

UNITED STATES DISTRICT COURT for the middle district of Florida
ELEVENTH CIRCUIT

Whitney Phillips and Ian Phillips
Plaintiffs,

Case No. :

v.

Ashley Grayson and Digital Course Recipe,
Defendants.

COMPLAINT FOR NEGLIGENCE AND DAMAGES

I. INTRODUCTION

1. Plaintiffs, Whitney Phillips and Ian Phillips (collectively referred to as "Plaintiffs"), bring this action against Defendants, Ashley Grayson ("Grayson") and Digital Course Recipe ("DCR"), seeking relief for negligence and damages resulting from Grayson's reckless actions that caused the unauthorized disclosure of Plaintiffs' private information.

II. JURISDICTION

2.

III. PARTIES

3. Plaintiff, Whitney Phillips, is an individual residing in Middleburg, Florida.

4. Plaintiff, Ian Phillips, is an individual residing in Middleburg, Florida, and is also a victim of the negligent actions of the Defendants.

5. Defendant, Ashley Grayson, is an individual residing in Concord, North Carolina.

6. Defendant, Digital Course Recipe, is a business entity operated by Grayson and is based in Concord, North Carolina.

IV. FACTUAL BACKGROUND

7. On 8/10/2023, Defendant Grayson, through DCR's online platform, posted a private conversation on a social media platform, exposing Plaintiffs' personal information, including income, social security numbers, address, and names, to her over 400,000 followers.

8. This disclosure was done without Plaintiffs' consent and was intended to be private and confidential.

9. The Defendant's actions were negligent, reckless, and showed a complete disregard for Plaintiffs' privacy and safety.

V. NEGLIGENCE

10. Defendants owed a duty of care to Plaintiffs to exercise reasonable care in handling Plaintiffs' private information.

11. Defendants breached this duty by negligently posting Plaintiffs' private information on a public platform without proper safeguards.

12. Defendants' negligence directly and proximately caused harm to Plaintiffs, including emotional distress, financial harm, and compromised safety.

VI. DAMAGES

13. As a result of Defendants' negligence, Plaintiffs have suffered severe emotional distress, financial losses, and other damages.

14. Plaintiffs seek damages in the amount of \$2,000,000 to compensate them for the harm caused by Defendants' actions.

VII. CLAIMS FOR RELIEF

A. Negligence

15. Defendants had a duty to exercise reasonable care in preventing harm to Plaintiffs by safeguarding their personal information.

16. Defendants breached this duty by negligently disclosing Plaintiffs' private information on a public platform.

17. Defendants' breach of duty was a direct and proximate cause of harm to Plaintiffs, including emotional distress, financial harm, and compromised safety.

18. As a result of Defendants' negligence, Plaintiffs have suffered and continue to suffer damages.

B. Invasion of Privacy

19. Defendants' unauthorized disclosure of Plaintiffs' private information constitutes an invasion of their privacy.

20. The disclosed information was highly offensive and not of public concern.

C. Emotional Distress

21. Defendants' negligent actions have caused Plaintiffs significant emotional distress, including fear for their safety and well-being.

VIII. DEMAND FOR JURY TRIAL


17. Plaintiffs demand a trial by jury on all issues so triable.

IX. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment against Defendants as follows:

1. Compensatory damages in the amount of \$2,000,000.
2. Costs and reasonable attorney's fees.
3. Any other relief deemed just and proper by this Court.

Sep 1, 2023


WHITNEY PHILLIPS


IAN PHILLIPS

Exhibit A - Defendant's Social Media Post that included leaked personal information posted at 10:00 am

