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August 3, 2026

Erin Rush
Assistant Prosecutor
Atlantic County Prosecutor's Office
4997 Unami Boulevard
Mays Landing, New Jersey 08330

Re: *State v. Aidan Kearney*
Indictment No. 26-07-1963 (C)

Dear Ms. Rush:

This letter serves as Aidan Kearney's specific demand for exculpatory and discoverable evidence pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 402 U.S. 150 (1972), and New Jersey Court Rule 3:13-3.

On July 22, 2026, an Atlantic County grand jury indicted Kearney for one count of cyber-harassment. The indictment alleges that on or about October 8, 2025, Kearney sent or made "lewd, indecent or obscene" material about L.S. with the purpose to emotionally harm a reasonable person. The indictment resulted from the Atlantic County Prosecutor's Office ("ACPO") more than seven-month investigation into L.S.'s citizen complaint, which she filed on November 4, 2025.¹

On July 30, 2026, the Atlantic County Prosecutor's Office ("ACPO") served the defense with all the discovery "you have." Under R. 3:13-3(b)(1), upon supplying the defense with discovery, the prosecution ***shall*** provide the defense with "a listing of materials that are missing and explain why they have not been supplied" (emphasis added). To date, we have received neither such a list nor an explanation on why we have received such little discovery from this lengthy investigation.

The discovery we have received consists of little more than a Linwood Police Department Activity Report printed out on January 28, 2026, a one-page handwritten

¹ L.S. first attempted to have Kearney arrested on October 13, 2025. She went to the police seeking Kearney's arrest. The police declined but told her she could file a civilian complaint. Undeterred, the next day, L.S. called the police, again seeking Kearney's arrest. The ACPO declined to authorize Kearney's arrest because Kearney's online comments "were not a violation" of L.S.'s temporary restraining order against him.

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statement made by L.S. in support of her citizen-initiated complaint on November 4, 2025, and a few minutes of body worn camera depicting L.S. at the police station on November 4, 2025. Although the ACPO investigated L.S.'s civilian complaint for more than seven months, we have not received any documents memorializing the statements or information L.S. provided to ACPO Chief Assistant Prosecutor Erika Halayko (who led the seven-month investigation and presented the matter to the grand jury), Sergeant Vicki Levy (the sole witness before the grand jury), or anyone else at the ACPO.²

Leaving for another day the legal questions of whether Kearney's words were "lewd, indecent or obscene" and/or whether his speech was protected by the First Amendment,³ the substance of the case against Kearney rests exclusively on L.S.'s testimony. As such, her credibility is as important as any issue in the case. It is therefore essential that the defense promptly receive any information and material in the ACPO's possession, custody or control provided by L.S., particularly evidence which tends to adversely impact her credibility.

As you are aware, over the past several months we provided Ms. Halayko with numerous examples highlighting L.S.'s lack of credibility. In other words, we provided the ACPO with substantial evidence which required any credible and good-faith investigation to include a thorough vetting of the serious issues undermining its key witness' credibility before determining whether criminal charges against Kearney

² Sergeant Levy's testimony amounted to little more than one-word responses agreeing with Ms. Halayko's leading questions. The exclusive source of Sergeant Levy's knowledge was "the discovery in the matter of State v. Aidan Kearney." Ms. Halayko failed to describe "the discovery," mark it as an exhibit or introduce into evidence. In other words, the grand jury (and Kearney) were deliberately kept ignorant on the original source of the information that Sergeant Levy regurgitated to secure Kearney's indictment. We cannot even label Sergeant Levy's "testimony" as hearsay, because there is no way to determine whether she was recounting an out of court statement by L.S. or someone else, or whether her alleged knowledge stemmed from another source. "The discovery" relied upon by Sergeant Levy on July 22, 2026 cannot be identical to the discovery provided to the defense on July 30, 2026, for the simple reason that much of the hearsay evidence presented to the grand jury is not contained in the discovery the ACPO gave us.

