

Connect with us

- [Facebook](#)
- [Twitter](#)
- [LinkedIn](#)
- [Google +](#)
- [Email](#)
- [RSS](#)

February 11, 2009, 8:00am EST

Slimed Online


[Enlarge Image >](#)

How vicious can you get on the internet? The outcome of a scandalous legal battle may finally provide an answer. [Read the story.](#) Stephen Lewis

Rate this story



More from Startups, Entrepreneurs and Innovation - Upstart Business Journal

- [The risky business of IT education](#)
- [Back 9 Biz Bites: 3-D space printers](#)
- [Qwikster Joins Crowded Marketing Graveyard](#)
- [What Impact Did Steve Jobs Have on You?](#)

David Margolick

Brittan Heller and Heide Irvani, two typically hyperaccomplished women from Yale Law School, have recently had restored to them one newfangled inalienable right—a right yet to be enumerated in the United States Constitution but one that, increasingly, seems just about as essential. Once again, they can do Google searches on themselves and not see a torrent of abusive falsehoods pop up on the computer screen.

Type in Brittan Heller, for instance, and you now get her article in the Yale Law Journal on genocide and something about her appearance years ago on *Teen Jeopardy*. For Irvani, there's a LinkedIn link and a reference to her canvassing in high school for the Sierra Club. Scroll down, though, and you'll find shocking remnants of what the two women have been subjected to in the past couple of years, not only when they Googled themselves but whenever a law firm or a classmate or a date—or anyone else, for that matter—checked them out. “Is Brittan Heller a lying bitch?” screams one link. “Heide Irvani deserves to be raped,” shrieks another.

Those comments originated on AutoAdmit, a popular forum for law students and, sometimes, the lawyers who recruit and hire them. AutoAdmit bills itself as “the most prestigious law-school discussion board in the world” and claims to have 700,000 unique visitors a month. When it comes to Heller and Irvani, some of them were unique all right: uniquely sadistic, subjecting the women to what can only be called a cyber-stoning, in which participants vied to hurl the biggest rock. They wrote, falsely, that Heller has herpes and had bribed her way into Yale—helped by a secret lesbian affair with the dean of admissions—and that Irvani has gonorrhea, is addicted to heroin, and had exchanged oral sex with Yale Law School's dean for a passing grade in civil procedure. The spectacle was either astonishingly horrific or almost banal, depending on how old and what sex you are, on what you deem funny, and on how much time you spend on the internet. And where.

AutoAdmit, like innumerable other sites catering to a particular profession or community, is comparatively obscure. What makes it matter to the world at large is Google, which collects whatever AutoAdmit and millions of other websites make available and then spews the results out around the planet. A Google search is the new universal background check and is unfettered, unfiltered, and nearly impossible to appeal. But not to manipulate. To ensure that their calumnies topped the Google cache, AutoAdmit posters filed multiple slurs about both women—a practice known as Google bombing—to crowd out or shove down anything else.

Were Google and AutoAdmit newspapers or television stations, Heller and Iravani would have had a ready remedy: They could sue. Someone printing or airing falsehoods or statements likely to defame or cause extreme emotional distress couldn't then simply walk away. But different rules apply to internet intermediaries: Websites like Google and AutoAdmit merely deliver content rather than producing it themselves. Just over a decade ago, seeking to encourage the free flow of information on the internet and itself under pressure from telecommunications companies, Congress passed legislation stating that such websites could not be sued for carrying defamatory material. The measure in question is Section 230(c) of what has surely become one of the most striking misnomers on the books: the Communications Decency Act of 1996.

As a result, two entirely different brands of discourse have developed. In the traditional media, things remain reasonably decorous. But online the promise of anonymity, though far flimsier than most suspect, unlocks something ugly and menacing in ostensibly normal people. And while anything goes in the Google era, everything also stays, and spreads. The whole world is now the bathroom wall, and that wall can never be entirely painted over.

