recounted several occasions where Sondra made racist comments. She felt Sondra invalidated her opinions on the garden. Also that Sondra made inappropriate comments on the employees sexual identity.

¶4:

At the conclusion of this meeting Sharon and I asked the employees what they needed to feel safe and comfortable again on the property and at work. They both agreed that they felt Sondra should no longer be involved or come to the cafe or events. Being a safe place and community leaders, we have to sometimes exclude a person if they are creating big enough problems that make others decide they can no longer be in the space. It was not a decision we made lightly.

¶5:

So Sharon and I made the decision to ask Sondra to leave the projects and the space. We met with her on March 31, 2022. We did our best to not hurt her feelings and also to protect the employees that spoke to us. So our explanation was rather broad. Basically we told her that people had finally expressed their inability to handle her behavior. That she had not respected peoples boundaries, personal space, work time, opinions, and had not listened to them. I told her my best advice was to really try to learn about boundaries and active listening. She was extremely defensive. She questioned us to figure out who said something. She had zero personal reflection and took no responsibility. I gave her \$300 in cash for the money she spent without asking, just to be kind. You can see the \$400 ATM withdrawal on my personal bank statement on that date in the documents. I gave her the prairie seed I paid for as well and said goodbye.

Nissen's Statement regarding Defendant Martinez (E-2) — page 2 of 4.

Relevance

¶1 — “Bulldozing” / Boundary Framing

Nissen characterized Plaintiff as “bulldozing” and over-communicating, alleging that volunteers were overwhelmed and began expressing concerns. This framing mirrors Stewart’s ¶1 language and was used to portray Plaintiff as domineering and disruptive.

Rebuttal Evidence:

Nissen’s description is **inconsistent with contemporaneous records and communications**, several of which **directly contradict her statements** to the ICRC:

- **Flier allegation:** Nissen stated that Plaintiff created and distributed a flier “without asking” or permission. Text message exchanges show the opposite: Nissen confirmed she wanted the flier, provided specific input on its design, and responded positively after its distribution. *See Exhibit B.*
- **Project permission:** Nissen claimed Plaintiff acted “without permission” regarding the Prairie and garden projects. Written agreements and contemporaneous messages reflect that Nissen was fully aware of, and consented to, the activities she later characterized as unauthorized. *See Exhibit C.*
- **Overcommunication framing:** Nissen alleged that volunteers expressed discomfort with Plaintiff’s communication volume. Message logs from the same period reflect collaborative and routine planning, with no contemporaneous complaints. The first appearance of “overcommunication” language arises after Plaintiff’s separate complaint to the ICRC. *See Exhibits B–D and Sections 2–4 of this exhibit.*

Pattern of contradiction: These are not isolated discrepancies. Multiple allegations Nissen made to the ICRC are directly contradicted by contemporaneous records, demonstrating that key elements of her narrative are unreliable.

Nissen’s Statement regarding Defendant Martinez (E-2) — page 3 of 4.

¶2 — February Conversation Claim

Nissen claims she personally met with Plaintiff in February to discuss “active listening” and alleges Plaintiff was defensive.

- **Function:** Positions Nissen as a “reasonable intermediary” while characterizing Plaintiff as unreceptive to feedback.
- **Overlap:** Mirrors Stewart’s interpersonal tension framing but offers no independent evidence beyond Nissen’s subjective interpretation.
- **Rebuttal Evidence:** The alleged conversation is inconsistent with Plaintiff’s recollection and contradicted by contemporaneous, friendly communications between Plaintiff and Martinez. No contemporaneous documentation supports Nissen’s account. *See Section 4 of this exhibit.*

¶3 — Racism and Anti-LGBT+ Allegations

Nissen references an unnamed “other employee” who allegedly claimed Plaintiff made “racist comments” and “inappropriate comments on sexual identity.”

- **Function:** Introduces the most serious allegations in the statement, without identifying the speaker, timeframe, or content of the alleged remarks.
- **Overlap:** Closely mirrors Stewart ¶3, which attributes racism claims to Martinez, suggesting coordinated narrative development rather than independent corroboration.
- **Rebuttal Evidence:**
 - No specific statements, dates, or speakers are identified, rendering this allegation **hearsay-on-hearsay** and **non-probative of fact**.
 - *As shown in Section 2*, Martinez’s related racism allegation relies on a single out-of-context exchange later reframed as discriminatory. When considered alongside contemporaneous friendly and collaborative interactions between Plaintiff and Martinez, this narrative is inconsistent with the documented record.
 - These deficiencies — lack of specificity, absence of corroboration, and contradiction by contemporaneous evidence — **undermine the reliability and evidentiary value** of Nissen’s claim.

These statements constitute hearsay-on-hearsay and are non-probative of fact, lacking specificity, corroboration, and temporal clarity.

Nissen’s Statement regarding Defendant Martinez (E-2) — page 3 of 4.

¶4 — March Meeting Framing

Nissen claims she and Stewart “asked employees what they needed to feel safe” and portrays the decision to exclude Plaintiff as reluctant and community-driven.

- **Function:** Casts Nissen as acting in a leadership and conflict-resolution role, and Plaintiff as a perceived “safety” concern.
- **Overlap:** Tracks Stewart ¶4, which frames the exclusion as a collective decision.
- **Rebuttal:** Nissen’s account omits Plaintiff’s contemporaneous communications, prior attempts to resolve concerns collaboratively, and any opportunity for Plaintiff to respond to or rebut the allegations before exclusion.
 - Nissen and Stewart both corroborated that they convened a meeting after Colville and Martinez raised concerns, and that they approached Plaintiff only after a decision to exclude her had effectively been made.
 - This sequence of events is **inconsistent with neutral conflict-resolution procedures** and aligns with Plaintiff’s claims of retaliatory exclusion.
 - Both Nissen and Stewart took punitive action without gathering information from Plaintiff or affording her an opportunity to provide evidence to the contrary.
 - Given that Plaintiff is a transgender woman and both decision-makers are not, this factual context is relevant to Plaintiff’s claim of differential and discriminatory treatment based on gender identity. The absence of a neutral process and the immediate reliance on uncorroborated allegations support Plaintiff’s contention that the exclusion was **not based on objective safety concerns**.

¶5 — March 31 Meeting Description

Nissen gives her account of the March 31 meeting, describing Plaintiff as “defensive,” lacking reflection, and ignoring boundaries.

- **Function:** Positions this meeting as the final and justified removal.
- **Overlap:** Reinforces the “boundary issue” narrative established in ¶1 and ¶2.
- **Rebuttal:** Nissen’s account conflicts with Plaintiff’s recollection, is unsupported by contemporaneous documentation or independent witness statements, and relies on subjective characterization rather than objective fact. The framing of this meeting serves to retroactively justify prior allegations rather than establish new, independently corroborated events. No contemporaneous documentation or witness statements corroborate Nissen’s claim, which is further contradicted by established communication records.

Nissen’s Statement regarding Defendant Martinez (E-2) — page 4 of 4.

Exhibit E-3 — Statement and supporting documentation allegedly authored by Defendant Martinez and transmitted by Defendant Sharon Stewart, on behalf of Lockwood Cafe, to the ICRC (on or around May 1 – July 30, 2022), containing allegations that Plaintiff made racist and anti-LGBT+ comments.

