

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

SHANA SANDLER,)	
)	
<i>Plaintiff</i>)	
)	
v.)	
)	Case No. 1:07-cv-00029
MIA CALCAGNI, <i>et al.</i> ,)	
)	
<i>Defendants</i>)	

AFFIDAVIT OF SHANA SANDLER

I, Shana Sandler, being duly sworn, do hereby depose and state:

1. My name is Shana Sandler. I am a resident of High Point, Guilford County, North Carolina. I am of legal age and make this affidavit based upon personal knowledge.
2. In 2003, I was a student at Winthrop High School in Winthrop, Maine. Mia Calcagni was also a student at Winthrop High School at this time.
3. By virtue of my ancestry, I am half Jewish and this fact was known to Mia Calcagni in 2003.
4. On November 10, 2003, Mia Calcagni painted Swastikas on street signs on and about Route 41 in Winthrop, Maine in the vicinity of the home I shared with my parents.
5. Upon viewing the Swastikas, I was humiliated and intimidated and became increasingly upset and suffered severe emotional distress.
6. As a result of painting the Swastikas on the street signs around my home, Mia Calcagni was convicted of the crime of Class D criminal mischief and charged with violations of the Maine Civil Rights Act by the Maine Attorney General. Mia's prosecution by the Maine Attorney General resulted in her entering into a Consent Agreement in August, 2005.

7. In 2006, Booksurge, LLC published, and Ralph Calcagni and Maureen Calcagni helped write and distributed the book entitled "*Help Us Get Mia.*" The basis for my understanding that the book was authored by Ralph and Maureen Calcagni, and by Peter Mars, are affidavits executed by Ralph and Maureen Calcagni.

8. The book purports to depict me and to chronicle several events in my life going back to my time as a student at Winthrop High School and my interaction with Mia Calcagni.

9. I was first alerted to the existence of the book in October 2006 when a number of people in the Winthrop, Maine community contacted me to inform me of its publication and the events it purports to chronicle.

10. The book "*Help Us Get Mia*" contains a number of false and defamatory statements about me.

11. The defamatory statements in "*Help Us Get Mia*" include, but are not limited to, the following:

- a. "Shana had many problems at Maranacook [High School]." (Page 7).
- b. "Shana was also in cheering but she was being made fun of by some of the students there and, consequently, had been running alone. She, obviously, had no friends in the new school." (Page 7).
- c. "Shana was one of those loud, in-your-face people whose personality grated on everyone around her. And, she was not very good in cheering because she did not have any cheering background." (Page 7).
- d. "The next day, Shana started calling Mia's house over and over on the phone without stopping. (Page 12).

- e. “Shana had issues and needed to seek professional help, as she did while she was a student at Maranacook [High School], and as she would again do in the spring of 2005 while attending college in North Carolina. (Page 12).
- f. “Shana had learned well from her litigious father that it was always someone else’s fault, and through lies, yelling, intimidation, and the threat of a lawsuit, one could usually get their [*sic*] own way.” (Page 12).
- g. “Shana was quickly at the computer spreading her lies and she continued her performance in the following days at Winthrop High School. Shana started telling people in school that Mia was pregnant. She then taped subscription applications for Parents Magazine to Mia’s locker. And when she saw Mia in the hallways at school, she would shout out, for everyone to hear, invitations to Mia’s baby shower.” (Page 12).
- h. “Shana further persisted in formulating new, more devastating rumors by stating to those who were familiar with Mia that Mia was expelled from school, was out of school so that she could have an abortion, and that Mia painted swastikas on the street signs on Route 41.” (Page 14).
- i. “One of the girls in the room was asking why Shana moved from Maranacook High School to Winthrop. ...At that time, another girl piped up and asked, ‘Wasn’t it because Shana was playing with herself in the bathroom while a school bus waited for her?’ (Page 22).
- j. “Mia said, ‘She was caught fingering herself’ (or something very close to that).” (Page 23).
- k. “Mia . . . also said that Shana was a whore.” (Page 55).

- l. “To begin, it is important to note that Shana, in her on-line autobiography, states in answer to the question, ‘Have you ever shoplifted?’ that she would not comment on that question. Immediately, that sends up a red flag indicating that if she had never shoplifted, she could have easily answered, ‘No.’ However, this type of answer implies that she has committed this offense.” (Page 62).
- m. “Over time, Allison [Upton] got into trouble at the high school for lies perpetrated by Shana. As a further slap to Allison, Shana was seen in the art room destroying her own art work and then stating that Allison had done the damage.” (Page 62).
- n. “Add to this the fact that Shana Sandler admitted to police of her harassment toward Mia in the issue of the supposed pregnancy.” (Page 88).
- o. “Shana Sandler was ceremoniously ushered into court by a victim’s advocate. In a rare display of honesty, she admits in court on 4/29/04 that she did start rumors about Mia being pregnant and painting the signs, contrary to all her previous statements and complaints.” (Page 95).
- p. “The girl, Shana Sandler, as admitted by her own email instant messages, which gave insight to her personality, is selfish and can only see her own needs and desires, and because of this, strikes out against the only true friend she has ever had. Shana, being ruthless and cunning, as can easily be assumed through her admissions and actions, manufactured a number of ways to destroy Mia.” (Page 101).
- q. “Since Mia’s removal from school by us [Ralph & Maureen Calcagni] she has heard many comments in passing on the internet, in person, and by phone

reporting that Shana continues her badgering of Mia telling people she is expelled, that she has painted the signs and that she is out either due to a miscarriage or an abortion.” (Page 176).

r. “Mia received a harassing phone call on the evening of February 4 from someone who did not identify herself but whose voice resembled that of Shana Sandler. An audiotape of this brief phone call is available.” (Pages 186-187).

12. Publication of the book made local news and I feared that people in the Winthrop, Maine community and wherever I might go elsewhere in my life, would read the book and believe its statements, and its depictions of me, to be true.

13. My fears about the effects this book would have on my life were confirmed in December, 2006, when working for a local jewelry store in Winthrop, Maine, a number of people approached me to discuss the book and the events it purported to depict. As a result of this, I continued to be fearful of what people think of me because of the false statements in the book.

14. I believe that publication of the false and defamatory statements caused harm to my reputation in the community and great humiliation.

15. I seek damages of for the harm caused me.

Dated this 5th day of July, 2007.

/s/ Shana Sandler
Shana Sandler

STATE OF NORTH CAROLINA
GUILFORD, ss.

July 5, 2007

Personally appeared the above-named Shana Sandler and made oath that the statements made in the foregoing affidavit are true and accurate to the best of her personal knowledge and belief.

Before me,

/s/ Vicki Smith Motsinger
Notary Public