With the online carriers off-limits, the two women have pursued their anonymous tormentors directly. In June 2007, they sued dozens of them in federal court in New Haven for defamation, invasion of privacy, and infliction of emotional distress. "Hiding behind pseudonyms and the smug assumption that their carefully aimed hostility can pass as merely juvenile misconduct," the charges read, electronic wraiths trashed Heller and Iravani "for the sheer joy of destruction." The online monikers leap off the title pages of otherwise solemn-looking court documents: Cheese Eating Surrender Monkey, The Ayatollah of Rock-n-Rollah, hitlerhitlerhitler, Dirty Nigger, Sleazy Z, stanfordtroll, lonelyvirgin, Yalels2009, ak47, et al.

Who are they? Not just the usual geeks and misfits, but also, as one AutoAdmit poster put it, "some of the best-informed smart-ass procrastinating wannabe lawyers in the world." Some came from Yale Law School, leaving Heller and Iravani to ponder whether the staid and respectable guy sitting alongside them in class was the very same fellow who had just trashed them on the Web.

The women, whose case is in the pretrial stage, stand at the forefront of a growing number of people taking to the courts to unmask their online attackers. A former board member of the World Chess Federation has accused chess grandmaster Susan Polgar and her husband of anonymously posting obscene messages about him. (They have denied the charges.) A onetime Vogue Australia cover model has gone after a nameless blogger who called her "a psychotic, lying, whoring...skank." The former mayor of Manalapan, New Jersey, is trying to uncover who called him, among other things, a liar, a crook, a bum, a pedophile, an alcoholic, and a wife beater.

But the Yale lawsuit has sparked considerably greater interest than the others, many of which remain tabloid curiosities. It's a test case for the fragility, in the internet era, of one's professional reputation and for what—if anything—can or should be done to protect it. Heller and Iravani, who both declined to comment, are seeking monetary damages—though, given the paltry resources of some of their adversaries, the two women may not get much. They are trying to reclaim their good names and guard against career harm. They're also trying to send a message: that even in the wild world of the internet, smearing comes at a cost. Perhaps they're hoping that by tracking down, outing, and punishing a few loudmouths, they can muzzle—or at least sober up—an exponentially greater number.

Though they do not raise the issue explicitly in their suit, Heller and Iravani may even end up helping prompt a change in the law: forcing internet intermediaries to bear greater responsibility for what they carry. Frank Pasquale, an authority on internet law at Seton Hall University's law school, predicted that the case could hasten calls to make intermediaries take down offensive material, in the same way they must remove pirated copyrighted material. The suit's potential impact helps explain why one of the country's leading litigation boutiques, the San Francisco law firm Kecker & Van Nest, is representing the women for free. But Kecker is proceeding cautiously. The firm does some legal work for Google, and according to a figure close to the plaintiffs, the company has demanded that the lawyers neither challenge Section 230(c) directly nor erode its protections. (The plaintiffs' chief lawyer, Mark Lemley, said this is not so. A Google spokesman said the company backs current interpretations of that law, which he says "enable the free expression of hundreds of millions of individuals," but declined to comment on any conversations with Kecker.)

In the 21 months since they filed suit, the women have already made some headway. But there are also accusations that the victims are becoming victimizers. Some of the defendants say the case amounts to an all-expenses-paid elitist temper tantrum in which two privileged women have cast an overly broad net, thus failing to differentiate between the really wicked and some of the tamer flammers, and have jeopardized careers in ways far more serious than theirs ever have been. One way or another, their suit highlights a culture and a legal system that still aren't quite sure how freely people can or should speak online, how seriously to take what they say, and whether they can or should be sued for saying it.

AutoAdmit—the name refers to applicants with grades and test scores high enough to be admitted to law school without much deliberation—was created five years ago by an insurance broker in Allentown, Pennsylvania, named Jarret Cohen, who was 20 years old at the time. He never aspired to law school; he never even went to college. But he frequented the uninhibited online discussion board of the Princeton Review, an educational testing company. When it began filtering out some of the more inflammatory posts, people abandoned it in droves. Cohen quickly created an alternative board, whose appeal, as one poster put it, was that "no thread, ever, would get vaporized by the thought police." He targeted law students, since that niche was largely unfilled. Besides, he found their conversations witty and intelligent.