This exhibit contains a written statement and supporting documentation allegedly authored by Defendant Martinez and transmitted by Defendant Sharon Stewart, on behalf of Lockwood Cafe, to the Iowa Civil Rights Commission (on or around May 1 – July 30, 2022). In this document, Martinez asserts that Plaintiff made racist and anti-LGBT+ comments, attaching selectively excerpted statements and screenshots as purported evidence.

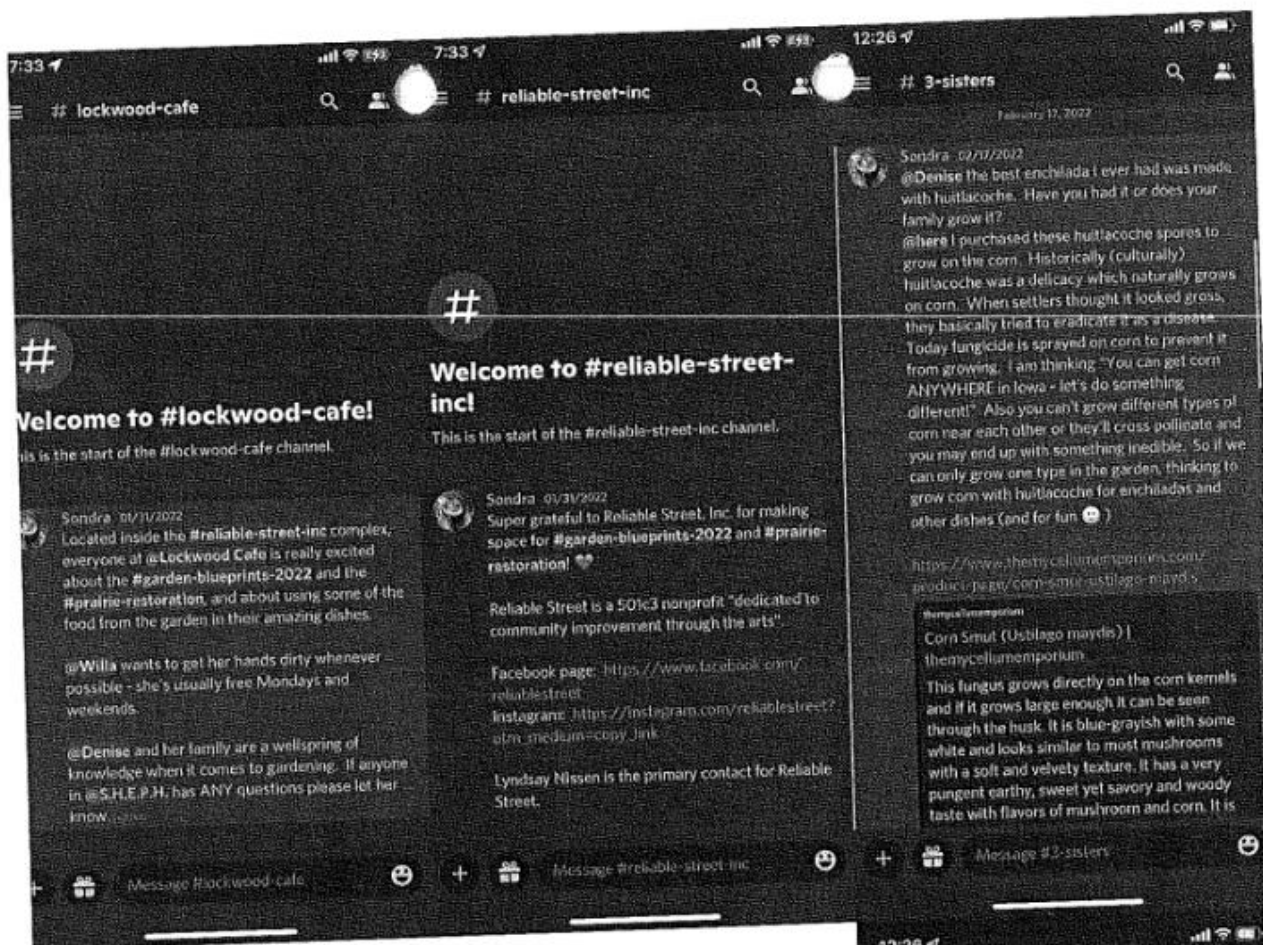
Relevance

- Demonstrates the **publication of defamatory allegations** to a state agency.
- Identifies Martinez as the **alleged originating source** of the claims, and Stewart as the publisher acting on behalf of the business entity.
- Contains allegations of **racial and anti-LGBT+ bias** that were later relied upon to damage Plaintiff's reputation and legal standing.
- Reflects the **coordinated nature of Defendants' actions**, consistent with broader patterns of conspiracy, defamation, and fraud utilized in a retaliatory manner following Plaintiff's complaint to the ICRC.

Critical Context: As demonstrated in Exhibits E-3 and E-4, the statements and screenshots contained in this exhibit were **selectively excerpted and presented out of context** in a way that materially altered their meaning and impact. When reviewed alongside the full, contemporaneous communications, it becomes clear that these allegations are **false, misleading, and materially reframed to portray Plaintiff inaccurately**.

The relevance of this exhibit therefore extends beyond the defamatory content itself: it provides **evidence of deliberate manipulation, publication with knowledge of falsity**, and the **pretextual and retaliatory nature** of the allegations. This is material to Plaintiff's claims of **defamation, fraud, retaliation, and conspiracy**, demonstrating motive, coordination between Defendants, and bad faith in the filing of these allegations.

Martinez's Statement and Documentation (E-2) — page 1 of 3.

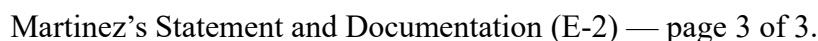


I met Sonda in November of 2021 through a mutual friend that also interested in volunteering at the Reliable Street Community Garden that is run in partnership with the SHEPH club at Ames High. I was invited to assist in maintaining the garden and to give gardening advice since I come from a long lineage of farmers on my mothers side. The first two screen shots I included show that I was part of the garden in hopes of passing down knowledge given to me by my family. The final three screen shots on this page is one of the many instances where my identity was challenged. In this conversation an indigenous food from Mexico is brought up and I am asked if I had had it before. This is after multiple instances where I had explain that I am not Mexican and that I had no experience with most Mexican foods. My family is from a small country named El Salvador our culture is completely different. In one message she apologizes that she is a white woman and this she still learning. This was after multiple times of me trying to educate her on my ethnicity and that is almost as insulting as misgendering to call any Latine¹ presenting person since every country has a

¹ Latine is the gender neutral term used by Spanish speaking people instead of using Latinx since it is not grammatically correct



Below I attached multiple messages and posts in which we were indirectly accused of slander with a situation that was handled privately. I was one of the people that was contacted privately in regards to the situation.



Section 2 (Exhibit E-4): Allegations of Racist Comments by Plaintiff, Sent to the ICRC by Martinez and Stewart (on or around May – July 2022).

Exhibit E-4 — Contextual Evidence Rebutting Martinez’s Allegations of Racism and Accompanying Out-of-Context Screenshots (January 10 and February 17, 2022).

