

ACT UP/NEW YORK, INC.
JANUARY 15, 2024

RECOMMENDATION OF THE HARASSMENT GRIEVANCE TEAM

SUBSEQUENT TO INVESTIGATION OF HARASSMENT COMPLAINTS
MADE UPON MR. CARLOS AITCHESON-VALENTIN.

Mr. Carlos Aitcheson-Valentin has participated in ACT UP NY as a long-time member, also known as a veteran or an alumnus, and is a long-term survivor of HIV, a person who has lived with AIDS. This recommendation on the determination of his membership standing within ACT UP NY is not where anyone would like to be. Rather, it is a tragedy that clearly reflects a person who has lost control of himself and deserves and requires help — and better counsel around him. Nonetheless, we have an obligation to protect the members of ACT UP NY, and this tragedy comes to us on their complaints.

Ultimately, our recommendation is that Mr. Aitcheson-Valentin need not be expelled, because he already resigned. However, because such determination is likely to be litigated — and because, even if it were not, Mr. Aitcheson-Valentin is likely to attempt to revoke his resignation — we also address the merits of the complaints. As set out below, Mr. Aitcheson-Valentin’s conduct violates ACT UP NY’s policies in a myriad of ways, so (1) we would expel him if he were not already gone and (2) we will bar him from future membership and participation in ACT UP NY.

I. Notes on Standards.

This decision is made under Section X of the ACT UP NY Bylaws, also known as the Harassment Policy. We make a few comments because of the very public nature of this dispute.

First, our mission and decision must be rendered guided by the basic “commitment” set out at the start of that section:

ACT UP NY is committed to providing an environment that is free of harassment - we disagree with ideas not people. **The intent of this policy is to guarantee that ACT UP NY meetings and**

events are safe spaces, where members and the public are protected from harassment or any kind of intimidation. While we are united in anger, **we do not direct the anger at ourselves but at institutions and individuals in positions of authority who work in any way against our mission.**

Bylaws § X(A)(1) (emphasis added). That is, members should not face harassment, of any kind, period. And the purpose of the Harassment Policy — which guides any use of the substantial discretion we have under that Policy — is to protect all members from any harassment.

Next, we note that the Harassment Policy specifically forbids retaliation. *Id.* § X(J)(1). And we have the discretion to “factor” any retaliation “into the original complaint.” *Id.* As set out below, we do so here.

Third, the substantive conduct prohibited by the Harassment Policy is in two parts:

1. Prohibited behavior¹

- a) Members shall not engage in harassment on the basis of sex, gender, gender identity or expression, sexual orientation, physical appearance, disability, race, ethnicity, color, religion, national origin, class, age, or profession.
- b) Additionally, harassing or abusive behavior, such as unwelcome attention, inappropriate or offensive remarks, slurs, or jokes, physical or verbal intimidation, stalking, inappropriate physical contact or proximity, constitute harassment when such conduct has the purpose or effect of creating a hostile environment interfering with an individual’s capacity to organize within ACT UP NY.

At issue in this case are both: The complaints we are addressing include evidence that Mr. Aitcheson-Valentin harassed people with abuse explicitly on sexual orientation (“tacky lesbian”) and disability (“drunk without

¹ A prior version of the policy, in place when these complaints were initially filed, read as follows:

- a. Prohibited behavior. Members shall not engage in harassment on the basis of sex, gender, gender identity or expression, sexual orientation, physical appearance, disability, race, color, religion, national origin, class, age, or profession. Harassing or abusive behavior, such as unwelcome attention, inappropriate or offensive remarks, slurs, or jokes, physical or verbal intimidation, stalking, inappropriate physical contact or proximity, and other verbal and physical conduct constitute harassment when:
 - i. Submission to such conduct is made either explicitly or implicitly a term or condition of a member’s continued affiliation with ACT UP NY;
 - ii. Submission or rejection of such conduct by an individual is used as the basis for organizational decisions affecting such individual; or
 - iii. Such conduct has the purpose or effect of creating a hostile environment interfering with an individual’s capacity to organize within ACT UP NY.
- b. Other protected classes. Harassment based on categories not encompassed by those listed section (a) will be evaluated at the discretion of the HGT.

Given the expansive discretion directly afforded to us under (b), to the extent we ought to use the prior policy, we explicitly exercise that “discretion” to evaluate the harassment at issue here that is not premised on a listed protected category (like, for example, Mr. Aitcheson-Valentin’s “tacky lesbian” and “drunk” harassment).

hope”), and also generally has waged a campaign designed to interfere with countless peoples’ capacity to organize within ACT UP NY. As noted above, we are also required to address the retaliation throughout the pendency of this case.