Cohen then took on a sidekick, Anthony Ciolli, a 20-year-old wunderkind who had completed Cornell in two years before moving on to the University of Pennsylvania Law School. Cohen controlled the message boards; Ciolli supplied research, such as the rankings of law schools and firms. This earned him the title of "chief education director" in the two-man operation, which Cohen ran from his house. For its first two years, AutoAdmit carried no advertising; in 2006, Cohen signed up with Google AdSense, which supplies particular advertisers suited to a given website's content. Advertising typically brought in about \$1,000 a month.

Many other websites control extremely salacious material either by using special coding to keep it to themselves (so that Google doesn't pick it up) or by filtering it out, particularly if asked to do so. But AutoAdmit was a place, one poster told me, where you could tell someone to "fuck off and die" and not get banned. The site's on-topic stuff was standard fare having to do with getting and succeeding. But off-topic threads were full of obscene bluster and ritualized intramural insult. Posters appeared to be overwhelmingly male; it was women, particularly beautiful women, particularly beautiful women at the top law schools, particularly beautiful minority women at the top law schools, who were most often skewered, dissected, and fantasized about.

Ciolli, who posted regularly, became AutoAdmit's public face, although he insists he didn't control what went—or stayed—up. Pleas to remove threads usually came to him; he'd generally pass them on to Cohen, and Cohen, who rarely posted on the site, would generally ignore them. To both, even its depravity was a public service. "One finds a much deeper and much more mature level of insight in a community where the ugliest depths of human opinion are confronted, rather than ignored," Cohen wrote in a March 2005 email to Eugene Volokh, a professor at UCLA Law School and the author of a popular law blog.

In the view of Dave Hoffman, a professor at Temple University Law School who has blogged about AutoAdmit, the site offered its patrons a peculiar, vicarious kick: It allowed people who were straitlaced and risk-averse enough to want to be lawyers in the first place to become briefly, crazily irresponsible. They could spout outrageous lies, or, in the manner of Sacha Baron Cohen, invent entirely new personalities for themselves, invariably as homophobes, racists, or misogynists. Speaking a common language and flouting the same taboos, such posters became a close-knit fraternity of complete strangers who rarely even knew one another's names. But for all their trash talk, many could even feel principled about their misbehavior; after all, they were free-speech absolutists. And they became cyber-survivalists when anyone tried to tone down or remove their posts.

Inevitably, naïfs stumbled onto the site and were mortified by what they saw. Among the most outraged was Brian Leiter, then a professor at the University of Texas Law School. In early 2005, he counted 250 threads with the word nigger in them and 350 more with Jews or Jew, including “Are Jews smarter or just craftier?” Three hundred other threads had bitches or cunt in them, and another 200 had fags. In March 2005, Leiter complained about the site on his blog. He promptly met the fate of all AutoAdmit critics. He was vilified so brutally on the site—for instance, in posts claiming that he had AIDS—that he retained counsel and briefly considered suing. Jarret Cohen, fearing that he’d have to reveal the identities of his posters in any court action, stopped collecting their internet-protocol addresses.

Women attacked on AutoAdmit saw Leiter as a sympathetic soul and emailed him with their horror stories. A black student at Vanderbilt Law School was so traumatized by such threads about her as “Gangbanged by 4 Cincinnati Bengals” that she had changed schools. At one point, Vanderbilt officials contacted Gary Clinton, dean of students at University of Pennsylvania Law School, to complain. That Ciolli attended the school was well-known around AutoAdmit; people assumed that a powerful university administrator like Clinton would have some sway over him. On several occasions, Clinton suggested that Ciolli desist and warned him that his affiliation with the site could hurt him professionally; each time, Clinton says, Ciolli expressed anguish over what was happening but said he was powerless to stop it. And he would not walk away. “I refused to allow a few jerks to ruin what I thought was a good thing,” Ciolli told me.