³ "United States Supreme Court precedent repeatedly holds expressions remain protected even where the content hurts feelings, causes offense, or evokes resentment...Speech is often 'abusive'—even vulgar, derisive, and provocative—and yet is still protected under the...Federal constitutional guarantees of free expression unless it is much more than that...[b]ut unless speech presents a clear and present danger of some substantive evil, it may neither be forbidden nor penalized." *State v. Burkert*, 444 N.J. Super 591, 602-03 (2016) citing *Snyder v. Phelps*, 562 U.S. 443, 452 (2011); *People v. Dietze*, 75 N.Y.2d 47 (N.Y. 1989); *Hammond v. Adkisson*, 536 F.2d 237, 239 (8th Cir. 1976).

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were warranted⁴ and in furtherance of the State's duty to disclose exculpatory evidence in its possession, custody or control in the event of an indictment. *See* New Jersey Attorney General Law Enforcement Directive No. 2019-6 (emphasizing that county prosecutors are obligated "to gather and disclose relevant *Brady* and *Giglio* material to the defense").⁵

In addition to the concerns we brought to the ACPO's attention before the matter was presented to a grand jury, in the past few days we have received electronic communications between L.S. and multiple third parties which, to be blunt, are astounding. These messages are so destructive to L.S.'s credibility that even prior to Kearney's arraignment, we urge the ACPO to reevaluate the wisdom of prosecuting a case whose entire foundation is built on a witness with such poor credibility.

In sum, the communications we have been provided with by others reveal the ease with which L.S. lies and dissembles to advance her self-interest and gain admiration from strangers on the internet. First, L.S. lied in furtherance of her deranged scheme to gain online clout by humiliating Paul O'Keefe, the brother of the victim in the high-profile Karen Read case, a Massachusetts murder case in which L.S. appears to have an unhealthy obsession. Next, L.S. sought to capitalize on her online fame by lying to garner sympathy and to impress strangers on the internet with whom she shared nothing in common other than an interest in the Read case. Finally, L.S. lied as part of her effort to have Kearney jailed in Massachusetts because she was upset that he didn't give her enough "credit" for her humiliation of Paul O'Keefe. It should not be lost on you that that this evidence exposes L.S.'s lack of "clean hands," which is devastating to the cyber-harassment case because her conduct severely undermines your ability to credibly suggest that a reasonable person in her circumstances would have suffered emotional harm because Kearney said unpleasant things about her.

Evidence of L.S.'s False Statements, Deception and Willingness to Frame Kearney

Given that the ACPO investigated this matter for seven months before seeking Kearney's indictment and presumably vetted her credibility before seeking an indictment, we expect that you are in possession, custody and control of much more

⁴ Several times we requested in writing that the ACPO inform the grand jury about "red flags" associated with L.S.'s credibility. Issues related to the impairment of the integrity of the grand jury proceeding will be addressed at length in our forthcoming motion to dismiss the indictment.

⁵ The directive is available at <https://www.nj.gov/oag/dcj/agguide/directives/ag-Directive-2019-6.pdf>.

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exculpatory and discoverable information than of which the defense is presently aware. In any event, we bring some examples to your attention so you may comply with your obligation to present any favorable and discoverable evidence regarding L.S. in your possession, custody or control.

L.S. repeatedly has lied about her ownership of numerous X accounts, including “Elle Woods,” “Sap Awe,” and “KatnissEverdeen.” We now possess evidence which provides ample proof that L.S. used these accounts to “anonymously” advance her agenda, leak information about legal proceedings, garner sympathy for herself, disseminate false information, and publicly smear Kearney and his lawyers. She did this at the same time she was cooperating with the ACPO and supposedly was being “emotionally harmed” by Kearney.⁶ But L.S.’s own communications with third parties obliterate her ridiculous claims that these accounts did not belong to her.⁷