Finally, the Harassment Policy provides an array of specified remedies, and then also permits “[a]ny and all other relief deemed necessary and just by the HGT.” Bylaws § X(H)(1)(e). Our role is to recommend a remedy to the floor, and then the “floor must vote to affirm the recommended remedies.” *Id.* § X(H)(3). Only if it does not, then alternative motions may be made. *Id.*

II. Facts, Findings, and Background.

A. Procedural Background.

This case comes out of two complaints of harassment. However, we start with a fact that has been, perhaps, overlooked in this process: Mr. Aitcheson-Valentin resigned on July 26, 2020 from ACT UP NY:

July 26, 2020

Dear Ken,

I am going to leave on a good note. I am resigning from ACT UP. There has been so much abuse towards me and I only have one life. This ongoing fighting against the abuse and harassment directed towards me within ACT UP is not how I want to live my life nor is ACT UP any longer a place where I want to be an activist. I do not have the strength to do this anymore. I do not have another day’s energy to push for the truth, for transparency, for fairness.

This came in the wake of Mr. Aitcheson-Valentin’s harassment of other members. The persistence of harassing behavior was found to be credible by the Harassment Grievance Team (HGT) after complaints were filed against Mr. Aitcheson-Valentin in 2021, and which resulted in a recommendation to remove him from ACT UP NY, as permitted under the bylaws. Mr. Aitcheson-Valentin then appealed the HGT’s decision through an attorney, Yetta G. Kurland, of the Kurland Group, who claimed Mr. Aitcheson-Valentin could not be found in violation of ACT UP NY’s Harassment Policy because said policy, they claimed, only prohibited harassment on the basis of protected class — not harassment in and of itself. The HGT did not find the appeal convincing, and denied it in September 2021.

Over a year later, in November 2022, Mr. Aitcheson-Valentin through his next attorney Thomas J. Hillgardner allegedly notified ACT UP NY of impending litigation (that is to say, a litigation threat). Allegedly this notice was “delivered to an agent” of ACT UP NY, but functionally ACT UP NY members were unaware of the lawsuit against the organization until late March 2023, when Mr. Aitcheson-Valentin met with two members of ACT UP NY to present the Hon. Judge Arlene Bluth’s order already entered on default against ACT UP NY, ordering ACT UP NY to produce a copy of its bylaws and render a determination on Mr. Aitcheson-Valentin’s appeal.

Rather than contest the default, since there was no issue producing a copy of bylaws or rendering a decision on the appeal, ACT UP NY set about handling the appeal. In the course of the HGT’s reassessment and reinvestigation of the harassment allegations made against Mr. Aitcheson-Valentin, several facts and findings were discovered that verified once again the credibility of the complaints made against him.

Thus, in April 2023, the HGT recommended to the Floor that Mr. Aitcheson-Valentin be barred from ACT UP NY participation, and that his appeal against the original HGT’s recommendation of removal from ACT UP NY be denied. This was affirmed by a resolution of the Floor, i.e. our general membership. However, at the time, the Floor was constituted by less than 100 members.

Mr. Aitcheson-Valentin and his attorney, Mr. Hillgardner, brought a second lawsuit against ACT UP NY, claiming that ACT UP NY could not determine Mr. Aitcheson-Valentin’s membership because the Floor did not meet requirements under New York state law — that is, we had neither 100 members nor 10% of the total number of voting members (a number that would be in the 10s of thousands) at the meeting where the HGT recommendation was voted on. So, to cure that potential issue, ACT UP NY reconstituted its governing bylaws with a meeting attended by over one hundred members in order to conform with state law, and at that same meeting reauthorized all previous Floor decisions except for those determining the membership of Mr. Aitcheson-Valentin, so as to let a duly-authorized process take place. At the same meeting, the Floor re-referred this matter to the HGT for a final recommendation on the complaints and Mr. Aitcheson-Valentin’s appeal.

B. Relevant Factual Findings.

Regardless of these legal disputes, however, the facts and findings behind the allegations of harassment against Mr. Carlos Aitcheson-Valentin are substantive, concerning, and merit a whole-of-organization response that prioritizes the safety and respect of every individual.