The attacks against Brittan Heller began in the summer of 2005, after her graduation from Stanford. “Stupid Bitch to Attend Yale Law,” declared STANFORDtroll. “She will be part of the class of ’08, and her name is Brittan Heller.” The usual cyber-mauling ensued. “I’ll force myself on her, most definitely,” promised neoprag, who added, “I think I will sodomize her. Repeatedly.” To which stanfordtroll replied, “If you go after that, you’ll be in for a suprise [sic].” Then someone calling himself :D chimed in, “Just don’t fuck her, she has herpes.”

Seeking to have the inflammatory thread taken down, Heller turned to Google—in vain. Its policy is clearly stated on its website: “Google does not remove allegedly defamatory material from our search results. You will need to work directly with the webmaster of the page in question.” So, using a mix of humor, flattery, and steel, Heller contacted AutoAdmit. “While sometimes I can be stupid and sometimes I can be a bitch, I can only aspire to be both at once...since I’m just terrible at multitasking,” she joked in an email message to Cohen and Ciolli, adding, “I would like to get this settled quickly and not have to involve any outside legal authorities.” The implied threat irked Cohen, who by law didn’t have to do anything. “Sounds like a nut,” he wrote to Ciolli. Two days later, after hearing nothing, Heller wrote again. “Please remove the post, and if you’re willing, allow me to confront my slanderer,” she pleaded.

Again, she got no reply.

By the time Heller started at Yale in the fall, the online locusts had moved on to other targets, as they often do, and Heller had moved on too. But when she interviewed for jobs for the summer of 2006, she claims, she was shut out of the first 16 spots she applied for—almost inconceivable for a Yale Law student. As far as she was concerned, there could be but one explanation: The firms had Googled her, and when they had, “Stupid Bitch to Attend Yale Law” and its progeny had come up first. In January 2007, she turned to ReputationDefender, a fledgling “online-reputation-management solution company” based in Redwood City, California. For a monthly fee, it flags negative internet content and then, usually through moral persuasion, helps get it taken down. ReputationDefender agreed to represent Heller for free.

She was initially on her own. Before long, though, AutoAdmit had created a confrere who would come in for vastly more abuse. A poster calling himself hi launched a new thread on January 31, 2007, entitled “Rate this HUGE breasted cheerful big-tit girl from YLS” with a link to a picture that Heide Iravani had put up on her Facebook page. There ensued ample, graphic discussion about whether Iravani’s breasts were real or fake, and all of the things one could do with them. Then a poster named Vincimus, clearly a Yalie, weighed in on Iravani’s workout attire: “Anyone who goes to the gym in the afternoon has seen her tramping [sic] around in spandex booty shorts and a strappy tank top,” he wrote. This report didn’t satisfy Cheese Eating Surrender Monkey, who demanded, “Take your goddamned cell phone next time and snap a pic, for Chrissakes.”

Like Heller, Iravani had never heard of AutoAdmit. But she soon learned that she had been targeted and that it had popped up on Google. Iravani complained to the Yale administration but found little sympathy; one top administrator told her to tough it out and learn how to take criticism. (A spokeswoman for the school says, “We did everything in our power to assist them.”) But another Yale official, who knew that Heller had spoken to ReputationDefender, suggested Iravani contact her. Though they hadn’t known each other before (and still aren’t close), the two soon joined forces.

Iravani turned next to AutoAdmit. She complained that she couldn’t concentrate on her work, was now embarrassed to be seen in public, and had begun therapy. “I can’t tell you how much I would appreciate it if you would simply deactivate this thread and make my life go back to normal,” she pleaded in an email. “I am a nice person and don’t deserve this humiliation.” This time, Ciolli, who’d grown impatient with such complaints, snapped back in an AutoAdmit post, writing, “Do not contact me...to delete a thread, especially if I have no idea who you are and have never spoken to you in my entire life.” If he kept receiving similar requests, he warned, he would just post them all on the message board for everyone to see. The discussion about Iravani then metastasized, appearing on a website (which Cohen and Ciolli were not directly involved with) that linked to AutoAdmit called T14Talent. Without her knowledge, Iravani had been entered in a contest to name the “most appealing women” in the top 14 law schools in the country.