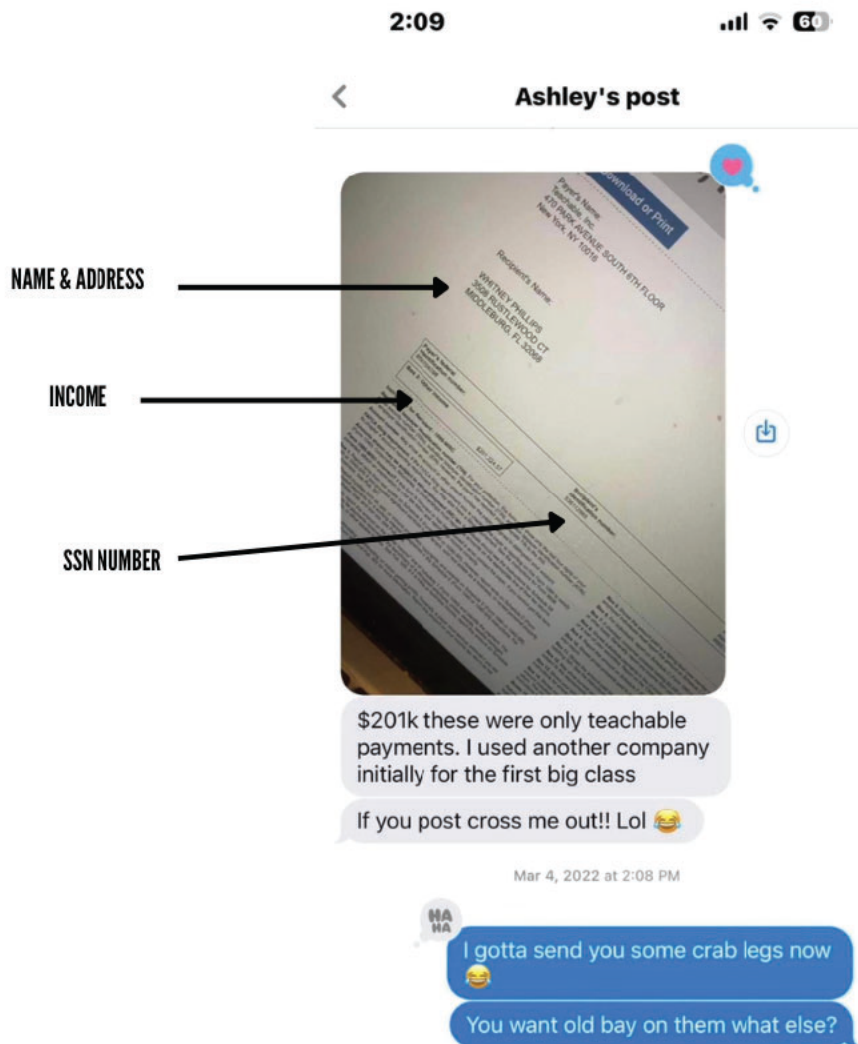


Exhibit B - Defendant's post being shared 24 times reaching more than just her 400,000 followers



Exhibit C- Plaintiff's request for removal of private Information via email at 3:18 pm eastern on 8/10/23

Remove my address! 



WHITNEY PHILLIPS <wmbryant327@gmail.com>

to Ashley, ashley

Thu, Aug 10, 3:18 PM

It's been forward to me that a screen shot with my address was posted.

Remove your screenshot with my address.

Exhibit D- Defendant's Refusal to Remove Private Information at 3:31pm Eastern on 8/10/23



Ashley Grayson

to me

Thu, Aug 10, 3:31 PM

You posted my information. So please stop emailing me. And addressed the people you were just talking trash about that You are now laughing with. I am blocking your email now. I will not be removing your amazing success story.

Exhibit E- Defendant showing cause for post revealing confidential information

On Thu, Aug 10, 2023 at 3:26 PM Ashley Grayson <ashmassengill@gmail.com> wrote:

It was also forwarded to ME (just like someone forwarded you my positive post) that this court document came from you with your online login credentials attached. *

~~_____~~ Have a blessed week ❤️

7:07   5G 

< **Sherell's post**

History

Doc. No.	Dates	Description
1	Filed: 06/29/2023 Entered: 06/30/2023	Indictment
2	Filed: 06/29/2023 Entered: 06/30/2023	Indictment (Penalty Copy)
5	Filed: 07/07/2023 Entered: 07/10/2023	Warrant Returned Executed
7	Filed: 07/07/2023 Entered: 07/10/2023	Initial Appearance
8	Filed: 07/07/2023 Entered: 07/10/2023	Order Re: Criminal Rule 5(f)
9	Filed: 07/07/2023 Entered: 07/10/2023	Financial Affidavit - CJA23
11	Filed: 07/07/2023 Entered: 07/10/2023	Order Setting Conditions of Release

PACER Service Center

Transaction Receipt

07/10/2023 14:25:38

PACER Login:	WHITPHILL327	Client Code:	
Description:	History/Documents	Search Criteria:	2:23-cr-20121-JPM
Billable Pages:	1	Cost:	\$0.10