This exhibit demonstrates that Defendant **Martinez’s allegations of racism are fundamentally contradicted by the contemporaneous record.**

Defendant Martinez’s statement (**see Exhibit E-3**) was transmitted to the ICRC alongside a screenshot of an exchange that was **selectively excerpted and presented out of context** to falsely portray Plaintiff as having engaged in racist conduct.

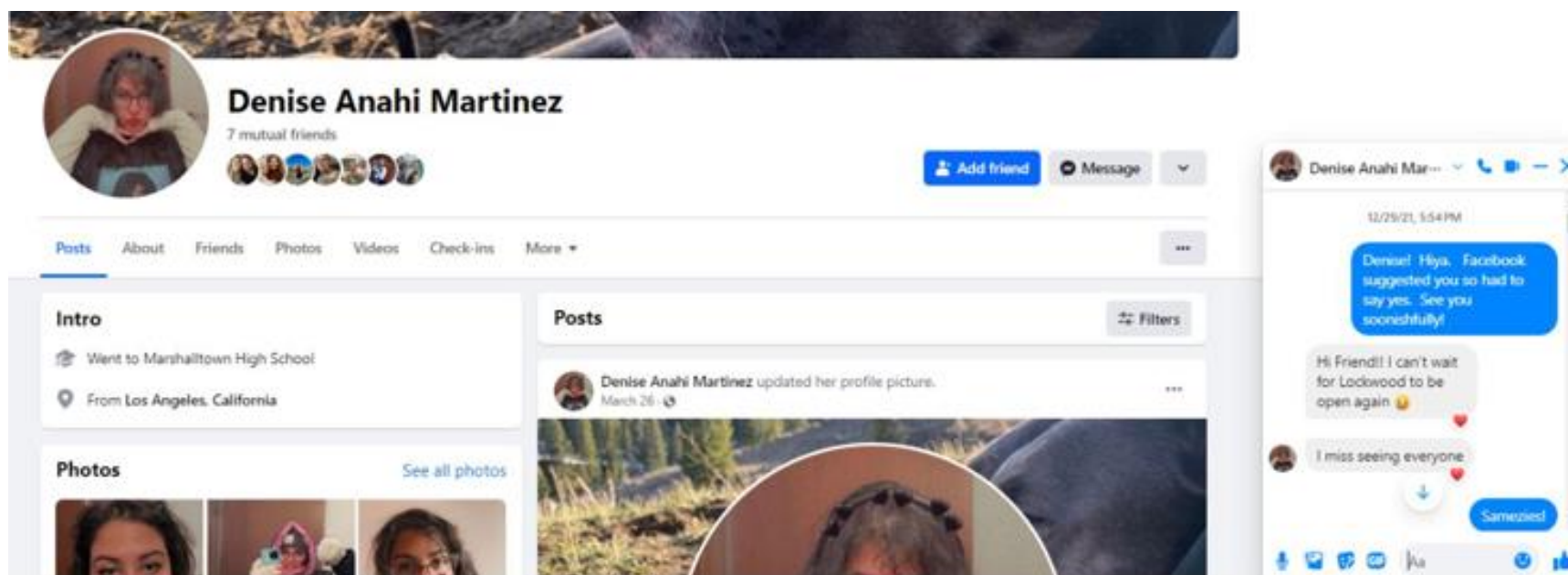
When the underlying conversations and events are reviewed in full context, **Martinez’s narrative collapses**: the statements she relied on are shown to be distorted, incomplete, or stripped of their original meaning. The exhibits that follow demonstrate that, during the relevant period, interactions between Plaintiff and Defendant Martinez were consistently **friendly, voluntary, and mutually affirming**. At no time did Defendant Martinez communicate any objection, boundary, or concern regarding Plaintiff’s statements or behavior.

This **absence of contemporaneous objection**, combined with the documented cordial tone of communications, underscores the retaliatory and fabricated nature of Martinez’s later claims. The context surrounding the alleged “evidence” not only disproves the substance of her allegations but also reveals the **deliberate framing** used to defame Plaintiff and support a coordinated false narrative.

To understand the context of the statement Martinez later alleged was “racist,” it is necessary to review the series of friendly and collaborative gardening conversations that immediately preceded it. During these exchanges, Martinez herself referenced cultural themes and engaged enthusiastically. Plaintiff’s later inquiry about “huitlacoche” arose **logically and respectfully** from those conversations — not from racial animus. This demonstrates that Martinez’s later framing was **contrived and inconsistent** with the actual interaction.

Martinez’s Out-of-Context Screenshot (E-4) — page 1 of 8.

Message 1: Facebook message sent by Defendant Martinez to Plaintiff, “Hi Friend!! I can’t wait for Lockwood to be open again. I miss seeing everyone” (December 29, 2021).

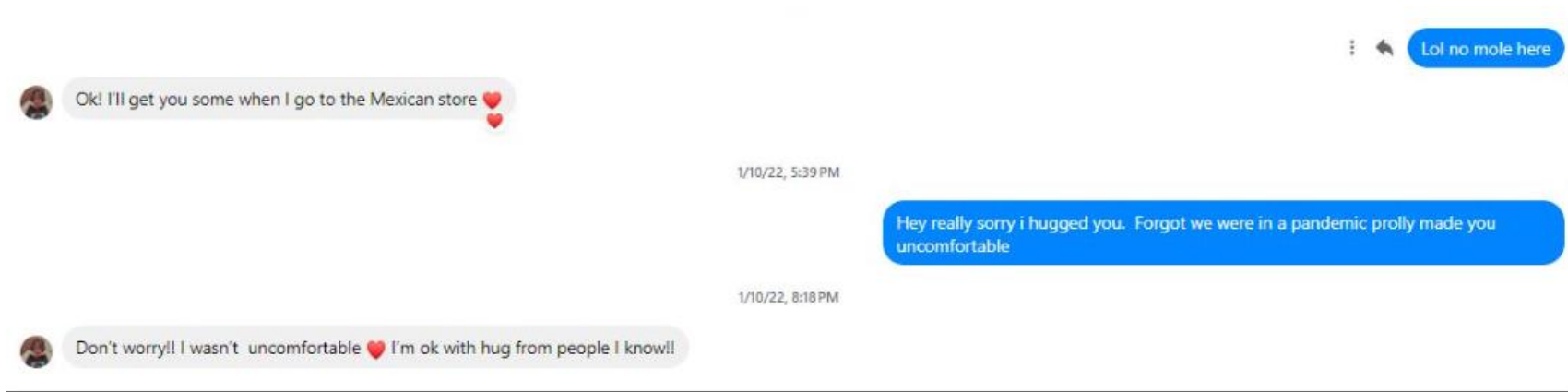


Relevance:

This message illustrates the friendly and voluntary nature of communications between Martinez and Plaintiff approximately a month and a half before the exchange Martinez later screenshotted and submitted alongside her statement to the ICRC. The screenshot in question was taken from a conversation on February 17, 2022. While this message was sent on December 29, 2021, Martinez’s affectionate tone (“Hi Friend!!”) and warm anticipation of seeing Plaintiff again is consistent with the tone of their interactions throughout the relevant period.

Martinez’s Out-of-Context Screenshot (E-4) — page 2 of 8.