In the meantime, ReputationDefender launched a campaign to embarrass AutoAdmit into cleaning up its act. It put up a new website and mounted a petition drive urging AutoAdmit to police its message board and respond to complaints. ReputationDefender also contacted the deans of several law schools. After Harvard Law School students were targeted, the dean, Elena Kagan (President Obama’s choice for solicitor general), sent an email urging students to boycott AutoAdmit, which she called a “new and highly efficient mechanism for malicious gossip.”

With Ciolli’s encouragement, the online beauty pageant was quickly terminated. But ReputationDefender’s actions whipped the AutoAdmit community into even more of a frenzy, with Iravani caught in the crossfire. When one poster wrote of wanting to “titty fuck” Iravani, another, who called himself “a horse walks into a bar,” ordered, “Get in line,” and said he wanted to make an ice-cream sundae out of her, “complete with whipped cream, sprinkles, and a cherry.” Then Yalels2009 offered a series of “fun facts” about Iravani, including that she had “whored around like a feral cat.” Another contributor, Whamo, suggested Iravani had “the clap.” In the meantime, a poster retrieved a *Washington Post* article from 1994 relating how Iravani’s father, a former World Bank official, had been charged with using forged checks to buy her a Thoroughbred horse. Iravani was 10 years old at the time; the incident was something she had never divulged, even to her closest friends, and the night she saw it plastered online, she was upset enough to go to the hospital.

Even by the merciless standards of the message board, this post apparently crossed the line. It takes something, after all, to move “Josef Stalin” to pity. “People, this is sick,” this particular poster wrote. “Have you forgotten there’s a real human being behind this? A flesh-and-blood girl, and apparently a somewhat emotionally fragile one? This isn’t funny anymore. It’s becoming evil.” Still, feeling not just aggrieved but evidently invulnerable, the abusers kept at it. In an email sent to members of Yale Law School’s faculty on March 9 and CCing Iravani herself, one “Patrick Bateman” (the name of the serial killer in American Psycho) denounced her as a damaged character out to suppress free speech. Then someone posted the letter on AutoAdmit. For Ciolli, who’d grown progressively more frustrated with the site, the letter was the last straw, and he quit the website. When another poster begged for a cease-fire, Whamo shot back, “No way. Let’s keep pushing it!” Things intensified further when the women went public with their cause but withheld their names. First, they spoke to the *Washington Post*, which wrote about the matter on March 7. Two days later, Heller, her face obscured and her voice slowed, went on Good Morning America.

Someone at Google was obviously reading or watching: On March 9, the company notified Cohen (by posting on AutoAdmit) that the website had violated Google’s terms of service by placing its ads alongside adult or mature content. Google’s post cited a thread entitled “I stick my Asian dick inside white pussy at Georgetown.” Fearing that any interference would prompt the kind of mass exodus that had sunk the Princeton Review’s message board, Cohen had kept his hands off his own site. But the result, he now concedes, was that he lost his website to “parasites” and “freaks.” Even his timid, belated attempts to weed out the worst abuses, an effort Ciolli seconded, prompted open

rebellion. Cohen stopped visiting the site altogether; when his girlfriend pulled it up onscreen, he walked out of the room. “Looking back, I was naive and a weak leader,” he said.

Soon, AutoAdmit was the talk of Yale Law School. People were checking the site constantly—thereby, of course, moving the scurrilous links higher still on Google. When a group called Yale Law Women held a meeting in support of Heller and Irvani, most of the law school, including the dean, Harold Koh, turned out. Quietly, the school attempted to ferret out the miscreants in its midst, going so far as to interview any gym-goers who might be able to identify the man who described Irvani’s getup. “It’s a shit storm,” one Yaleie who’d posted on AutoAdmit emailed a friend. “There’s a semi-restrained witch-hunt mentality right now.”