As if L.S.’s repeated lies about ownership of the social media accounts weren’t bad enough, on December 21, 2025, L.S. bragged to a third party that she would never be traced to her burner accounts. L.S. explained that she had a “VPN and no name or email linked,” which meant “they won’t be able to ever log in...and I’m not giving them a password.” She boasted that she would never be caught for this deception

⁶ On December 18, 2025—approximately one month after she told the Linwood police that Kearney was “making her life a living hell,” L.S. voluntarily sought the dismissal of a civil proceeding and a vacatur of a protection order against Kearney. Prior to dismissal, L.S. testified that she felt she would be “safe without an order in place” and that she was **not** concerned for her safety. It is noteworthy that she abandoned this case immediately before she was scheduled to be cross-examined. The day before, L.S. told a third party that “this is all strategy” to avoid harming “her criminal case” by testifying in the civil matter to avoid putting more “on the record.” She bragged about her legal prowess, boasting that “they never even got to cross me” and “they don’t call me Elle Woods for nothing.” In other words, the cyber-harassed and scared L.S. voluntarily gave up a protective order against Kearney as a “strategic” move to help “her” criminal case against Kearney. The ACPO should not tolerate being exploited as part of L.S.’s “strategic plan” to “get credit” and additional online celebrity by having Kearney jailed in Massachusetts.

⁷ On December 22, 2025—after L.S. alleged that she had been assured by the ACPO that Kearney would be indicted—L.S. lied to her attorney about her ownership of at least one of these accounts. On December 22, 2025, L.S.’s attorney represented to Kearney’s counsel that “Sap Awe” was not L.S.’s account. That same day, L.S. joked about this lie to a third party, noting that her misrepresentation to her attorney made Kearney’s counsel “look bad.” If L.S. lied to her own attorney about her behavior, why wouldn’t she lie to the ACPO if it served her interest to do so? Indeed, it appears that she already has lied to the ACPO. In what amounted to improper unsworn testimony, Ms. Halayko suggested to the grand jury that L.S. may not have owned the “Elle Woods” account but rather Kearney “presumed” it was L.S.’s account before he allegedly cyber-harassed her. Obviously, a seasoned prosecutor would never make such a statement unless L.S. told her that she was not the owner of the account.

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because Kearney lacked “subpoena power” and she would “erase every single thing right now and say no idea lol.” L.S. defiantly revealed her intent to **frame Kearney** for publicly disseminating confidential information from the civil proceeding that **she leaked** on her burner accounts, explaining “fuck it-I’m going to say [Kearney] leaked it.” L.S. matter-of-factly stated that she would concoct a story that she simply stumbled upon information she leaked “in a Reddit group. That’s my story. Prove me wrong.”

We anticipated that the post-indictment discovery package would confirm that the ACPO had issued grand jury subpoenas and served warrants seeking all relevant electronic data as part of the investigation of L.S.’s claims. Thus far, we have been provided with no such evidence. Considering what the ACPO knew about L.S. months before seeking Kearney’s indictment, its failure to secure and document all available electronic data related to L.S.’s claims and her credibility will likely expose this prosecution to claims and motions related to the spoliation of exculpatory and material evidence if L.S. has deleted electronic data or follows through with her threats to do so.

L.S.’s pervasive dishonesty extends far beyond lies related to her social media accounts. The communications we recently received reveal her brazen and deceitful pattern of inventing stories out of whole cloth in furtherance of her need for admiration and sympathy from strangers on the internet—which is entirely consistent with her motive for scheming against Paul O’Keefe. Some of the evidence about L.S.’s untruthful conduct we recently acquired is described below:

- L.S. publicly has claimed (and listed on her LinkedIn biography) that she is a licensed clinical psychologist who worked for Atlantic County. She has cited this fact to establish “credibility” with others with whom she has communicated with online. But according to New Jersey licensing records, L.S. has **never** been a licensed psychologist in New Jersey.
- L.S. repeatedly has stated that her father is or was a judge. L.S.’s father is not and has **never** been a judge. On December 15, 2025, L.S. admitted to a third party that she lied, explaining “the reason I told Aidan my dad was a judge was because I was hoping it would scare him. That’s the only reason I lied.”