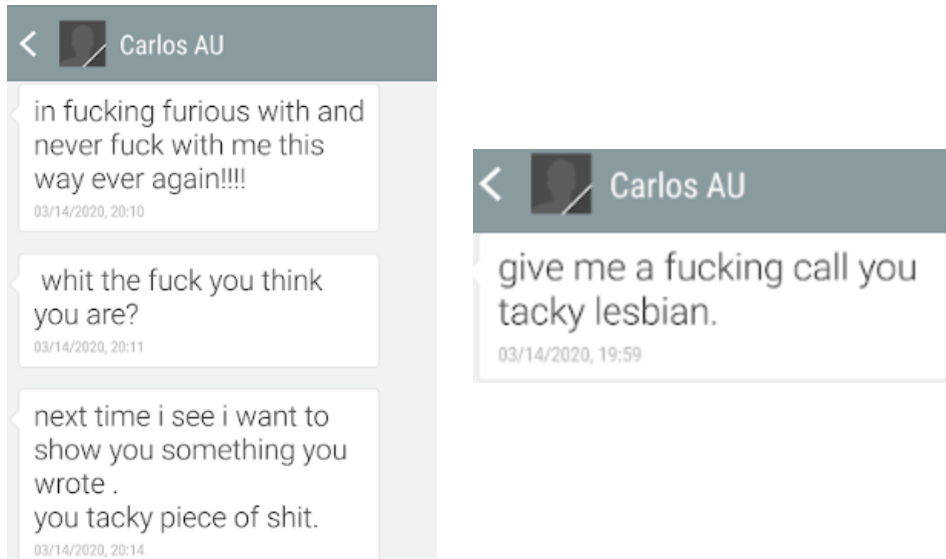
Before beginning, however, we note specifically that Mr. Aitcheson-Valentin does not appear to dispute that he has harassed people. Rather, he disputes that his harassment was based on any protected category. As his own attorney Mr. Hillgardner explained, his objections to the merits of the prior determination were about protected class alone:

Moreover, at this juncture I would be remiss if I did not disclose to you that I also have been retained by Mr. Valentin to bring an Article 78 proceeding to challenge any part of the HGT determination that is sustained as in making the determination that a violation occurred the HGT departed from the standards set forth in the Harassment Policy. Specifically, as Ms. Kurland noted in her appeal filing, the Harassment Policy serves to protect specified classes of persons, and the accuser(s) failed to claim that the conduct alleged was directed against them in connection with their membership in one of the specified protected class. Thus, not only did Mr. Valentin never violate the Harassment Policy, no allegations ever were filed that were sufficient to support a finding that he did. But this statement is not to be deemed by you as a full statement of the grounds for appeal for which I refer you to all papers filed by Ms. Kurland on that appeal for a full statement of those grounds.

Nov. 14, 2022 Letter from Thomas J. Hillgardner.

In the investigation into the allegations of harassment against Mr. Aitcheson-Valentin, the HGT found not instances or occasions of an offense, but a pattern of intimidating and abusive behavior and repeated offenses against several members of ACT UP NY, several of whom have left the organization due to fear of retaliation from Mr. Aitcheson-Valentin. This pattern of behavior is substantiated in part by Mr. Aitcheson-Valentin's own communications, in the form of abusive messages sent to other ACT UP NY members via text message, email, and social media. For instance, on February 27, 2020, Mr. Aitcheson-Valentin sent a text message at 11:11am to a younger female member of ACT UP NY, telling her "I need you to shut up about me. I'm not playing with you." Less than a month later, Mr. Aitcheson-Valentin sent her several more messages in the evening of March 14, writing, "give me a fucking call you tacky lesbian"

(7:59pm), “whit [sic] the fuck you think you are?” (8:11pm), and “next time i see i [sic] want to show you something [...] you tacky piece of shit,” (8:14pm).



And he would send her more vitriol in the following year, telling both her and her wife to leave ACT UP NY.

In the view of the HGT, such language and behavior towards a member or any individual is shocking, reprehensible, and unacceptable, full stop. Moreover, we specifically find that the language used — “tacky lesbian,” and then “tacky” carrying that pejorative forward — amounts to harassment on the basis of the member’s sexual orientation. We find her later recollection and explanation that she experienced it that way moving and credible, and by contrast, we find Mr. Aitcheson-Valentin’s attempts to minimize the significance of these comments, to deny he made them, or to claim they do not reflect discriminatory animus are not credible at all. Likewise, we find Mr. Aitcheson-Valentin’s threat — “I need you to shut up about me. I’m not playing with you.” — in the wake of complaints about his behavior to be classic retaliation. And we find that Mr. Aitcheson-Valentin’s harassment caused her departure.

But this young member was not the only victim of Mr. Aitcheson-Valentin’s abuse. At least a dozen others have been faced with Mr. Aitcheson-Valentin’s vitriol and rage, and the record in front of us is replete

with examples (some other representative examples are included as Exhibits 1-8). We highlight several additional written examples because they are key to our findings below.

In messages to one member, after a stream including “you fucking ass,” “Bitch,” and “What the hell is wrong with you?,” Mr. Aitcheson-Valentin attacked the member saying “Now I see who you really are. A drunk without hope.”