Not everyone agreed with the women. Posters had targeted another first-year student, Caitlin Hall, so viciously—“Who will Caitlin Hall (prestigious bitch) fuck first at Yale Law?” read one thread—that she had almost decided not to come to New Haven. But Hall thought it preferable to ignore such taunts or deal with them quietly rather than turn them into a cause célèbre. Other students, including some women, considered Heller and Irvani overly sensitive and felt that Heller had overstated her employment difficulties. (She eventually landed a summer job at the prestigious San Francisco firm of Morrison & Foerster, reportedly earning \$3,080 a week.) But for all of Yale’s vaunted devotion to free speech, few students felt free to speak out.

Some concerned Yale students weighed a number of options. One was finding out the firm where Ciolli would be working upon graduation and pressuring it to withdraw its offer. It turned out to be the Boston law firm of Edwards, Angell, Palmer & Dodge, which in April rescinded its offer. The message board violated “principles of collegiality and respect that members of the legal profession should observe in their dealings with other lawyers,” the firm’s managing partner, Charles DeWitt, wrote Ciolli.

There were attempts to settle, and even contact between the parties. “I’m sorry, sorry, sorry for what’s happened,” Cohen wrote Irvani in March 2007, hinting that he might take down the threads. But the rancor and distrust ran too deep. ReputationDefender had enlisted Keker & Van Nest and Mark Lemley, a professor at Stanford Law School and a top intellectual-property expert who was working with the firm. In June 2007, Heller and Irvani—identified only as Doe I and Doe II—filed their claim against 28 anonymous defendants. “Two women who have done nothing except work hard in school and show promise of making contributions to society have been targeted because of their appearance and out of spite to be the subject of pornographic abuse,” they charged. They put no price tag on their injuries but sought \$245,400 in punitive damages. Through a claim of copyright infringement (based on the use of Irvani’s picture in the beauty contest), they got into federal court, where the case’s visibility and potential impact would be much greater than if it had been brought in a state tribunal.

Under Section 230(c), AutoAdmit and Cohen could not be sued. Neither, theoretically, could Ciolli, but he was nonetheless listed as a defendant—the only one charged under his real name. According to Lemley, the plaintiffs believed Ciolli had written some of the defamatory postings, making him vulnerable to a lawsuit. Ciolli counters that he was included either out of spite or to be held hostage until Cohen, over whom the women otherwise had no leverage, cleaned up his website. In November, without any explanation, Ciolli’s name was dropped from the case. “Even a middling law student at an unaccredited law school could figure out within five minutes of research that under Section 230(c), Anthony had complete legal immunity,” said his lawyer, Marc Randazza of Altamonte Springs, Florida. Earlier this year, citing the toll the attacks have taken on him and his career, Ciolli sued the two women, along with Keker & Van Nest and ReputationDefender. Ciolli’s suit is still in its early stages in federal court in Philadelphia.

In court filings, Heller declared that the online torment caused her significant emotional distress and insomnia. She said her academic and extracurricular work deteriorated and that she’d isolated herself and had to take a leave from school. For her part, Irvani claimed to have grown suspicious of men and said she felt unsafe when alone. She stopped going to the gym for fear she’d be scrutinized or photographed. Wanting to sink back into obscurity, she stopped talking in class. The various sexual smears, she argued, had estranged her from her father and aunt, both Muslims.

Sickening their experiences undoubtedly were. But had anything anyone posted actually been illegal? A judge or jury might view some posts, like the specific calls to harass Irvani, as intentional infliction of emotional distress. But many other posts, however cruel, might not be seen as extreme or outrageous enough to lose their First Amendment protection. As for defamation, the overwhelming majority of the comments could be construed as opinions, which are protected. True, some statements, such as the ones claiming that the women had venereal diseases, were by definition libelous. But even here, context matters: Courts have held that given the juvenile and hyperbolic quality of chat-room rhetoric, online comments cannot be taken as seriously as those made in real life. Matt Zimmerman of the Electronic Frontier Foundation, which defends old-fashioned free-speech rights in the online world, called most of the plaintiffs’ claims “extraordinarily, extraordinarily weak.” Their argument, he said, amounted to liability by association: that simply by participating in chats theoretically containing some unprotected speech, all posters were thereby culpable. He called that claim “wrongheaded and dangerous.”