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- L.S. has told numerous third parties a horrific—yet detailed—story that her sister was murdered after she was given a date rape drug, brutally raped for hours, strangled, and injected with fentanyl, and then left to die on the street. She claimed that her sister, disoriented from the date rape drug, called her for help. L.S. went so far as to explain the anguish this tragedy caused members of her family, including herself and her father. She explained that the killer “still walks free” and that her sister was the “most amazing person ever. EVER. She was an angel” (emphasis in original). On information and belief, L.S. does not (and did not) have a sister, let alone one who was given a date rape drug, raped, injected with fentanyl, strangled and left to die on the street.
- L.S. sent a photo she claimed was “the last pic ever taken of her sister from the night she was killed,” which ostensibly depicted L.S. and her sister together, but which, in fact, was a public photo of the Cavinder Twins.⁸ L.S. apparently altered the real photo by placing her own facial image on the body of one of the women in the actual photo and describing another one as her sister.
- On information and belief, the source of which is verbal and electronic communications between L.S. and others, L.S. created her spectacular lie about a “murdered sister” as the hook to reel in Paul O’Keefe in her dastardly plot to gain his affection. It seems clear that L.S. told O’Keefe this story as a way for them to “bond” over their shared grief for the loss of a beloved sibling.
- L.S. merged her tangled web of lies about her “judge” father and non-existent “sister,” telling another that evidence related to her “sister’s” murder was sealed “because my father was a judge...It’s fucking sealed. My father was a criminal judge and had the whole thing sealed permanently.”⁹
- To impress third parties she didn’t even know, L.S. shared photos which ostensibly showed her at exclusive social events with Derek Jeter, Alex

⁸ The Cavinder Twins are former college basketball players who became models and social media influencers.

⁹ This lie, of course, undermines entirely L.S.’s false justification to a different person that she lied about her father being a judge to scare Kearney. *See, supra*, p. 5.

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Rodriguez and Naomi Campbell. Every one of these photos was falsified. Just as she did with photos of “her sister,” L.S. apparently altered publicly available celebrity photos, inserted her image, and then presented them as authentic photos of herself.

There is overwhelming evidence that L.S. is a compulsive liar who creates fiction to serve her own interest. There is substantial proof that she is willing to frame Kearney to conceal her own misconduct and to help the ACPO prosecute Kearney. Accordingly, demand is made for the immediate production of any evidence or information in your possession, custody or control that L.S. has lied, falsified evidence or sought to falsely accuse Kearney. To the extent that you have not interviewed or spoken to L.S., considering our offer of proof, you are now aware of these issues and are obligated to question L.S. about the issues we have presented in this specific demand for *Brady* and *Giglio* material, and to disclose your findings to the defense.

L.S.’s Communications with Law Enforcement

As noted above, we have not received any statements L.S. made to the ACPO or any law enforcement official since October 2025. Based upon L.S.’s messages with third parties, we know that these undisclosed communications exist—unless L.S. has lied about her interactions with law enforcement and/or tampered with electronic communications to make them appear that they came from the ACPO, which we recognize is possible given her habit of altering and lying about photographs.

On December 17, 2025, L.S. shared with a third party a portion of a message thread with the “Chief Assistant Atlantic County Prosecutor, Pretrial Unit (Grand Jury Screening).”¹⁰ L.S. suggested to the third party that she was emboldened by her conversations with the unnamed prosecutor because “it may get [Kearney’s] bail revoked.” L.S. then stated that she intended to publicly “drop” more information about Kearney. That same day, L.S. claimed that she was emailed by an ACPO prosecutor who informed her—more than seven months before he was indicted—that the ACPO already had decided to prosecute Kearney.¹¹ Predictably, L.S. then went to

¹⁰ We cannot state whether this communication, if authentic, was with Ms. Halayko because L.S. redacted the individual’s name before sharing the communication with a third party.