We find this attack constituted harassment based upon a (perceived) disability. Attacking a member for (perceived or real) alcoholism is utterly unacceptable, and violates the Harassment Policy. Once again, we find Mr. Aitcheson-Valentin’s attempts to minimize the significance of these comments, to deny he made them, or to claim they do not reflect discriminatory animus are not credible at all.

However, Mr. Aitcheson-Valentin’s pattern of abusive behavior extends beyond written and recorded communications. On December 1, 2022 World AIDS Day, Mr. Aitcheson-Valentin physically accosted another younger member of ACT UP NY and threatened him with physical violence in the presence of several witnesses. We find the testimony of those people who reported this incident of threatened physical violence extremely credible, and again find Mr. Aitcheson-Valentin’s denials totally lack credibility. Based on the profuse streams of vitriol, anger, and profanity Mr. Aitcheson-Valentin unleashes with regularity on members of a community he supposedly values, we find it likely he has lost control of his ability to emotionally and temperamentally regulate himself. He may genuinely have lost perspective on himself in this

sense — that is, it may well be he does not actually remember engaging in the vicious treatment he has unleashed on others. We understand his lawyer admitted at a court appearance that he has been in treatment for severe anger issues. But that fact makes the testimony of those who reported Mr. Aitcheson-Valentin's threats of physical violence all the more credible; and his denials all the more incredible.

Next, Mr. Aitcheson-Valentin harassed people repeatedly in express retaliation for their good faith engagement in this process — something that, as explained below, is itself a violation of the ACT UP NY Harassment Policy. In a very disturbing October 26, 2021 email titled “No need and I plan to end it all,” Mr. Aitcheson-Valentin threatened a member for his participation in this process:

**you been harassing me for a long time I knew it. I never discriminated you for it.
i'm dragging your ass to court if you still in act up. Resign!!!**

I plan to make you responsible for part when i have done no wrong.

Fuck you!

carlos

Another message made causation even clearer, where Mr. Aitcheson-Valentin said, “now that I know you are behind all that happen on act up with me I am coming for you with all i got.” We find these messages (and others) were explicitly intended to retaliate against those participating in the HGT process. We do not find any suggestion (if there even was any) by Mr. Aitcheson-Valentin otherwise credible.

Finally, the nature of Mr. Aitcheson-Valentin's abuse and animus against members of ACT UP NY was most provocative, and perhaps alarming, in a social media post on Facebook in which Mr. Aitcheson-Valentin wrote down a series of grievances against particular individuals within ACT UP NY and paired photos of their faces with a photo of himself in military uniform and wielding a gun. Such a decision raises several questions, and it would be imprudent not to seriously consider the implications of violence raised by such a display on social media. As an LGBTQ-majority organization, ACT UP NY is hyper-aware of the constant threat of violence against queer people, and does not take lightly the slightest hint of a threat against our collective or personal safeties. And this is not to disparage Mr. Aitcheson-Valentin's status as a

veteran of the armed services, but using photos of individuals without their consent to illustrate grievances against them alongside a photo of oneself wielding a firearm while writing “you want to see what unleash the power means, just wait” does not appear to have anything to do with Veterans Day, as the pretext of the social media post would suggest, but rather displays a misguided desire to intimidate and control, in this case, one of ACT UP NY’s most renowned members, Brent Nicholson-Earle, who famously ran on foot around the perimeter of the country to raise awareness of AIDS in 1986 to 1987.



Brent Nicholson did it on paper and Brandon asked people to come and harassed me on video. Brandon video beat down end up with people not part of the elections making treats to my husband and me.

It ends with me. You want to see what unleash the power means. Just wait.

How mess up to disrespect me the way they have not expect consequences. Yeah abuse never wins.

I plant to have my day in court. I don't deserve this at all. I am married man with family and sober community.

I have done more than my duty for act up NY. I am not going to be bullied this way on my own house.

happy veterans day See less

III. Analysis and Recommendation.

A. Mr. Carlos Aitcheson-Valentin is no longer a member of ACT UP NY.

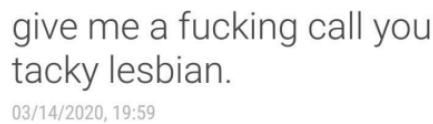
Mr. Aitcheson-Valentin resigned from ACT UP NY on July 26, 2020. He demanded “[n]o more emails.” Resignation at 3. We oblige. Mr. Aitcheson-Valentin has resigned from being a member of ACT UP NY. The Harassment Policy only applies to “Members of ACT UP NY and any person affiliated with ACT UP NY” in various ways. Bylaws § X(B)(1).