Message 2: On January 10, 2022, Martinez **initiated friendly communication** referencing a “Mexican store” with heart emojis and warmth. Plaintiff responded casually.



Relevance:

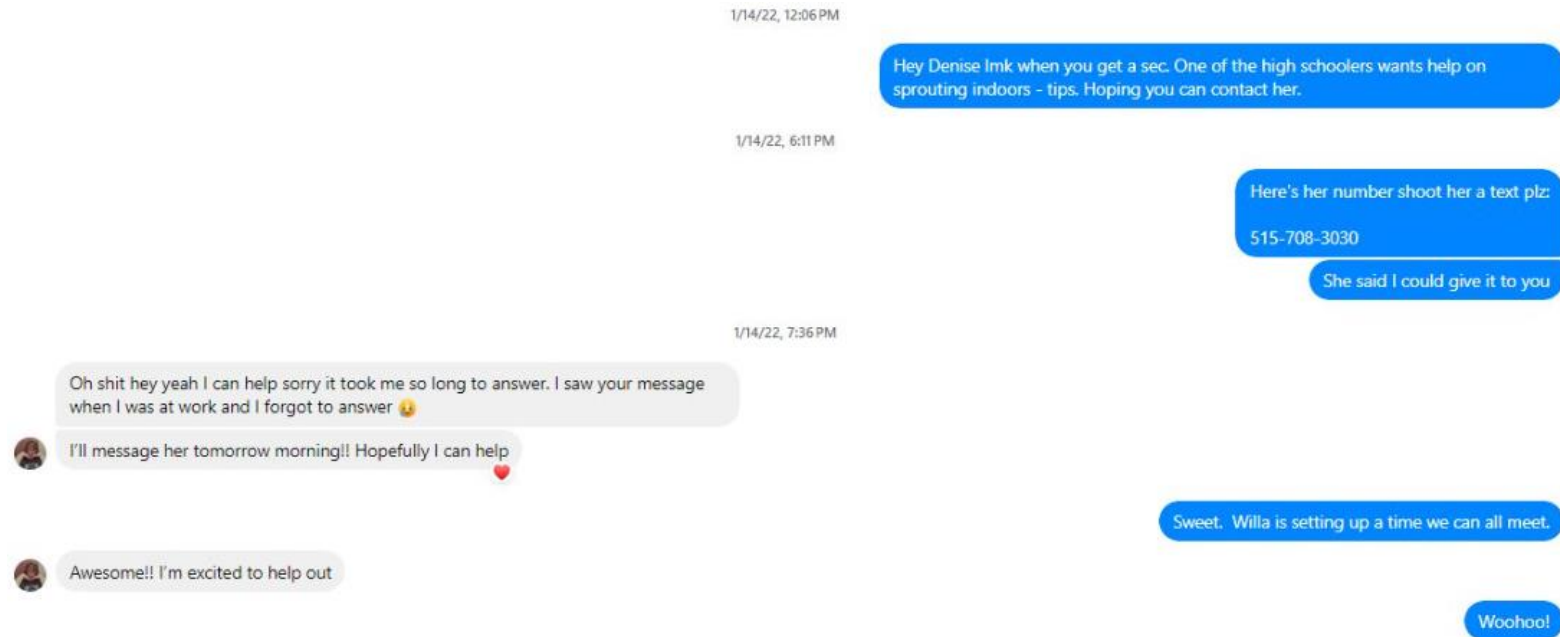
In her later statement to the ICRC (Exhibit E-2), Martinez alleged that Plaintiff’s mention of *huitlacoche* was racially insensitive. However, contemporaneous communications show that Martinez herself referenced Mexican culture and expressed cultural affinity, including this friendly reference to a “Mexican store” accompanied by heart emojis approximately one month prior to the conversation about *huitlacoche* that Martinez later screenshotted and included in her statement alleging racism by Plaintiff.

Plaintiff had no knowledge of Martinez’s specific family heritage beyond what Martinez voluntarily shared. The reference to *huitlacoche* arose in the context of gardening discussions and cultural exchanges initiated by Martinez, not as a targeted or derogatory statement.

This evidence directly rebuts the allegation of racist intent and further supports the pattern of Martinez framing ordinary, friendly exchanges as racially charged **only after the fact**.

Martinez’s Out-of-Context Screenshot (E-4) — page 3 of 8.

Message 3: On January 14, 2022 Plaintiff messaged Defendant Martinez to offer a leadership role with the community garden. Martinez enthusiastically accepts.



Relevance: This message directly demonstrates that Plaintiff respected Martinez’s agency and intelligence, and was not acting “pushy,” “controlling,” or “bulldozing,” as later characterized by Defendant Nissen in her statement to the ICRC (see Exhibit C-1). In this exchange, Plaintiff not only engaged Martinez collaboratively but also **entrusted her with a leadership role**, inviting her to assist a high school student with sprouting and planting techniques. This invitation reflects Plaintiff’s **confidence in Martinez’s knowledge and capabilities**, as well as her **inclusive approach** to community participation.

Additionally, this exchange illustrates the friendly, cooperative, and empowering tone of communications between the parties approximately one month prior to the alleged “racist” exchange that Martinez later screenshotted and referenced in her statement to the ICRC. The evidence here directly contradicts Martinez’s later allegations of exclusion or hostility and supports Plaintiff’s position that the claims were **retroactively framed and misleading**.

Martinez’s Out-of-Context Screenshot (E-4) — page 4 of 8.

Message 4: On January 31, 2022 Plaintiff invited Defendant Martinez to the community garden Discord server where all Defendants and SHEPH were invited to (also referenced in pages 3 – 4 of Exhibit C-14), to which Martinez enthusiastically accepted.

1/31/22, 2:01PM



Relevance

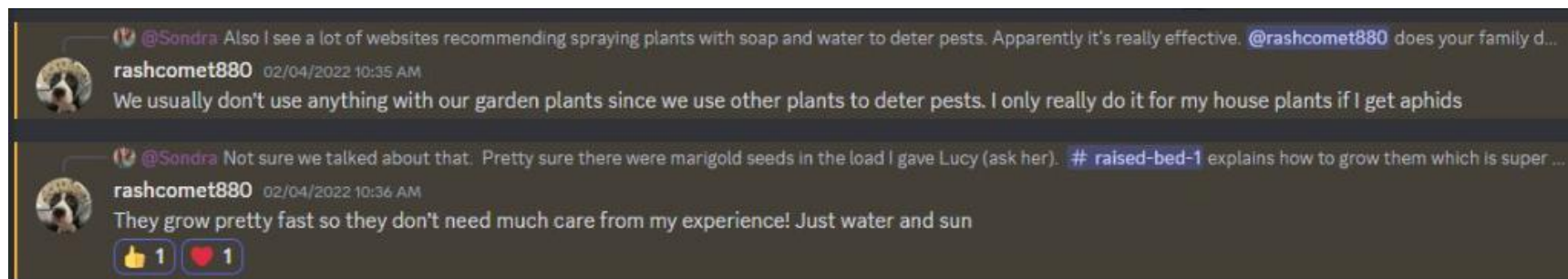
The following exchanges—including the one that Martinez later screenshotted and included in her employer’s filing to the ICRC (see Exhibit A)—took place within this Discord server. This was a **shared communication space** where all Defendants and SHEPH participants were invited, and Martinez voluntarily joined.