¹¹ For seven months prior to Kearney’s indictment, Ms. Halayko consistently told us that the ACPO had not decided whether to prosecute Kearney. Indeed, on July 7, 2026, minutes before Ms. Halayko told us that the ACPO intended to seek Kearney’s indictment, she told us that the ACPO ***did not***

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one of the burner X accounts she lied about owning (which she described as “her troll account”) to criticize one of Kearney’s attorneys.

Demand is made for the immediate production of any communications between L.S. and anyone associated with the ACPO (in any capacity) related to this matter.

Coordination Between L.S., New Jersey and Massachusetts

As stated above, L.S.’s primary motive to seek Kearney’s prosecution in New Jersey was her hope and expectation that a New Jersey criminal charge will result in his bail being revoked on an unrelated Massachusetts criminal matter. In December 2025 communications with third parties, L.S. alleged that she was engaged in lengthy and substantial discussions with Norfolk County (Massachusetts) District Attorney Michael Morrissey, the Norfolk County DA’s Office, and Robert Cosgrove, the specially assigned prosecutor handling Kearney’s Massachusetts matters because of the Norfolk DA’s conflict with Kearney.

On December 17, 2025, L.S. told a third party that “N.J. and Mass are cooperating” and “it will revoke his bail.” She indicated that her husband, a local attorney, was “on the phone most of the day with the prosecutor.” On December 23, 2025, L.S. claimed that “morrissey’s office just called me” and wanted to set up a meeting with her. According to L.S., Massachusetts authorities granted her “full immunity” (presumably for witness intimidation related to her deranged scheme to humiliate Paul O’Keefe). *See* M.G.L.A. 268 § 13B (Massachusetts witness intimidation statute).

Notwithstanding her opinion that “meatball is a scum,”¹² L.S. detailed topics related to the Massachusetts case that she claimed Massachusetts authorities wanted to speak to her about. L.S. claimed that she “was on the phone with Morrissey for 3 hours.” She alleged that Massachusetts authorities were “watching EVERYTHING especially for my safety,” including by assisting with the placement of a police officer outside of her home (emphasis in original).¹³ On December 25, 2025,

intend to prosecute him and she was determining whether to dismiss the matter outright or remand it to municipal court. We, of course, credit Ms. Halayko’s representations, which means that L.S. lied to third parties about her communications with the ACPO.

¹² “Meatball” is a disparaging nickname for Norfolk County DA Michael Morrissey.

¹³ Just five days before she claimed that New Jersey and Massachusetts coordinated a taxpayer-funded effort to provide her with personal protection, L.S. stated on the record in a civil legal proceeding

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L.S. wrote that she spent Christmas Eve “on the phone with FUCKING MICHAEL MORRISEY” (sic) (emphasis in original). She also claimed that a detective who reviewed her messages with Kearney told her they were “edited.”

I also represent Kearney in his Massachusetts matters. Since Kearney’s indictment in Atlantic County, I have been in regular contact with Mr. Cosgrove regarding any possible impact the New Jersey indictment may have on Kearney’s Massachusetts cases. I am informed by Mr. Cosgrove that in December 2025, the Massachusetts State Police contacted L.S. “to look into the N.J. situation” and L.S. “essentially confirmed what already was on record in New Jersey.” In other words, contrary to what L.S. has claimed, Massachusetts’ interest in her was to gain an understanding about the New Jersey allegations, not to use her as a “witness” or source of information related to the Massachusetts cases.

On July 31, 2026, Mr. Cosgrove informed me that he has never spoken to L.S. He also stated that he has no knowledge of L.S. speaking to DA Morrissey. It is hard to fathom that DA Morrissey, the conflicted District Attorney who specifically engaged Mr. Cosgrove to handle Kearney’s matters, pumped L.S. for information about Kearney for three hours and spoke to her on Christmas Eve but somehow failed to inform Kearney’s specially assigned prosecutor. This appears to be another fantastic lie in L.S.’s too-long-to-count list of lies in furtherance of her need to be considered “important” in the online orbit surrounding Karen Read and Kearney.