Therefore, essentially all the relief we could offer on these complaints is already in place: Mr. Aitcheson-Valentin is not in ACT UP NY anymore. He is not privileged to attend ACT UP NY meetings, nor participate in ACT UP NY events, nor enter into ACT UP NY premises.

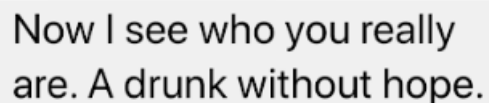
However, Mr. Aitcheson-Valentin is likely to litigate this decision no matter what. Therefore, we address what we *would* do if he were subject to the Policy below. Likewise, though he is no longer a member, he might attempt to revoke his Resignation (though he has not done so yet, and it is not clear whether the Resignation permits that). For that reason too, we recommend the Floor vote on a *contingent* outcome should Mr. Aitcheson-Valentin attempt to rejoin.

B. Mr. Carlos Aitcheson-Valentin engaged in sexual orientation and disability based harassment, among other things.

As set out above, two comments within the harassment piled on various members of ACT UP NY stand out as being based on protected categories (because they are severe enough, in context, we do not address others within this framework):²



give me a fucking call you
tacky lesbian.
03/14/2020, 19:59



Now I see who you really
are. A drunk without hope.

These two comments each violate the Harassment Policy on their face. They are “inappropriate or offensive remarks” (or, at the best, “jokes”), and they are directed as part of an unending stream of abuse at their targets. They also undoubtedly had “the purpose or effect of creating a hostile environment interfering with an individual’s capacity to organize within ACT UP NY”: the target of the first message no longer organizes within ACT UP NY.

² We should also note that Mr. Carlos Aitcheson-Valentin has subjected more people to harassment on the basis of gender identity and race through his attorney, Mr. Thomas J. Hillgardner. Mr. Hillgardner has repeatedly, including at an ACT UP NY meeting, deliberately misgendered our attorney, and mocked the idea of non-binary people generally and specifically as lawyers. Likewise, his attorney — brazenly and at an ACT UP NY meeting — chose to physically menace the young, queer, Black woman keeping time — encroaching above and upon her desk while she sat — rather than approaching any of the many older, white-haired white men around, i.e. his peers. That conduct would violate New York City law if engaged in by a place of public accommodation. Mr. Aitcheson-Valentin’s abusive counsel is a choice he made relative to ACT UP NY intentionally, and we attribute it to him.

A further word is necessary, particularly given the “tacky lesbian” comment. Mr. Aitcheson-Valentin’s comments reflect an unfortunately subtle but toxic strain within our movement. It is the same strain that tries to rewrite our history as if transgender people were never at Stonewall. It is the same strain that tries to rewrite our history as if lesbians were not right beside their gay brothers during the worst of the HIV/AIDS deaths. Mr. Aitcheson-Valentin’s comments here were (we find) explicitly intended to put down a lesbian *as a lesbian*. It was meant to send a message that she was not as *real* a member of ACT UP NY because she was not a cisgender gay man. Whether that was what Mr. Aitcheson-Valentin meant in his heart of hearts, or he just reached for that jar of toxin because it was the weapon ready to hand is irrelevant. The conduct and the conduct’s impact upon its subject is absolutely unacceptable and will not be tolerated.

We find Mr. Carlos Aitcheson-Valentin violated the Harassment Policy for these messages and other related conduct (see, for example, footnote 2).

C. Mr. Carlos Aitcheson-Valentin retaliated against complainants.

Retaliation is strictly forbidden by the Harassment Policy. This is a necessary part of any harassment reporting system. For example, under federal discrimination law, a person alleging retaliation “need not prove the merits of the underlying discrimination complaint” to win a retaliation claim. *Moore v City of Phila.*, 461 F3d 331, 344 (3d Cir 2006). That is, even if a person is *wrong* that they were discriminated against, if they report and get retaliated against for it, that’s a free standing substantive discrimination claim. Our policy conforms to this general principle: It forbids retaliation “for bringing” or “assist[ing]” in bringing a complaint, without any reference to the complaint’s merits.

Mr. Aitcheson-Valentin has buried those involved in this process with retaliatory harassment. For example, in saying “now that I know you are behind all that happen on act up with me I am coming for you with all i got,” he is literally explaining that he intends to harass because of “all that happen on act up [sic].” His harassment is *in its own terms*, based upon the fact that people are either reporting his conduct or deciding on his case. Our Harassment Policy cannot allow this.