Even after the case had been filed, flamers like ak47 were fearless, or clueless, enough to effectively offer themselves up as additional defendants, of whom the number eventually totaled around 40. “Women named...Heide should be raped,” he said in one post, before launching a new thread he called “Inflicting emotional distress on cheerful girls named Heide.”

Now the challenge before the women was to smoke out the defendants’ identities. Twice, Keker & Van Nest posted notices on AutoAdmit asking posters to come forward and identify themselves; not surprisingly, this proved fruitless. And with the approval of Christopher Droney, the federal judge who is hearing the case, Keker subpoenaed a number of the internet service providers that had carried the offending comments to AutoAdmit. This too failed to yield much, in part because many posters had taken care to send their messages from internet cafés and other public computers.

But some of the defendants could easily be found through prior postings, and some emerged in other ways. One, Vincimus—whose description of Irvani in the gym was surely one of the most innocuous of the quotes at issue—even approached Irvani on campus to confess. He is a Yale law student named Kirk Cheney, a young father who graduated from Brigham Young University. (Cheney declined to comment.) Another poster, Pauliewalnuts, who helped run the online beauty contest, is a recent Seton Hall graduate named Douglas Phillipbaum. And Whamo, who had suggested that Irvani had “the clap,” is a University of Iowa undergraduate named Joe Traw.

More than the others, Traw has made his anguish over what he’d done a matter of public record, continuing to post and veering between incredulity, defiance, contrition, and abject terror. “I didn’t mean to say anything bad,” he wrote importunately. “I don’t want to hurt anyone. What the fuck do I do when I hate myself this much?” Perhaps, he thought, he’d drop out of school and go fight in Iraq. At least there, he wrote, he could die for a far worthier cause than defending what he’d done. “What I said about her was absolutely terrible, and I deserve to have my life ruined,” he wrote. When I spoke with him months later, he was still emphatically rebuking himself. He said he’d shelved plans for law school and was indeed enlisting in the military. “I said something really stupid on the fucking internet, I typed for literally, like, 12 seconds, and it devastated my life,” he told me.

For Matthew Ryan—whose alter ego, :D, claimed that Heller had herpes—the lawsuit seems to pose little concern. According to what he subsequently wrote on the message board, he had no money or reputation to defend. “I’m giddy over meeting my cheerful, big-titted accuser in court,” he wrote. Ryan, a recent graduate of the University of Texas, is trying to get his case dismissed, but he’s fine with going to trial—“I’m not a fan of frivolous, abusive litigation,” he told me—especially since his parents’ homeowner’s policy seems to cover his defense. Lemley says the case against Ryan is the women’s strongest: “When we get to trial, the only question is going to be the amount of damages.”

AK47, the defendant who had said that women named Heide should be raped, was frantic over being sued. (His real name remains known only to the plaintiffs.) “I beg you to release me from this lawsuit,” he wrote the two women, in a letter that then became part of the court file. “AutoAdmit is a fantastic waste of time, and indeed ought to be shut down, lest this sort of thing happen again. That said, I cannot and will not be dragged into this huge mess simply because I made an inane, nonthreatening and certainly nonactionable comment on the site.” His posting was, he insisted, “a suggestion, not a threat.” He warned that he would lose his job if outed; he threatened to seek help online to

corroborate all of the awful things said about the two women in order to defend himself.