Notably, **the majority of the conversations in this server centered around the community garden**, with Plaintiff reaching out to Martinez **consistently yet intermittently** to include her in discussions and activities. This reflects a pattern of reasonable, collaborative communication—not persistent or harassing contact as later alleged by Defendant Nissen.

Martinez’s enthusiastic acceptance of the invitation and subsequent participation further contradicts any later claim that Plaintiff excluded or marginalized her. Instead, the evidence reflects an **open, collaborative, and inclusive environment** initiated by Plaintiff.

Martinez’s Out-of-Context Screenshot (E-4) — page 5 of 8.

Message 5: On February 4 Plaintiff messaged Defendant Martinez to ask if she had experience with a gardening technique. This was because Martinez had repeatedly stated that her family has a lot of experience gardening. Also, as mentioned in Defendant Stewart’s statement to the ICRC (Exhibit E-1), Martinez was interested in volunteering in the garden. Although Martinez did not have time to be involved, she did enjoy more of a consultancy position. This is why Plaintiff would include her in this manner through texts – to find ways to enable to remain involved despite time constraints.



Relevance

The exchange Martinez later screenshotted and used to allege racism by Plaintiff was **not an isolated interaction**, but rather part of a **pattern of ordinary, garden-related discussions** that Martinez voluntarily participated in. Plaintiff reached out to Martinez on this occasion specifically because Martinez had previously shared her family’s extensive gardening experience and had expressed interest in remaining involved, even if only in a consultative capacity.

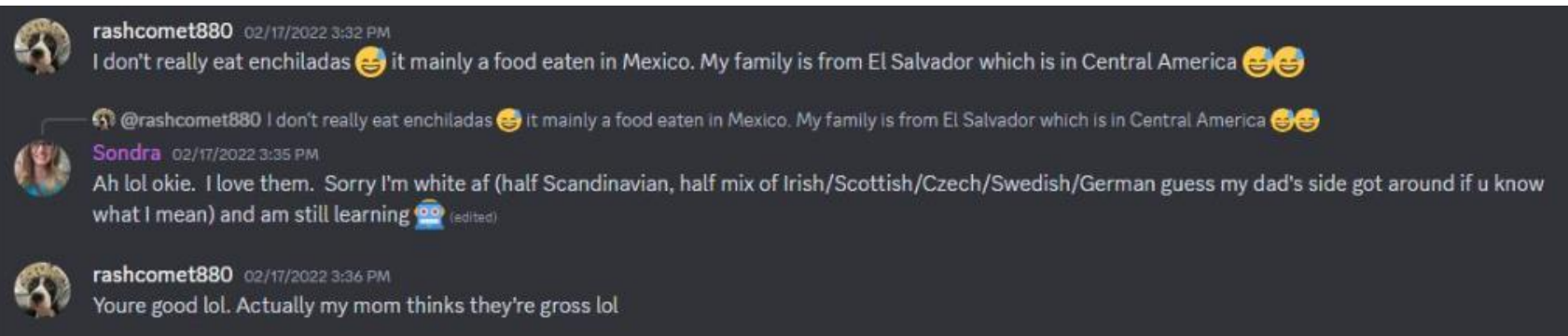
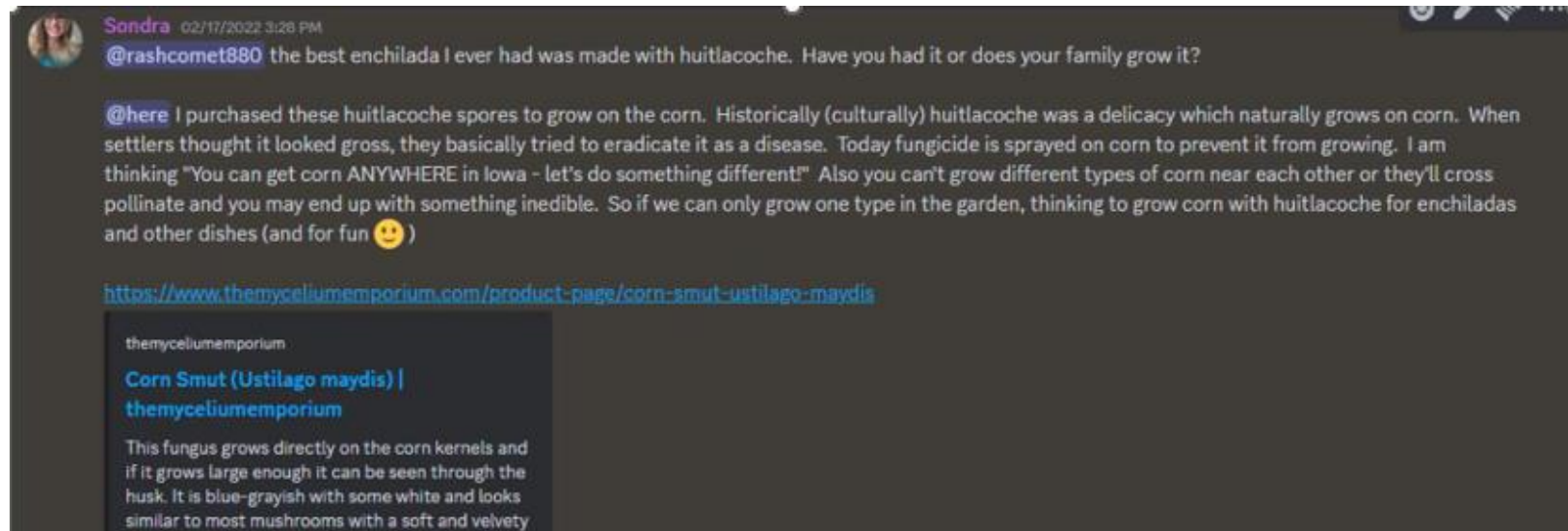
This message reflects a **practical, content-focused conversation** in which Plaintiff sought Martinez’s input on gardening techniques, consistent with prior communications (see prior Messages 3–4). There is no language or context indicating any racial or personal targeting.

This evidence directly contradicts Martinez’s later framing of this conversation as racially charged, illustrating instead a **collaborative, good-faith exchange** that aligned with Martinez’s own stated expertise and voluntary participation in the community garden project. Plaintiff sought ways to enable Martinez to remain involved despite time constraints, in accordance with her stated interest

Martinez’s Out-of-Context Screenshot (E-4) — page 6 of 8.

Message 6 (page 1 of 2): On February 17, Plaintiff asked Martinez a neutral, culturally curious question about *huitlacoche* during a community garden discussion. Martinez clarified her family’s heritage, and Plaintiff **immediately apologized**, acknowledged her own cultural background, and expressed that she was still learning. Martinez responded reassuringly (“You’re good lol”) and displayed no sign of discomfort or offense.

This conversation took place in the same Discord server as prior exchanges (see Messages 4–5), in the context of ongoing gardening discussions involving multiple participants.



Message 6 (Exhibit E-4), page 2 of 2:

Recall that in **Message 2**, Martinez herself referenced “going to the Mexican store” with heart emojis — an expression of cultural affinity she initiated. Plaintiff did not know Martinez’s specific family background beyond these limited, casual references, as Martinez was an employee at Lockwood Café and their interactions were primarily tied to community gardening activities.