It is this retaliation that also forms the primary basis for our decision to apply a contingent remedy expelling Mr. Aitcheson-Valentin should he ever try to join again: His retaliation shows an utter contempt for other members of ACT UP NY and their right to conduct their own lives. His hostility has intimidated regular members and veterans out of attendance, and kept new ones from staying. An organization like ours cannot function if we cannot work out how to avoid people feeling harassed with civility among ourselves. As the basic commitment in the Harassment Policy says, “*we do not direct the anger at ourselves.*” Mr. Carlos Aitcheson-Valentin violated this basic precept.

For these reasons, we find Mr. Carlos Aitcheson-Valentin violated the Harassment Policy’s bar on retaliation.

Recommendation.

For the reasons above, we recommend as follows, for the Floor’s vote:

1. Mr. Carlos Aitcheson-Valentin’s Resignation makes expulsion unnecessary, so there is no need to expel him.
2. In the event Mr. Carlos Aitcheson-Valentin attempts to revoke the Resignation, the Floor should vote now to forbid him from returning, in light of the conduct we find above, and in particular the retaliation.

Exhibits.

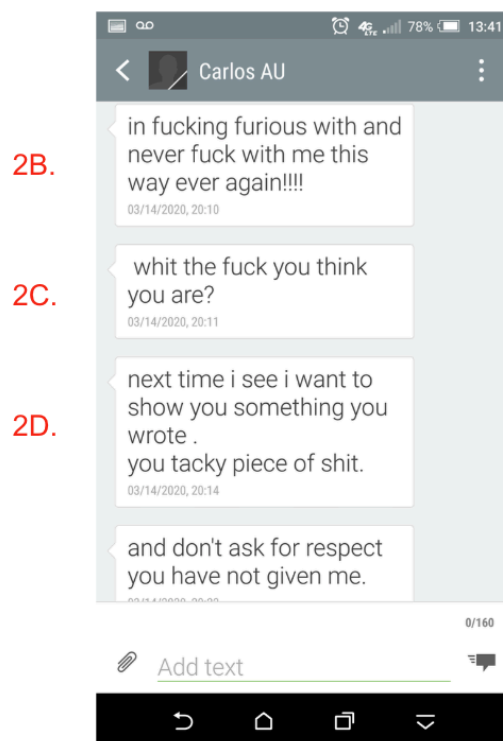
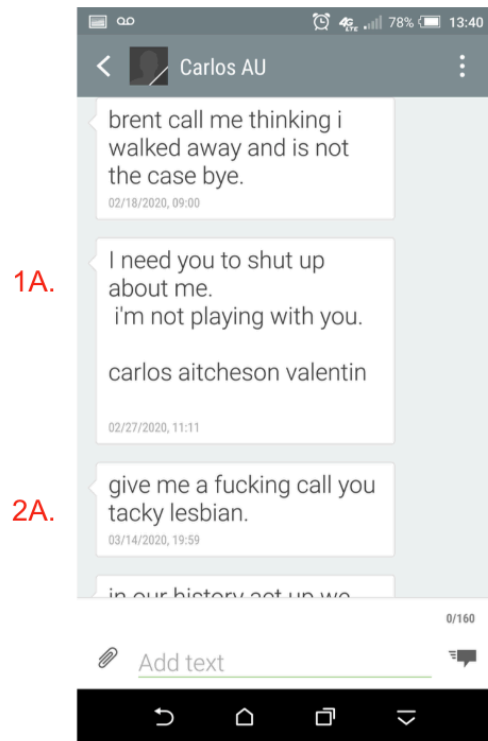


Exhibit 1. Text Message to Member A on February 27, 2020

- A. 11:11 AM “I need you to shut up about me. i’m not playing with you. carlos aitcheson valentin”

Exhibit 2. Text Messages to Member A on March 14, 2020

- A. 7:59 PM “give me a fucking call you tacky lesbian.”
- B. 8:10 PM “in fucking furious with and never fuck with me this way ever again!!!!”
- C. 8:11 PM “whit the fuck you think you are?”
- D. 8:14 PM “next time i see i want to show you something you wrote . you tacky piece of shit.”

On Jun 23, 2020, at 9:26 AM, Carlos Valentin <carlosavalen@gmail.com> wrote:

To [redacted]
Last night you disrespected an HIV person speaking. Look [redacted] had the floor and he was speaking on an HIV issues. You interrupted him and mock him. in-front of everyone.

You did roll your eyes at me when I address the floor about my problem with [redacted].
I was embarrassed by you then but I keep talking regardless your immature behavior. I gave you a free pass then i can't do that today.

it's all about respect and if
You want respect you have to respect us first or you can go fuck your self as far as I care. 3A.

To [redacted]:
I want the votes recounted because you don't trust [redacted]. we did not account [redacted] vote. He called in for his vote and should had be counted.

