

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

KENNETH CHOOKHACHIAN,

Plaintiff,

- against -

MATTHEW JEFFERY BERLINGER
(a/k/a “Bad Boi TraGiC”),

Defendant.

Index No.:
Date Filed:

SUMMONS

Plaintiff designates New York County as the place of trial.

The basis of the venue is:

Plaintiff’s residence: 460 Grand Street #22H
New York, NY 10002 (CPLR § 503)

TO: Matthew Jeffery Berlinger (a/k/a “Bad Boi TraGiC”)
44422 N Sonoran Arroyo Ln
New River, AZ 85087

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff’s Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

The basis of the venue designated is: Plaintiff’s residence in New York County, pursuant to CPLR § 503(a).

Dated: New York, New York
April 7, 2026

MAXWELL & VIVIANI, PLLC

By: *Robert Maxwell*

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VERIFIED COMPLAINT
JURY TRIAL DEMANDED

Plaintiff, **KENNETH CHOOKHACHIAN** (hereinafter referred to as “Plaintiff,” “Mr. Chookhachian,” or “Hussy”), by and through his attorney, **ROBERT MAXWELL, ESQ.**, complaining of the Defendant **MATTHEW JEFFERY BERLINGER** (hereinafter referred to as “Defendant,” “Mr. Berlinger”, or “Bad Boi TraGiC”), respectfully alleges as follows:

NATURE OF THE ACTION

1. This is an action to recover damages for a malicious, coordinated, and dangerous campaign of harassment, intentional infliction of emotional distress, racketeering, extortion, and defamation orchestrated by the Defendant against the Plaintiff.

2. Specifically, this action arises from Defendant’s commission of a tortious act—commonly known as “swatting”—directed at the Plaintiff within the County of New York.

3. On July 14, 2023, Defendant, acting with malice and intent to harm, knowingly made a false report of a violent emergency to law enforcement, causing the New York Police Department (“NYPD”) to dispatch armed officers to raid Plaintiff’s residence in Manhattan, an incident documented in NYPD Complaint Report #2023-007-003476.

4. While Defendant has engaged in a broader pattern of online defamation (some of which involved third parties previously sued by Plaintiff), this Complaint specifically seeks damages for the distinct and separate injuries caused by Defendant Berlinger's individual acts, most notably the severe psychological trauma, reputational damage, and specific economic loss resulting directly from the swatting incident and the false accusations of criminal sexual misconduct fabricated solely by Defendant.

5. Moreover, Defendant is a ringleader of an online enterprise known as "The Bodega". Acting in concert with others, Defendant has engaged in a pattern of criminal activity designed to destroy Plaintiff's livelihood and personal safety. This pattern includes "Swatting" (filing false police reports to induce armed raids); targeted interference with Plaintiff's business expectancies; and the fabrication of false evidence to maliciously terminate Plaintiff's income streams.

6. Plaintiff seeks relief pursuant to New York State common and statutory law, including, but not limited to, compensatory and punitive damages, expenses, and reasonable attorneys' fees, based on claims for Defamation, Defamation Per Se, Intentional Infliction of Emotional Distress, and Prima Facie Tort.

PARTIES

7. Plaintiff, Kenneth Chookhachian, is a resident of the County of New York, State of New York, and a citizen of the United States. At all times hereinafter mentioned, Plaintiff was residing at 460 Grand Street, Apt. #22H, New York, NY and is a professional digital content creator.

8. Defendant, Matthew Jeffery Berlinger (a/k/a "Bad Boi TraGiC"), is, upon information and belief, a natural person and a resident of the State of Arizona, specifically residing at 44422 N Sonoran Arroyo Ln, New River, AZ 85087.

JURISDICTION AND VENUE

9. Jurisdiction and venue are proper in New York County because this Court possesses general subject matter jurisdiction and exercises personal jurisdiction over the non-domiciliary Defendant pursuant to CPLR § 302(a)(1) and (a)(3).