Furthermore, *huiltlacoche* is a traditional ingredient used throughout Mexico and other parts of Latin America, not tied to any single nationality or ethnic group.¹ It is therefore entirely plausible that Martinez **was not aware** of this broader cultural context. If she interpreted Plaintiff’s reference as specific to Mexican identity, such interpretation reflects a **personal misunderstanding**, not discriminatory intent by Plaintiff.

Even if Martinez later experienced discomfort upon reflection, the absence of any contemporaneous expression of such discomfort strongly indicates a retrospective reinterpretation, not an immediate perception of racial hostility.

Martinez later **mischaracterized this conversation as “racist”** in her written statement to the ICRC. The contemporaneous evidence shows:

- Martinez **initiated** prior cultural references herself.
- The conversation was **cordial and friendly** throughout.
- She **raised no objection** or expressed discomfort at the time.
- She submitted this very conversation as “evidence,” **omitting its actual tone and context**.

This selective omission and deliberate reframing misrepresents the exchange and creates a false impression of racist conduct. The **absence of contemporaneous objection** is probative of fabrication or, at minimum, a later reinterpretation inconsistent with the facts.

Martinez’s Out-of-Context Screenshot (E-4) — page 8 of 8.

¹ Plaintiff did not offer cultural background in the moment because the exchange was casual and cordial, and there was no indication that the comment could be perceived as offensive. In any event, *huiltlacoche* (corn smut) is a longstanding culinary ingredient in Mexico and is also prepared and eaten in parts of Latin America. This objective context shows Plaintiff’s reference was culturally neutral and not targeted at Defendant Martinez’s identity; any later claim of “racism” reflects a subjective misinterpretation or after-the-fact reframing. See **Brenna Houck**, *What Is Huitlacoche—and Why Aren’t Americans Eating More of It?*, **Eater** (Sept. 21, 2021), <https://www.eater.com/22688579/what-is-huitlacoche-corn-usa-mexican-food-bias>

Section 3 (Exhibit E-5): Allegations of Anti-LGBT+ Comments by Plaintiff, Sent to the ICRC by Martinez and Stewart (on or around January – July 2022).

This section documents that allegations of anti-LGBT+ comments attributed to Plaintiff were first raised only after Plaintiff's ICRC filing, with no contemporaneous notice, record, or corroboration prior to March 31 Plaintiff is a transgender woman with a longstanding history of participation in LGBTQ+ spaces, a fact which further underscores the implausibility of the allegations at issue, though this section focuses solely on the timeline and evidentiary record surrounding their emergence.

This section summarizes allegations contained in a statement submitted to the ICRC by Defendant Sharon Stewart (in her capacity as owner of Lockwood Café) on or around May–July 2022. The statement incorporates claims by Defendant Martinez, who wrote:

“On multiple occasions, I was told that I could not be part of the LGBTQIA+ since I am currently in a heterosexual-presenting relationship. While I identify as bisexual and my partner does not, it does not mean that I cannot say I am truly bisexual since I am not with a woman.”

Plaintiff was **never contemporaneously informed** of these allegations at any time prior to her exclusion from the property on March 31, nor were these allegations ever raised or discussed with Plaintiff during the period in question. Plaintiff maintains that the statements attributed to her were never expressed or believed by her personally and that **no contemporaneous complaint, record, or communication corroborates** the allegation.

Plaintiff further contends that this allegation was first raised **only after** Plaintiff filed her own complaint with the ICRC and was submitted **subsequent to her filing**. Plaintiff asserts that Defendants—including Martinez—advanced multiple, coordinated allegations after that point, in a manner that appears intended to collectively reinforce their claims and to diminish the weight of Plaintiff's complaint. (*See Exhibit A-3.*)

Exhibit E-5 — Invitation to Ames area LGBT+ Events Planning Server; clarification by Plaintiff, and confusion by Defendant Martinez (on or around January 2022).

This exhibit contains three exchanges between Plaintiff and Defendant Martinez.

Message 1: On or around January 31, 2022, prior to an LGBT+ related Valentine’s Day event Reliable Street Inc. hosted, with Plaintiff appointed as a lead organizer, Plaintiff provided the URL invitation to Defendant Martinez. Martinez replayed, “Oh awesome! I’ll join [right now].”



Contextual Evidence for Anti-LGBT+ Allegation by Defendant Martinez (E-5) — page 1 of 2.

Message 2: Shortly after Message 1, Plaintiff explained “server roles” to Martinez, and invited her to adjust her own accordingly. Here is a screenshot of the exchange:



Relevance Summary: Plaintiff was never informed of any allegation of anti-LGBT+ conduct on or before March 31, 2022—the date she was removed from the property—and no such allegation was contemporaneously documented, raised, or disclosed to Plaintiff by any Defendant at that time. Both Defendants Nissen and Stewart acknowledged in their ICRC statements that no reason was provided to Plaintiff for her exclusion on that date. Plaintiff first became aware of this allegation only after filing her own ICRC complaint, at which point Defendants Martinez and Stewart advanced the claim in their responsive statements.

The contemporaneous exchanges presented in this exhibit (Messages 1 and 2) show friendly, voluntary communication between Plaintiff and Martinez within an LGBT+ community context, which is inconsistent with the substance of the later allegation. The timing and circumstances of the allegation, coupled with the absence of contemporaneous notice or record, support Plaintiff’s position that the claim was raised retaliatorily and after the fact, not as a genuine contemporaneous complaint.

Contextual Evidence for Anti-LGBT+ Allegation by Defendant Martinez (E-5) — page 2 of 2.

Section 4 (Exhibit E-6): Account of Defendant Nissen’s Private Meeting with Plaintiff is Inconsistent with Plaintiff’s Testimony and Contemporaneous Messages (on or around late February or mid-March).

In Exhibit E-2 ¶ 2, Nissen wrote to the ICRC:

“I believe it was in February when I sat down with her and made my final attempt to get her to listen to people. I encouraged her to read about active listening. I tried to explain that people felt unheard, like their ideas weren’t valid and that she made them feel like they didn’t know anything.... She was defensive and did not seem to grasp her overbearing style. She did at that point thank me for trying to help her. I was hopeful that I may have gotten through at least a little bit.”

According to records of text messages contained in Exhibit E-6, this meeting actually took place on or around **March 14**, not February.

The contents and tone of the interaction Nissen later described are not consistent with contemporaneous communications. As established in Exhibits B–D, Defendants repeatedly reframed neutral or friendly interactions after the fact as evidence of alleged overstepping. The characterization of this meeting appears to follow the same pattern, culminating in a **material misrepresentation** of its nature and significance.