Anyone can walk to act up and become a facilitator before we do because is control by a few people.

I proved my point last night. That is dangerous for us as an organization . Trust me clicks are dangerous and don't last.

I feel discriminated against us I really had to bite my tongue last night to say anything.

There was a lot of chatter among them as how to vote. We were not part of that conversation that is the way it's been for a long time.

The click does not aloud us to be of service so why have an Aids organization that don't support his members living with HIV or aloud then to be of service.

[redacted]: I want the votes recheck because I don't trust [redacted] and I want [redacted] vote accounted for too.

[redacted]: I have no more free passes for you. I fucking dear you to pull your tacky act on any of us and I will show you what i am made of. Respect and we treat you with respect. it's that Easy. 3B.

Carlos aitcheson valentin

Sent from my iPhone

Exhibit 3. Email to Member B on June 23, 2020, 9:26 AM

- A. "You want respect you have to respect us first or you can go fuck your self as far as I care."
- B. "I have no more free passes for you. I fucking dear you to pull your tacky act on any of us and I will show you what i am made of"

----- Forwarded message -----

From: **Carlos Valentin** <carlosavalen@gmail.com>

Date: Sat, Jul 24, 2021 at 5:57 PM

Subject: you abused you power on act up i plan to challenge you.

To: [REDACTED]

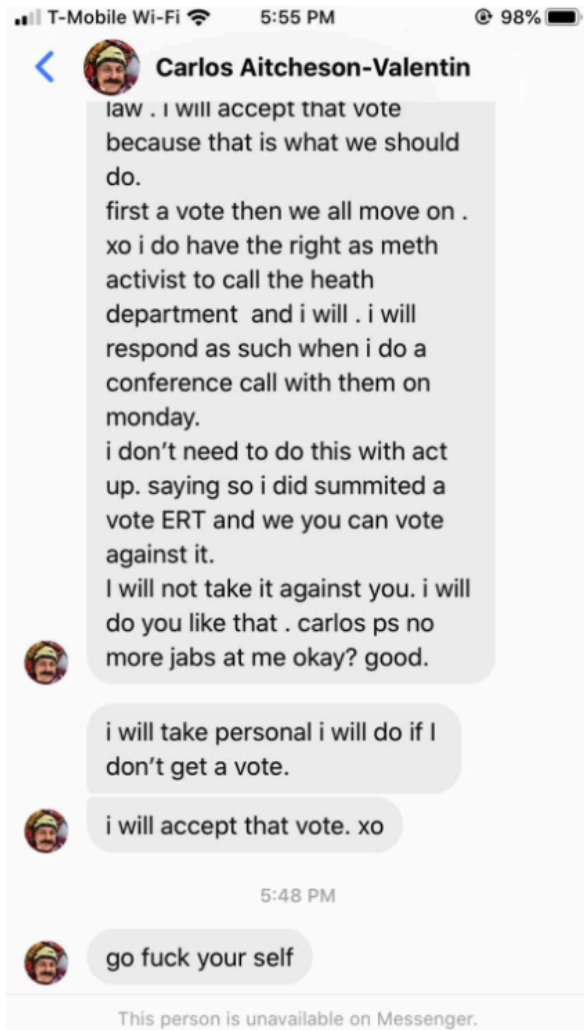
You abuse you place broke a few laws that protect member in act up. i never done you any wrong. now that I know you are behind all that happen on act up with me I am coming for you with all i got. 4A.

9174998464. Fuck you! you harassed me last. 4B.

Sent from my iPhone

Exhibit 4. Email to Member C on July 24, 2021, 5:57 PM

- A. "now that I know you are behind all that happen on act up with me I am coming for you with all i got."
- B. "Fuck you! you harassed me last."



5A.

Exhibit 5. Facebook Message to Member D entered into complaint on August 4, 2021

A. “go fuck your self”

----- Forwarded message -----

From: **Carlos Valentin** <carlosavalen@gmail.com>

Date: Sun, Aug 8, 2021 at 1:21 PM

Subject: i want your resign letter sent to marcelo he will send it to my legal team.

To: [REDACTED]

peace making or internet bullying? pick?

I want you and your wife to resign by Monday. my dispute is not with act up ny is with "you "and mainly [REDACTED] and 2 other idiots.

since act up can't defend me. i plan to defend my rights as a member and all you did with the by laws just to harass me. what ever it takes i will do.

I end up in hospital i plan to shame you with the alumni if you don't resign by Monday tomorrow.