Exhibit F- Defendant publicly stating her refusal to remove content



Exhibit G- Unknown person approaching plaintiffs home the day after defendant's post

Exhibit H- Identity Monitoring alerts for both plaintiffs the day of and after defendants post

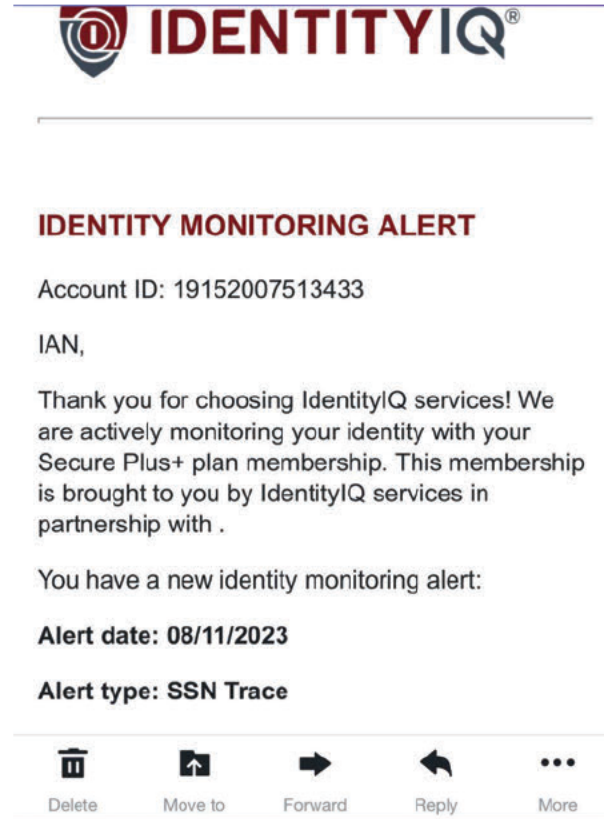
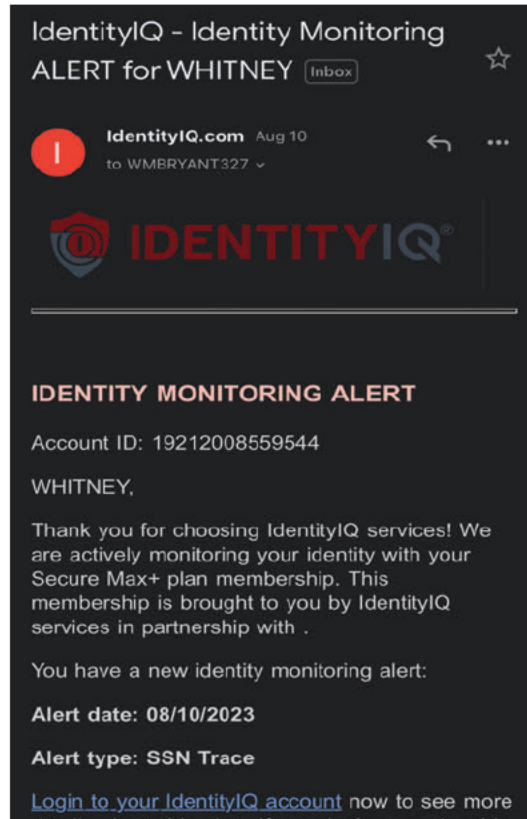