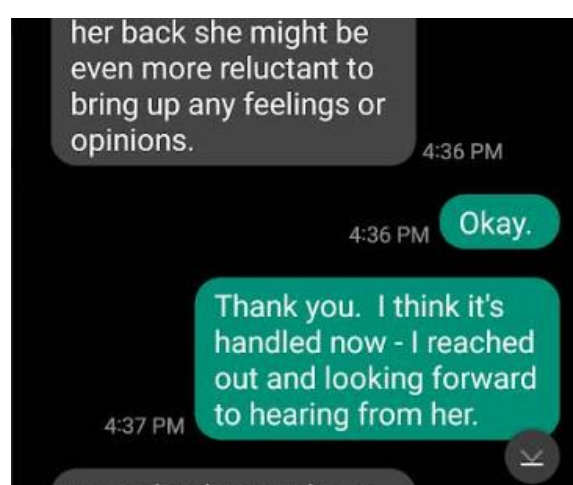
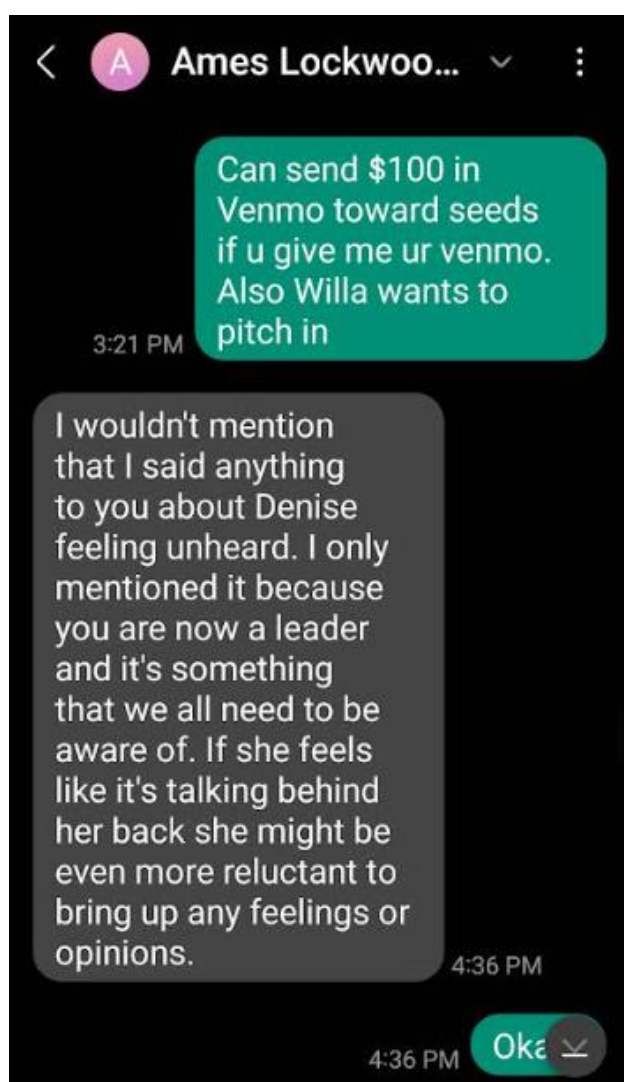
Plaintiff’s account of this meeting, supported by contemporaneous messages, **starkly contrasts** with Nissen’s statement. Much like the March 31 exclusion, Nissen provided no specific concerns or details during the March 14 meeting. She simply suggested that Plaintiff “check in” with Martinez because she “wasn’t feeling included.” Although Nissen later used the word “defensive” in her ICRC statement, the contemporaneous messages show no indication of conflict or resistance. Rather, her comments were general leadership advice, casual in tone, and not framed as a serious intervention.

Plaintiff contends that **no encouragement to read about active listening** or similar suggestions were made during this meeting, and that Nissen’s later claim that this was her “final attempt” is **inconsistent with the record**. This was the only meeting where anything of this nature was even vaguely mentioned, and all other communications between the parties were positive and collaborative—**not aligned** with Nissen’s later characterization of events.

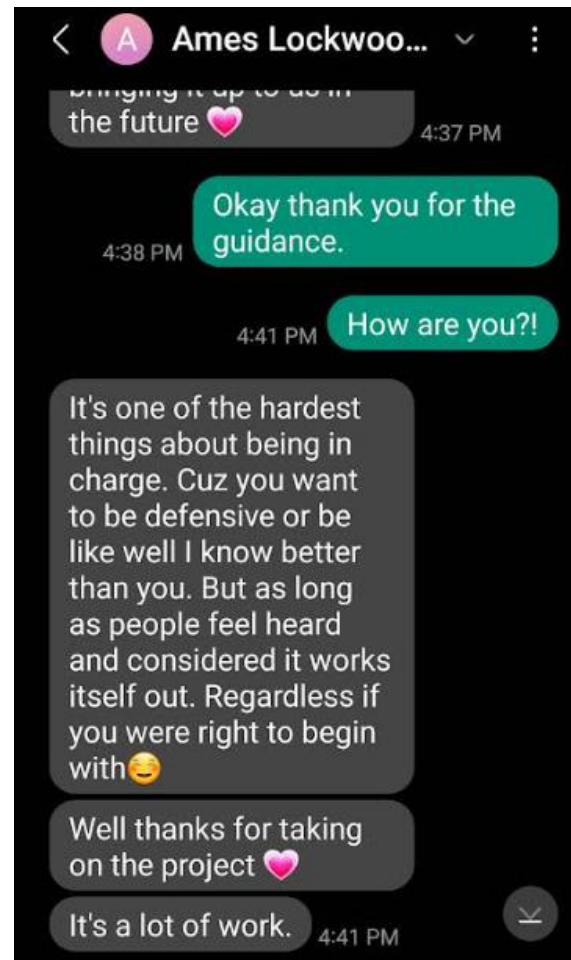
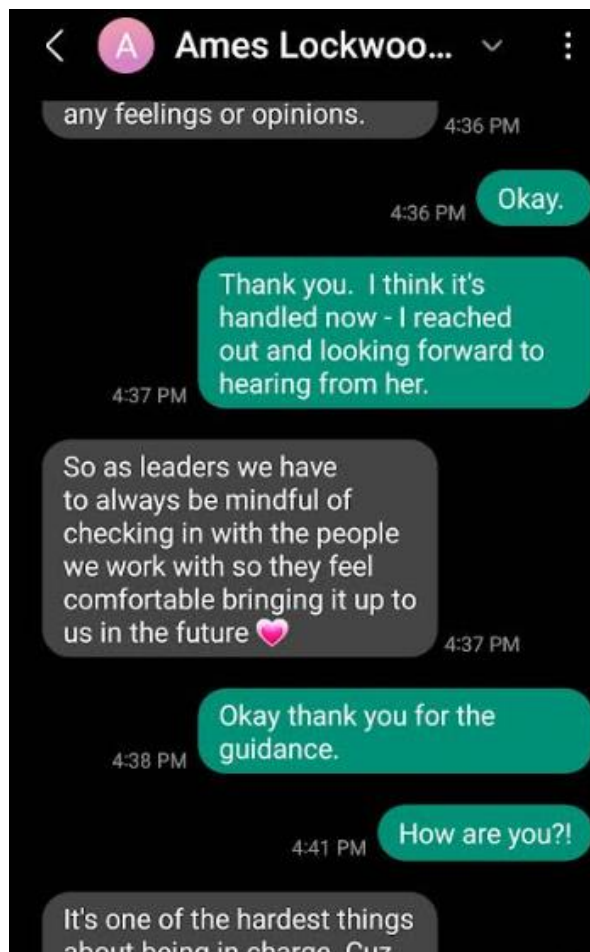
Following the meeting, Nissen texted that Martinez had felt “unheard.” Plaintiff, unaware that this brief and informal exchange would later be reframed as a formal intervention, responded promptly and in good faith by reaching out to Martinez. The following message (Message 1) shows that Plaintiff contacted Martinez in the same friendly and collaborative tone used in prior communications, further undermining the later narrative advanced in Nissen’s ICRC statement.