[REDACTED] does not have the experience he told the floor in HR he said we checked it out but you helped him

6A. Resin and leave "act up " for while and come back . i'm not like you. I was told cubans are racist by my best friend a cuban him self. what you did was racism and had no place i our floor.

6B. shame on you and your wife. Take a break I have work to do in act up and repair the damage you made to our Aids organization. Get a life.

I want to see both our your resignation letter sent to [REDACTED] and my lagal team on monday.

our act up is not a place to abuse their members and you did plenty of that. Come back when you understand that or stay out. shame on you!

carlos
Act up ny.

Sent from my iPhone

Exhibit 6. Email to Member A on August 8, 2021, 1:21 PM

- A. "Resin and leave "act up " for while and come back . i'm not like you. I was told cubans are racist by my best friend a cuban him self. what you did was racism and had no place i our floor."
- B. "shame on you and your wife. Take a break I have work to do in act up and repair the damage you made to our Aids organization. Get a life."

7A. **No need and i plan to end it all.**

Carlos Valentin <carlosavalen@gmail.com>

Tue, Oct 26, 2021 at 2:41 PM

To: [REDACTED]

where were you when out bylaws changed in less that a week.

why you in [REDACTED] bullying video?

Did you told people that was a court mandate or [REDACTED] ?

why you gave [REDACTED] a pass for the elections?

why you harassed me to resign for defending the elections?

why where in a committee that deleted me out of the PA documents without the floor consent.

you been harassing me for a long time I knew it. I never discriminated you for it.
i'm dragging your ass to court if you still in act up. Resign!!!

7B. **I plan to make you responsible for part when i have done no wrong.**

Fuck you!

carlos

Sent from my iPhone

Exhibit 7. Email to Member E on October 26, 2021, 2:41 PM

- A. Subject Line: "No need and i plan to end it all"
- B. "I plan to make you responsible for part when i have done no wrong. Fuck you!"

From: Carlos Valentin <carlosavalen@gmail.com>
Subject: you guys send the guy that harass me to say. no . a new low for act up
Date: March 15, 2020 at 2:29:25 PM EDT

To: [REDACTED]

[REDACTED]
That is far from true! I been doing Erts for years past and we take the all just for respect and vote. yeah something you don't have for me. trust me after the andy i don't respect you nither.

what asked was to be part of letter that is going to a judge in am to close the bath the owners don't care for our community .

we endorse all kind of lame things and just because is me is always a struggle.

the bathhouse are open sorry this is about "life and death. " of our people and community Last time i checked.

I have a people that cant make decisions on their own right now inside the bath.

The bath owner don't care about people. that is why their are open.

Coming from you the man that attacked everything about me with character defamation and with people that hardly know me. yeah I read your email and how you gossip.

8A. I never done you any wrong so don't fucking act like we are good. you should no address me because we haven't work out how you behave during the Andy memorial.

I supposed to accept this coming from you the man i reported narrating me.

does act up asked you to addressing me?

8B. go fuck your self [REDACTED] with your bullshit that only you believe,

i know how you operate. I seen your emails.

You have abuse your place in act up too and i don't get a fear treatment because you and fani she is your ass wipe.

I don't need act up permission to be part of a letter. I was told by the alumni to do it that way.

I am also part of this Ert group just like you and why I was not part of the discussion.

i was voted as Ert by the floor. why i was not part of the conversation?

This looks so unfair that act up asked the man that i reported harassing me. we are not in talking terms.

we all know what happened. [REDACTED]. we are not in good terms last time i checked.

8C. why the fuck you even talking to me?

I been treated very unfairly because and you and [REDACTED]

i am not over it or forgotten what happen with the andy event.

Now i have a bigger issue with act up. my loyalty to act up is running thin these days.

now act up ny ask the person that harass me to tell me no.

8D. lol Fo fuck your self ass hole.

i have done Ert for years this is bullshit!

carlos aitchesonvalentin
act up ny/act up alumni

Sent from my iPhone

On Mar 15, 2020, at 9:56 AM, [REDACTED] wrote:

When the ERT was founded, it was meant to proxy vote certain matters in times that the floor could not — Logistic, scheduling or life saving emergent matters.

It was never used to make major policy shifts that could be done on the floor where legitimate discussion could occur, discussions that are — in this case — crucial currently, historically and politically

There is no compelling reason to delegate ERT to make this decision.

This matter deserves a real ACTUP floor vote at a meeting.

Let the floor decide.

Exhibit 8. Email to Member F on March 15, 2020, 2:29 PM

- A. "I never done you any wrong so don't fucking act like we are good."
- B. "go fuck yourself [member's name] with your bullshit that only you believe"
- C. "why the fuck you even talking to me?"
- D. "lol Fo fuck your self ass hole."