10. First, under CPLR § 302(a)(1), Defendant engaged in purposeful activities directed at New York State. Rather than engaging in mere passive internet speech, Defendant specifically targeted a New York resident, tagged New York institutions (the NYPD 7th Precinct) to prompt official action within the State, and coordinated real-time interference with Plaintiff's business expectancy at a physical New York location (Empire City Casino in Yonkers, NY). Plaintiff's causes of action, including defamation, arise directly from these New York-directed transactions.

11. Second, under CPLR § 302(a)(3), Defendant committed tortious acts outside the State—specifically, initiating false police emergency reports ("swatting") from Arizona—that caused severe physical and emotional injury to Plaintiff within New York. Defendant expressly aimed his intentional torts at New York and reasonably expected his acts to have consequences in this State by deliberately weaponizing the New York Police Department against a New York resident.

12. Additionally, venue is proper pursuant to CPLR § 503(a) because Plaintiff resides in New York County.

STATEMENT OF FACTS

10. Plaintiff is a digital content creator on social media and streaming platforms, such as Twitter, Twitch, and YouTube. Plaintiff uses his digital audiences to make comedy sketches, videos, and livestreams, for which he receives monetary donations, paid subscriptions, and “super chats” from his fans and digital admirers.

11. Plaintiff's business property consists of his standing on streaming platforms and his ability to generate revenue through live broadcasts.

12. While Plaintiff has litigated prior instances of defamation causing past follower loss, Defendant Berlinger has engaged in a distinct and subsequent campaign specifically designed to "de-platform" Plaintiff and sever his remaining revenue streams.

13. Unlike general reputational harm, Defendant Berlinger has targeted the technical infrastructure of Plaintiff's business.

14. On January 10, 2024, Defendant publicly boasted: "*Say goodbye to your twitch, Hussy!*" while displaying proof of false reports filed with the platform.

15. These fraudulent reports were calculated to trigger algorithmic suspensions, thereby freezing Plaintiff's assets and income access, a distinct injury from mere follower attrition.

16. Defendant operates as a central figure in a loose association or "enterprise" known as "The Bodega." While Defendant publicly characterizes this group as an "anti-bullying group", evidence shows it functions as a coordinated network dedicated to the harassment, stalking, and defamation of targeted individuals.

17. This enterprise operates across state and international lines. Associates of the Defendant, such as the individual known as "Hekate's Daughter," actively coordinate with Defendant to harass Plaintiff.

18. On July 14, 2023, Defendant engaged in a "swatting" incident against Plaintiff. As confirmed by NYPD Complaint Report #2023-007-003476, Defendant (identified by law enforcement as "BERLINGER, MATT") committed Aggravated Harassment in the Second Degree (PL 240.30). A true and accurate copy of this report is attached hereto as **Exhibit F**.

19. The Police Report confirms that Defendant threatened Plaintiff via phone and online messages with the intent to "annoy and harass" while Plaintiff was "streaming online video," directly interfering with Plaintiff's business activity.

20. This act of *swatting* was a direct result of Defendant Berlinger's intentional and reckless campaign of harassment, causing the Plaintiff extreme emotional distress and placing him in physical danger of confrontation with armed law enforcement.

21. Furthermore, Defendant has intentionally interfered with specific revenue-generating events. On or about October 2023, while Plaintiff was conducting a paid live stream at Empire City Casino (Yonkers, NY), Defendant and his associates coordinated a real-time attack to have Plaintiff ejected from the premises.

22. Video evidence captures Defendant's enterprise explicitly stating: "*We can tweet at the casino*" and suggesting they report Plaintiff for "stealing" money from a purse, a baseless accusation intended to cause Plaintiff's ejection and potential arrest. A copy of this video broadcast is attached hereto as **Exhibit E**.

23. This conduct directly disrupted a specific business expectancy and resulted in quantifiable lost income for that specific broadcast, separate and apart from any damages attributed to prior defendants.

