

**SUPERIOR COURT OF THE INTERNET,
IN THE ABSOLUTE STATE OF THIS, THE IMMATERIAL PLANE
HELLMOUTH DIVISION**

| | | |
|-------------------------------------------------------------|---|-----------------------|
| The New York Millennials, |) | |
| <i>on behalf of themselves and the 99% of</i> |) | |
| <i>Blaseball players & fans similarly situated, and</i> |) | Case No. 99% |
| |) | |
| Keeper Sins, |) | RESPONSE TO RESPONSE |
| <i>judge, jury, and tired of the continuous</i> |) | AND MOTION TO DISMISS |
| <i>demands on its time,</i> |) | COUNTERCLAIM |
| Plaintiffs |) | |
| |) | |
| v. |) | |
| |) | |
| Parker MacMillan III, in his official capacity |) | |
| <i>as Chief Executive Officer Commissioner</i> |) | |
| <i>Prime Minister, Internet League Blaseball, and</i> |) | |
| |) | |
| That Coin, Probably a/k/a the Boss, |) | |
| Defendants |) | |

RESPONSE TO RESPONSE AND MOTION TO DISMISS COUNTERCLAIM

Plaintiff New York Millennials responds to Defendants' response served by Claw P.

Right, Esq., on November 8, 2020:

I. REBUTTAL OF ARGUMENT

A. First Defense

Defendants deny nearly all claims of fact in the initial filing but provide no material evidence to prove such claims, and in fact contradict provable fact with a number of them.

B. Second Defense

At no point did Plaintiff state or imply the Commissioner was doing anything but a great job. This case is not about the character of the Defendants, it is about their illegal wrongdoing.

C. Third Defense

Defendants indicate that no promise was made, but fail to argue against the claim for promissory estoppel made by Defendant in the initial complaint as well as the argument made by the Association of Unaffiliated Baseball Fans of the Immaterial Plane in their *amicus curiae* brief that the *Book of Baseball* constitutes a click wrap or implied-in-fact contract. The motion to dismiss on a baseless (or baseless) rebuttal is improper and unjust.

D. Fourth Defense

Defendants selected the venue for the trial under Immaterial Law¹ and therefore are not in the position to make claims that the venue is improper². Furthermore, it is provably true that both the Defendant, all Plaintiffs and in fact the whole of the ILB are located within Chicago³.

E. Fifth Defense

Defendants contend that MacMillan was not CEO Commissioner Prime Minister at the time of the alleged Wire Fraud, and the Boss was not the Owner of Baseball, despite clearly recorded evidence to the contrary.

Since as early as Season 3, the period preceding the election results has been prime time for announcements, which various actors including the Shelled One, the Monitor, and the Boss have used. It is also well established that Eat the Rich payouts *begin as early as* the display of election results, but have been known to take longer to payout due to the number of individuals in both the 99% and 1%.

¹ <https://twitter.com/blaseball/status/1319059175553466368>

² However, if Defendants or their counsel want to claim they did a bad job, they are welcome to do so.

³ Excepting the Chicago Firefighters, who are located in Deerfield.
<https://twitter.com/blaseball/status/1298002941538795520>

As such, the announcement of the Boss's ownership and MacMillan's ascension to the position of CEO took place preceding the failure of Eat the Rich to pay out, and therefore was under their control and on their watch.

F. Sixth Defense

The Defendant's absurd claim has no basis in fact or historical events. Each season since the passing of Eat the Rich, the *Book of Blaseball* has clearly displayed the language of Eat the Rich, and the payouts each season have clearly stated that "Eat the Rich" refers to the redistribution of coins of those in the top 1% of wealth.

Furthermore, research conducted by Diviners at the Society for Internet Blaseball Research has indicated that "individuals who are named Rich in some variation" have continued to improve alongside the league in general and that, especially in the case of Richardson Games of the Charleston Shoe Thieves and Richmond Harrison of the Hades Tigers, have *eaten*, through Bloodrain and Siphon, more than they have themselves *been eaten*. Additionally, Plaintiffs contend that Richmond Harrison is their best friend⁴, and implying that he *ought to be* or was *intended to be* eaten is a serious and concerning claim.

G. Seventh Defense

Administrative remedies that are not known to either the Defendant or the Plaintiffs cannot be counted as legitimate remedies. The attempt to retroactively argue that the Plaintiffs had other avenues for recourse is a clear attempt to divert the course of Justice and direct the Plaintiffs into an arbitative process that is under the direct control of the Defendants.

⁴ File an *amicus curiae* brief if he is your friend also

H. Eighth Defense

I am begging you to actually read the initial complaint. Counsel for Plaintiff New York Millennials put in a lot of work to understand what the heck *promissory estoppel* is and are quite proud that it has continued to prove relevant to Defendant's motion to dismiss.

II. RESPONSE TO MOTION TO CONSOLIDATE

WITH *FIREFIGHTERS* v. *SUNMAN*

A. Yeah Sure Why Not

Go for it I guess.

B. It's Already On the Docket To Be Heard Separately

Funny to assume we read this part.

III. MOTION TO DISMISS COUNTERCLAIM OF DEFAMATION

Plaintiff moves to dismiss Defendants' counterclaim of defamation, stating:

A. The Counterclaim Violates Anti-SLAPP Provisions

The counterclaim is a clear attempt by the defense to chill free speech and thwart justice by entangling the Plaintiffs in an extended legal battle with frivolous claims of defamation. It is not defamation to make demands for estoppel or demand relief for the violation of a clickwrap or implied-in-fact contract, even if the Defense believes that the allegations are false or otherwise lack standing.

B. The Counterclaim Was Filed the Night Before Trial

Counsel for Plaintiff New York Millennials is very sleepy and this ought to be grounds on its own to dismiss the counterclaim.

C. Parker is Verified and a Public Figure, So Good Luck Proving Actual Malice

The check mark means he is a #Verified Public Figure and thus a lawsuit in the public concern in no way constitutes a defamatory claim. Even if the allegations in the initial suit are contended, they are not provably false and the Plaintiffs would have had no reason to believe they were false when they made them. Furthermore, the evidence in the initial suit and the research conducted to support the claims demonstrates that the Plaintiffs did not make such claims against MacMillan and the Boss lightly or recklessly.

IV. RESPONSE TO DEMAND FOR JURY TRIAL

We already have a jury trial. Another would be too many. Please let the Honorable Keeper Sins rest.

RESPECTFULLY SUBMITTED,

/s/ Case Sports
Wild Wings Legal Team

Counsel for Plaintiff New York Millennials

/s/ Keeper Sins
Hellmouth Court Judge and Jury

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| Keeper Sins, |) | ORDER DENYING |
| <i>judge, jury, and tired of the continuous</i> |) | COUNTERCLAIM — PROPOSED |
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| Defendants |) | |

ORDER DENYING COUNTERCLAIM — PROPOSED

No.

IT IS SO ORDERED.

Keeper Sins
Hellmouth Court Judge and Jury