Exhibit I - Plaintiff's incident report with local authorities

		INCIDENT/INVESTIGATION REPORT				Case# 2023-020693			
I N C I D E N T D A T A	Agency Name	Clay County Sheriff's Office				Date / Time Reported 08/11/2023 09:09 Fri			
	ORI	FL0100000				Last Known Secure 08/11/2023 09:08 Fri			
	Location of Incident	3508 RUSTLEWOOD CT, Middleburg FL 32068				At Found 08/11/2023 09:09 Fri			
	Premise Type	Cyberspace				Zone/Tract 21			
	Crime Incident(s)	(Com) Stalking - Simple 784				Weapon / Tools Personal Weapons (hands, Etc.) Activity N			
#2	Crime Incident	()				Weapon / Tools Entry Exit Security Activity			
	Crime Incident	()				Weapon / Tools Entry Exit Security Activity			
	Crime Incident	()				Weapon / Tools Entry Exit Security Activity			
MO									
V I C T I M	# of Victims	1		Type: PERSON/INDIVIDUAL(NOT A LE	Injury: None		Domestic: N		
	Victim/Business Name (Last, First, Middle)	PHILLIPS, WHITNEY MELISSA				Victim of Crime #	1		
	Home Address	3508 RUSTLEWOOD CT, Middleburg, FL 32068-				Home Phone	904-597-9221		
	Employer Name/Address	TAX COMPANY (OWNER)				Business Phone	Mobile Phone		
	VYR	Make	Model	Style	Color	Lic/Lis	VIN		
O T H E R S	CODES: V- Victim (Denote V2, V3) O - Owner (if other than victim) R - Reporting Person (if other than victim)								
	Type:					Injury:			
	Code	Name (Last, First, Middle)				Victim of Crime #	DOB	Race	
	Home Address					Age	Sex	Relationship To Offender	
	Employer Name/Address					Business Phone	Mobile Phone	Resident Status	
I N V O L V E D	Type:					Injury:			
	Code	Name (Last, First, Middle)				Victim of Crime #	DOB	Race	
	Home Address					Age	Sex	Relationship To Offender	
	Employer Name/Address					Business Phone	Mobile Phone	Resident Status	
	L - Lost S - Stolen R - Recovered D - Damaged Z - Seized B - Burned C - Counterfeit / Forged F - Found	(*OI* - Recovered for Other Jurisdiction)							
P R O P E R T Y	VI #	Code	Status	Value	OJ	QTY	Property Description	Make/Model	Serial Number
Officer/ID#	BELL, D. W. (07719)				Supervisor EHRENFELD, G. L. (06789)				
Invest ID#	BELL, D. W. (07719)				Case Status Inactive 08/11/2023				
Status	Complainant Signature				Case Disposition: Page 1				
Printed By: KTAYLOR, TRNG-2723				Sys#: 1662012				08/22/2023 12:16:55	

INCIDENT DATA

MO


V
I
C
T
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M

OTHERS

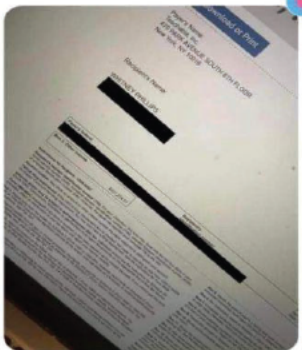
INVOLVED

PROPERTY

Exhibit k - Defendant's post showing update retracting exposed information 5 hours after Plaintiff's request & 10 hours after it had been posted to the public.


Metris Perry
10h · 🌐

Not you retracing your steps after you done left that lady information public all day 🤔🙄



\$201k these were only teachable payments. I used another company initially for the first big class

If you post cross me out!! Lol 🤔

Mar 4, 2022 at 12:42 PM

MA MA

I gotta send you some crab legs now

Ashley Grayson 2h · 🌐


You want old bay on them what else?

5 comments 1 share

Like Message Share

Edit History

- Added 1 media to this post.




Ashley Grayson 2 hours ago

There is NOBODY who looks like ME (brown girl) who has more SUCCESS stories from helping people make 5-7 figures 🍷🍷🍷 They might say they do, but I have the actual receipts going all the way back to 2018 when I FIRST started teaching! 200+ RECEIPTS that were SENT TO ME by my students 📄 (it's probably closer to 500+ sent to me but I stopped counting after 200)

I have always sent the ladder 🪜 back down and helped ppl achieve what they thought they never could! If someone takes the same EXACT hand that you were dealt and they WIN with it, the problem isn't the training, the teacher, the coach etc... the problem is YOU 🤔 It's YOU being unmotivated, not having a work ethic, expecting millions overnight, not having a vision and expecting work to be DONE FOR YOU! If everything can be googled, why has EVERYBODY not google their way into 6 figures? I've been awarded on EVERY SINGLE TEACHING platform that I've ever used for longer than 6 months. Because of my receipts. It's ALL THERE 📄📄📄

- Removed 1 media from this post.
- Added 1 media to this post.



This is visible to anyone who can see this post.


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🤔🙄👍 25 16 answers

👍 Like

💬 Comment

📄 Send



Dominique Dumplin Clark

I just don't get why she didn't just delete the whole pic like if u have 75... See more

Like Reply

14 👍❤️

Exhibit L - Defendant communicating in comments with plaintiff's cousin stating the post was not intentional hours after she was well aware of exposed private information.



Exhibit M - Screenshot sent to the plaintiff with exposed information