24. Defendant engaged in a malicious campaign of defamation *per se*, publishing verifiably false statements of fact accusing Plaintiff of heinous crimes to a global internet audience.

25. Specifically, on or about February 2, 2023, Defendant published and broadcasted a fabricated "Wanted" poster to his audience on YouTube and Twitter/X, designed to look like an official law enforcement document. This forged poster features Plaintiff's photograph and falsely labels him a "registered sex offender" who was "convicted: 11/26/2022" of "sexual harassment." A true and accurate copy of this forged poster broadcast is attached hereto as **Exhibit A**.

26. Furthermore, Defendant fabricated and published fraudulent Twitter Direct Messages (DMs), purporting to show Plaintiff confessing to larceny and draining a marital bank account. Defendant broadcasted these fake messages (dated "Apr 11") to his audience to falsely frame Plaintiff for financial crimes. A true and accurate copy of these fabricated DMs is attached hereto as **Exhibit B**.

27. Defendant's defamatory campaign escalated to imputing specific, heinous predatory behavior. On a YouTube broadcast on the channel "Hot Discord Rejects" (titled "*The Sun...Tuesday's Tea 2.0? XIV*"), Defendant explicitly stated to a live audience: "*Hey Hussy, have you made out with any unconscious people lately? You find any, any people that look extremely underage and... roofie them and make out with them lately?*" A copy of this broadcast is attached hereto as **Exhibit C**.

28. On January 24, 2024, Defendant utilized Twitter/X to publicly tag the NYPD 7th Precinct (@NYPD7Pct), falsely reporting Plaintiff as a criminal. Defendant wrote: "*He is currently on YouTube slandering me. He has been stalking me for years now! He is dangerous and out of control on drugs.*" A true and accurate copy of this publication is attached hereto as **Exhibit D**.

29. Plaintiff has no such convictions, made no such confessions, and engages in no such behavior; these fabrications are demonstrably false and were published with actual malice.

30. Defendant publicly broadcasts his intent to cause distress, stating in video recordings that he and his associates are "obsessed" with Plaintiff and "stalk every move" he makes.

31. Defendant has doxed Plaintiff by broadcasting his home address and personal health details to a hostile online audience.

32. Defendant made each of these defamatory allegations and engaged in the criminal act of *swatting* without privilege or another legal basis to do so.

33. Plaintiff has never been arrested or prosecuted for any of the criminal activities Defendant claims, nor is he a registered sex offender in any of the fifty U.S. states.

34. The psychological effects caused by Defendant on Mr. Chookhachian are clear and manifest. He feels that his career is being hugely impacted by Defendant Berlinger's malicious and irresponsible public accusations and criminal actions.

35. Any daily events that remind him of these past series of defamatory statements and the physical danger of the *swatting* incident cause him to be anxious and depressed.

36. He is having a hard time when trying to go live, or being on social media, as he is still dealing with the emotional aftermath of Defendant Berlinger's misconduct.

37. Plaintiff is attending therapy sessions regularly due to the severe emotional distress, anxiety, depression, and fear caused by the Defendant's extreme and outrageous conduct.

**AS AND FOR A FIRST CAUSE OF ACTION
FOR DEFAMATION AND DEFAMATION *PER SE***

38. Plaintiff repeats and realleges each and every allegation set forth above and below as if fully set forth herein.

39. Defendant published specific, verifiable false statements of fact concerning Plaintiff to the public at large via social media platforms, including YouTube and Twitter/X.

40. As detailed in Paragraphs 26 through 29, Defendant published a forged "Sex Offender" registry poster (**Exhibit A**), fabricated DMs accusing Plaintiff of larceny (**Exhibit B**), explicitly accused Plaintiff of drugging ("roofie") and assaulting unconscious, incapacitated and/or underage individuals (**Exhibit C**), and falsely reported Plaintiff to the NYPD as "dangerous and out of control on drugs" (**Exhibit D**).