Demand is made for any information or material in your possession, custody or control regarding coordination between or among L.S., your office, the Norfolk County DA’s Office, Mr. Cosgrove and/or the Massachusetts State Police regarding Kearney. This includes any information or material that L.S. and DA Morrissey spoke personally and any records associated with L.S. being provided a “security detail” by any law enforcement agency. If no such evidence exists, in light of L.S.’s detailed claims, this fact demonstrates another lie by L.S., which also is favorable and must be disclosed.

With respect to L.S.’s claims that she was promised full immunity by the Norfolk County DA’s Office in exchange for her cooperation against Kearney, demand

against Kearney which was terminated in his favor by her decision to unilaterally dismiss the case after her direct examination but before her cross examination that (a) she felt “safe” without the need for any protective orders against Kearney and (b) that that she was **not** concerned for her safety. Suffice to say, L.S. either lied about her police protection detail or lied under oath and on the record to a Superior Court judge.

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is made for any evidence in your possession, custody or control that L.S. sought, expected, received or was promised immunity from criminal prosecution in exchange for cooperating against Kearney, whether in New Jersey or Massachusetts, and whether such inducement was made by New Jersey or Massachusetts authorities.

L.S.'s Actual Bias Against Kearney

The messages we recently received make it clear that L.S.'s detestation of Kearney stems from jealousy that she didn't get enough "credit" when Kearney published a story describing her interactions with Paul O'Keefe. The defense possesses evidence that after Kearney published the story about L.S.'s abuse of O'Keefe (without identifying her), L.S. initially was thrilled that she had become a prominent (albeit anonymous) person in the online circus surrounding the Karen Read case. On March 26, 2025, L.S. bragged to an online "friend" that she "spit her drink out" laughing at people outside of court mocking O'Keefe with a selfie that he had sent L.S. She was amazed at what she accomplished, noting "I never in a million years thought that this whole thing would literally break the internet. The internet literally broke."

Not surprisingly, it was L.S.'s giddiness over being the centerpiece of the story "that literally broke the internet" and her craving for attention as the woman who humiliated Paul O'Keefe that led her to randomly contact strangers on the internet. On March 25, 2025, under her true name, L.S. sent a cold message to an unknown woman from the internet, teasing that "if people only knew who I am" as she offered "hints" of why she was important. When the recipient of her message understandably responded "huh?" L.S. provided more hints to reveal her identity. One day before she bragged about "breaking the internet," L.S. clearly was desperate to be recognized for her "work."

The messages we have been provided contain numerous other examples of L.S.'s motive to falsely accuse Kearney. L.S. has even fantasized about physically harming Kearney. On one occasion, she noted that in New Jersey, people get assaulted for his conduct. On December 16, 2025, L.S. said she would "drive to his house with a bat." She "joked" that she had "2 pistols lol. LETS RIDE. I have 2 rifles if you prefer them...I could kick his ass (emphasis in original).

Demand is made for any information and material in your possession, custody or control which tends to show L.S.'s actual bias against Kearney and tends to show that her hatred of him and desire for attention may have motivated her to falsely

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accuse him.

* * *

The above-referenced examples are but a limited sample of exculpatory and discoverable evidence related to L.S. It stands to reason that you have possession, custody or control of much more information that requires disclosure to the defense. Accordingly, pursuant to *Brady*, *Giglio*, and R. 3:13-3, we demand prompt notice of whether such evidence exists, prompt disclosure of the existence of such evidence, disclosure of it, or as required by R. 3:13-3(b)(1), a list of undisclosed evidence and explanation on why it hasn't been disclosed.

Very truly yours,

/s/ Mark A. Bederow

Mark A. Bederow

cc: Erika Halayko
Robert Cosgrove
Linda Kenney Baden
Darren Gelber
Aidan Kearney