Heller and Iravani indeed have a formidable weapon in their arsenal: The ability to wreak havoc in the lives and careers of anyone they identify. Faced with embarrassment or ruin, Cheney, Phillipbaum, and Traw quietly caved, paying amounts somewhere in the low to mid four figures in exchange for promises from the plaintiffs not to publicize who they were. But Ryan Mariner, a student at Fordham Law School, took a different strategy. Posting as "a horse walks into a bar," he had urged others to "get in line" for kinky sex with Iravani. Mariner insists he did nothing wrong in saying this, and that his subsequent remark about ice-cream sundaes was his attempt to turn an ugly conversation in a more benign direction. Instead of ponying up, he identified himself in a court filing and dug in, spending \$10,000 in legal fees. In January, the plaintiffs dropped him from the case. Mariner's lawyer, Anthony Collins of Atlanta, called the case "a stickup." According to Collins, "They kept threatening to identify us—that was their only leverage—and we said, 'We don't give a shit.'"

By any standard, the plaintiffs' catch has been meager. Even with one of the country's top intellectual-property lawyers, backed by a super-elite law firm, going after them, most of the worst offenders got off scot-free. The fact that so few prey were netted could prompt calls to modify Section 230(c), if only to give victims of internet abuse more of a chance. Brian Leiter, the professor and vocal critic of AutoAdmit, sees it coming. He calls the free pass enjoyed by Google and other carriers "a disaster" and says change is inevitable. "The point at which some senator's daughter becomes the target of this kind of campaign of online vilification and harassment on the next iteration of AutoAdmit—something's going to happen," predicted Leiter, who now teaches at the University of Chicago Law School.

But Heller and Iravani's case has already made a difference. Things have calmed down on AutoAdmit, where, Cohen says, he's driven away the worst actors and enlisted volunteer moderators. Some posters, moreover, have announced their "retirement"; any further self-expression, they've concluded, is clearly not worth the risk. Thanks to the case, casual defamers—those who take potshots for sport—may now refrain out of empathy for the plaintiffs, while the more malicious may have been intimidated into silence. The case may also have helped Heller and Iravani cleanse their Google pages, as the old slurs have fallen farther down the screen. And last spring, Cohen quietly removed the offending threads. He'd have done so sooner, he says, had he been asked more nicely.

Danielle Citron, a professor at the University of Maryland Law School who has written about cyber-bullying, considers Heller and Iravani heroes for fighting back rather than retreating offline, as so many women in their position have done. Professionally, at least, the two have emerged unscathed: When she graduates, Iravani will work at one of New York's pickiest firms—Cleary, Gottlieb, Steen & Hamilton—while Heller is said to have been hired by the International Criminal Court in The Hague.

Cohen is still selling insurance, still running AutoAdmit, and is about to branch off into selling a soft drink he invented called Vivi Smart Soda. Of the principals, only Ciolli continues to pay a price. He now finds himself in a kind of legal exile, clerking first in Guam and now in the Virgin Islands. "Nothing that I may or may not have done even remotely excuses what has been done to me," he says. He has passed the New York bar exam, but just as Gary Clinton of Penn predicted, he must now get past the state bar's character-and-fitness committee, which heard his case in January. Among those testifying for him at the hearing was Clinton himself. "Out of naivete or misplaced principle, he made a couple of major mistakes," Clinton says. "But I never thought he was a mean or malicious guy."

SHARE THIS STORY

Like Be the first of your friends to like this.



We Recommend

by Taboola

Four recommended article thumbnails with titles: 'JustDelete.Me, the site 31 huge companies (and the NSA) should hate', 'Miley Cyrus twerk gives insights to brands, business', 'Plywood People of Atlanta trains aspiring for-profit and nonprofit entrepren...', and 'Johnny Cupcakes sports unusual business background'.

From Around The Web

by Taboola

Four article thumbnails with titles: 'Vanessa Williams DNA Test Showed Genes From Across the World', 'Sandra Bullock's New Orleans Mansion - How Does It Compare to Oth...', 'Detailed Photos Of The Most Stunning Kitchens In The World', and 'Stunning Pictures Of Kate Middleton'.

Comments

If you are commenting using a Facebook account, your profile information may be displayed with your comment depending on your privacy settings. By leaving the 'Post to Facebook' box selected, your comment will be published to your Facebook profile in addition to the space below.

Facebook comment form with a text input field labeled 'Add a comment...' and a 'Comment' button.

Facebook social plugin

What's News