41. These statements constitute defamation *per se* under New York law because they specifically impute to the Plaintiff the commission of serious crimes (namely, sexual offenses, rape, larceny, and illegal drug use) and they tend to injure Plaintiff in his trade, business, or profession as a digital content creator who relies on public trust and donations.

42. Labeling Plaintiff a "scammer" and "con artist" directly attacks his professional integrity and ability to earn a livelihood.

43. The statements are demonstrably false. Plaintiff is not a registered sex offender in any jurisdiction, has never been convicted of sexual harassment, and has never been charged with theft or drug offenses.

44. Defendant published these statements with actual malice—knowing they were false or acting with reckless disregard for their truth.

45. Defendant's malice is irrefutably evidenced by his own distinct, premeditated acts of fabrication:

- a. **The Forged "Wanted" Poster (Exhibit A):** Defendant explicitly created a fake "Sex Offender Registry" document, proving he knew no such registry entry existed and deliberately manufactured "evidence" to support his lie;
- b. **The Fabricated DMs (Exhibit B):** Defendant created fake direct messages, falsely portraying Plaintiff as confessing to crimes (draining a bank account), demonstrating a calculated, malicious intent to frame the Plaintiff;
- c. **The Defamatory Police Tagging (Exhibit D):** Defendant publicly tweeted at the NYPD falsely labeling Plaintiff as "dangerous and out of control on drugs," proving an intent to destroy Plaintiff's reputation and incite law enforcement against him.

46. As a direct and proximate result of Defendant's publication of these falsehoods, Plaintiff has suffered special damages, including the specific loss of paid subscribers and streaming revenue referenced in the Statement of Facts. Additionally, Plaintiff has suffered severe reputational harm, humiliation, and emotional distress.

47. By reason of the foregoing, Plaintiff has sustained actual, general, and special damages, currently estimated in an amount **not less than fifty thousand dollars (\$50,000.00)**, exclusive of punitive damages, costs, and attorneys' fees.

**AS AND FOR A SECOND CAUSE OF ACTION
FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

48. Plaintiff repeats and realleges each and every allegation set forth above and below as if fully set forth herein.

49. Defendant's conduct was extreme, outrageous, and utterly intolerable in a civilized community. It was not a mere insult or trivial annoyance, but a calculated campaign of terror designed to destroy Plaintiff's peace of mind and place his physical safety in jeopardy.

50. Defendant's most egregious act was the threat and effectuation of "swatting"—the false reporting of a violent emergency to provoke an armed police response.

a. This act inherently satisfies the "extreme and outrageous" element as it weaponizes law enforcement against an innocent victim.

b. The conduct was premeditated. As evidenced by Defendant's own public posts, he explicitly threatened: "*Hey Hussy, It's gonna suck when one of these days you will be screaming shit into the camera and the swat team busts down your door.*"

c. The execution of this threat on July 14, 2023, resulted in the dispatch of NYPD officers to Plaintiff's home, forcing Plaintiff to face armed police under the false belief that he was a violent threat, creating a high probability of physical injury or death.

51. To facilitate this harassment, Defendant engaged in "doxxing" by publicly broadcasting Plaintiff's private home address and sensitive personal details, including his association with a "Home Health Care Facility," to a hostile online audience.

52. This disclosure was malicious and calculated to ridicule Plaintiff's personal circumstances and enable physical stalking.

53. Defendant acted with the specific intent to cause severe emotional distress, or with reckless disregard of the substantial probability of causing such distress.

54. Defendant knew, or should have known, that falsely labeling Plaintiff a "Sex Offender" and sending armed police to his home would cause traumatic psychological injury.

55. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered severe emotional distress that is medically documented and of such a nature that no reasonable person could be expected to endure it. Plaintiff's injuries include:

a. Post-Traumatic Stress: Persistent fear for his life and safety, and the inability to feel secure in his own home following the police raid;

b. Professional Impairment: The inability to work effectively as an online content creator due to the constant anxiety that any live stream could trigger another attack;

c. Medical Necessity: The need for ongoing therapy and medical treatment to cope with anxiety, depression, panic attacks, and nightmares directly resulting from Defendant's campaign.