Exhibit E-6 — Contextual evidence pertaining to meeting between Nissen and Plaintiff (on or around March 14).

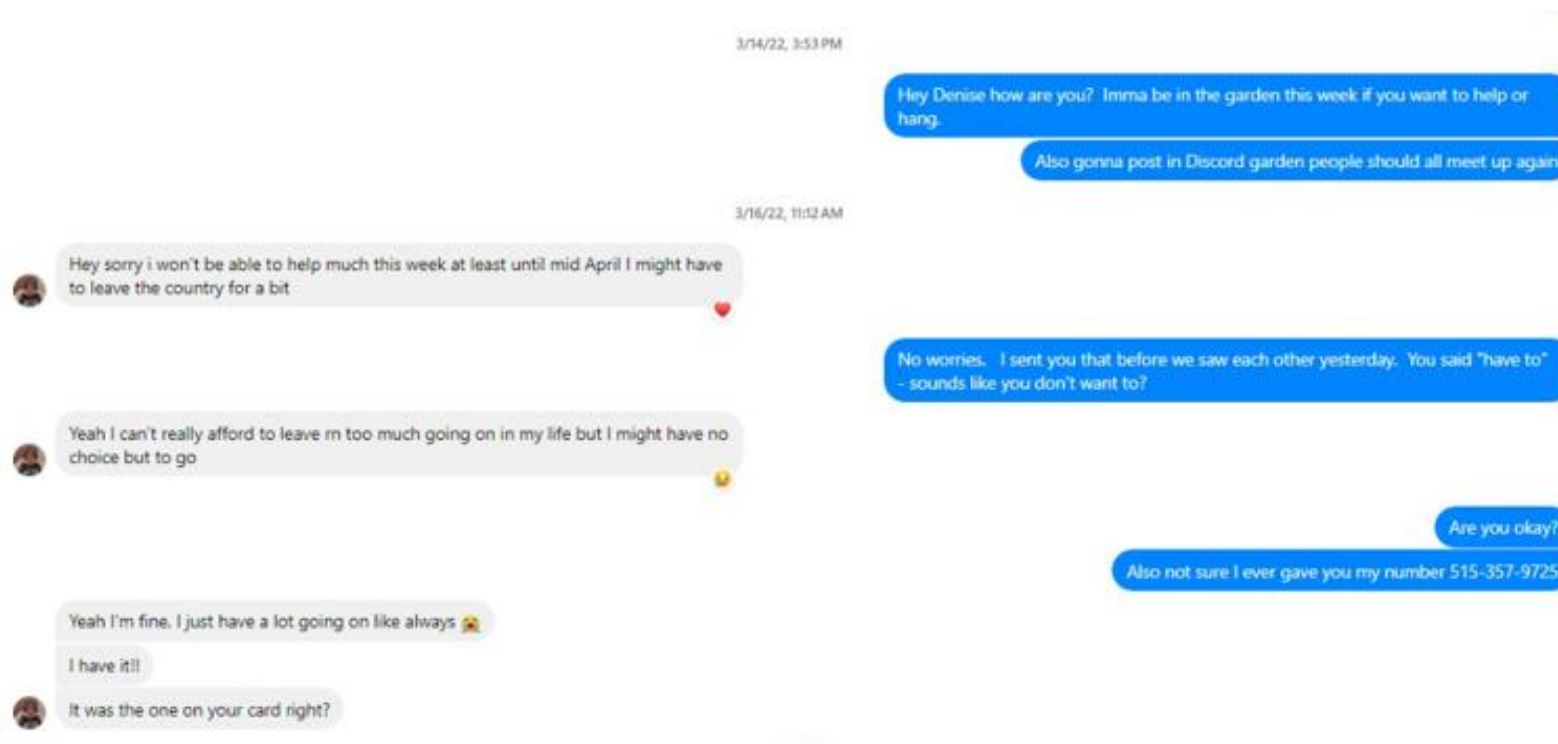
Message 1: On or around March 14, 2022, Nissen briefly met with Plaintiff and made a general comment that Defendant Martinez was ‘feeling unheard.’ In her subsequent statement to the ICRC, however, Nissen characterized this interaction as a formal intervention, which is **not consistent with contemporaneous messages** or the substance of the exchange.



Message 1 (continued): During the meeting, Nissen did not identify any specific incident or complaint involving Plaintiff. Instead, she offered general leadership advice, including remarks about not appearing ‘defensive,’ which were **general in tone and not tied to any specific conduct**. The exchange was casual, brief, and cooperative in nature.



Message 2: That same day, when Plaintiff checked in, Martinez reiterated that she did not have time to work in the garden. She acknowledged this in the message – that her life was too busy. Plaintiff did not understand what Nissen was referring to at this point.



Nissen's Meeting with Plaintiff (E-6) — page 3 of 4.

Relevance: These contemporaneous messages demonstrate that the March 14 interaction was **informal, nonspecific, and cooperative in tone**. Nissen’s later characterization of this conversation as a “final attempt” or formal intervention, and of Plaintiff as “defensive,” is **not supported by the content or context of the communication**. This supports Plaintiff’s position that Defendants **retroactively reframed neutral interactions** to bolster their defense after Plaintiff filed her complaint.

Although Defendant Nissen used the word “defensive” in her contemporaneous text messages, the context makes clear that this was a **generalized leadership comment**, not a description of any actual conflict or incident. The communication was vague, casual, and focused solely on encouraging Plaintiff to “check in” with Martinez. Nissen did not identify any specific complaint, incident, or boundary issue, nor did she frame the conversation as serious at the time.

Contemporaneous messages also confirm that Plaintiff had previously welcomed Martinez and **attempted to include her in multiple activities**. Martinez herself repeatedly stated that she was too busy to participate in the garden, which **undermines the credibility of Nissen’s later claim** that Plaintiff’s actions caused Martinez to feel excluded.

Nissen’s ICRC statement reframed this benign exchange as a “final attempt” to address Plaintiff’s behavior and portrayed Plaintiff as “defensive” in a **much more charged sense** than was ever reflected in the actual messages. This **narrative shift is not supported by contemporaneous evidence** and is consistent with a broader pattern, documented throughout Exhibits B–E, in which Defendants **retrospectively escalated or reframed neutral interactions after Plaintiff filed her complaint**.

Furthermore, the **tone and substance** of this March 14 exchange are **incompatible with any claim that Plaintiff had engaged in “repeated acts of racism or anti-LGBT+ comments.”** The alleged racist comment about huitlacoche (Exhibit E-4) occurred nearly a month earlier on February 17. If Nissen had genuinely perceived Plaintiff as engaging in repeated discriminatory conduct, such a **warm, casual tone—including the use of heart emojis—would be implausible and inconsistent** with that belief. The **absence of any reference to or concern about alleged racist or anti-LGBT+ conduct in these messages** further undermines the credibility of Defendants’ later statements.