56. There is a direct causal connection between Defendant's wrongful conduct and the severe emotional distress suffered by Plaintiff. Absent Defendant's unlawful acts, Plaintiff would not have incurred these severe psychological injuries.

57. By reason of the foregoing, Plaintiff has sustained actual, general, and special damages, currently estimated in an amount **not less than fifty thousand dollars (\$50,000.00)**, exclusive of punitive damages, costs, and attorneys' fees.

**AS AND FOR A THIRD CAUSE OF ACTION
FOR PRIMA FACIE TORT**

58. Plaintiff repeats and realleges each and every allegation set forth above and below as if fully set forth herein.

59. The Defendant's conduct was motivated solely by "disinterested malevolence"—that is, a malicious intent to injure the Plaintiff, without any valid social, economic, or legal justification.

60. Defendant's malevolence is explicit and documented. As stated in Defendant's own public posts, his goal was to "stalk every move" Plaintiff makes and to have Plaintiff's business channels terminated (e.g., "*Say goodbye to your twitch, Hussy!*").

61. There was no legitimate public interest in Defendant's actions. Specifically, Defendant publicized Plaintiff's association with a "Home Health Care Facility." This disclosure had no news value and was not a matter of public concern; its sole purpose was to ridicule Plaintiff's personal circumstances, undermine his professional credibility, and inflict emotional harm.

62. Defendant's sole motivation was to inflict harm upon Plaintiff without any excuse or justification.

63. Defendant engaged in a series of acts—such as fabricating direct messages, forging law enforcement documents, and weaponizing police resources—which, even if any single act was arguably lawful in isolation, were done as part of a coordinated scheme to destroy Plaintiff's livelihood.

64. As a direct result of this malicious scheme, Plaintiff has suffered specific, quantifiable financial loss, including the loss of paid memberships and streaming revenue.

65. By reason of the foregoing, Plaintiff has sustained actual, general, and special damages, currently estimated in an amount **not less than fifty thousand dollars (\$50,000.00)**, exclusive of punitive damages, costs, and attorneys' fees.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against Defendant as follows:

1. **Compensatory Damages** in an amount to be determined at trial, but not less than \$50,000.00;
2. **Punitive Damages** in an amount to be determined at trial to punish Defendant's willful and malicious conduct;
3. **Issuing a Preliminary and Permanent Injunction**, compelling the Defendant, his agents, and all persons acting in concert with him, to:
 - a. Immediately cease and desist all further harassing and threatening communications directed at the Plaintiff, specifically any conduct that encourages or facilitates "swatting" or physical harm;
 - b. Immediately remove and permanently delete all fabricated content, including the forged "Sex Offender" poster, fabricated Direct Messages (DMs), and the specific videos displaying Plaintiff's private information; and
 - c. Permanently cease and desist from publicly disclosing, publishing, or distributing any private information concerning the Plaintiff, including his residence address, phone number, or personal health details ("doxxing").
4. **Attorneys' Fees and Costs** associated with this action;
5. Such other and further relief as this Court deems just and proper.

Dated: April 7, 2026

Respectfully Submitted,

MAXWELL & VIVIANI, PLLC

By: 

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Counsel for Plaintiff Kenneth Chookhachian

VERIFICATION

I, Kenneth Chookhachian, am the Plaintiff in the within action. I have read the foregoing Verified Complaint and know the contents thereof.

I affirm this 7th day of April, 2026, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, except as to matters alleged on information and belief and as to those matters I believe it to be true, and I understand that this document may be filed in an action or proceeding in a court of law.



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Kenneth Chookhachian

eSignature Details

Signer ID	FZkMWMwjb2SxGXEEedBB323KG
Signed by:	Ken Chookhachian
Sent to email:	arten777@aol.com
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Signed at:	Apr 7 2026, 4:23 pm EDT