



CARL J. KOLB, P.C.  
ATTORNEYS AT LAW

CARL J. KOLB  
926 CHULIE DRIVE  
SAN ANTONIO, TEXAS 78216  
WWW.CARLKOLBLAW.COM

CARL@CARLKOLBLAW.COM  
TELEPHONE 210.225.6666  
FACSIMILE: 210.225.2300

March 11, 2021

Philip Ross  
1006 Holbrook  
San Antonio, Texas 78218

Re: Our client: Tonya Barina

Dear Mr. Ross:

As you know, on March 11, 2020, you published or caused to be published on Netflix to a worldwide audience false and defamatory statements that indicated that our client, Tonya Barina, had engaged in dishonest conduct in connection with the Guardianship Estate of Charles Thrash of San Antonio, Texas.

This letter is a demand made pursuant to § 73.055, Tex. Civ. Pr. & Rem. Code. Demand is made for a correction, clarification, and retraction of the defamatory material.

Ms. Barina was the subject of the Netflix Series "Dirty Money-Season 2", entitled "Guardians, Inc." ("Episode") which presented a defamatory, demonstrably false narrative that intentionally omitted information demonstrating the falsity of the defamatory matter. Ms. Barina was accused in the Episode of exploitation of an elderly man, Charles Thrash, which the Episode referred to as the "crime of the 21<sup>st</sup> century", and as exploitation of the "weak and vulnerable". In the Episode, Barina was defamed by statements clearly concerning her conduct and describing it as:

1. Abuse of guardianship laws;
2. Elder abuse;
3. Using Thrash' funds for self-gain;
4. Having Thrash abducted from his home and family members;
5. Of committing a crime against Thrash;
6. Taking Thrash' home, business, automobiles and money;
7. Interfering with a lawful marriage relationship;
8. Participating in a "capitalist dystopian" scheme to defraud the elderly;
9. Engaging in a conspiracy with a corrupt court;
10. Being a part of a segment of society that gets into being a guardian to gain access to money and property and to be able to take advantage of that;
11. Leaving Thrash destitute;
12. Forcing Thrash into a nursing home;
13. Bleeding Thrash' estate for a quarter-million dollars a year;
14. Being a "predator" engaging in a "for-profit" business for exploitation;

15. Removing Thrash from his home, putting him in a strange place without due process, cruelty, and abuse of the system;
16. "cronyism" and a "clubby relationship" with the guardianship court;
17. Isolating Thrash to make it easier to manipulate Thrash;
18. Over- or under-medicating and brainwashing Thrash, and isolating the family, to get Thrash' money;
19. Being involved in fraud or deception of the elderly;

The words and the context of the words is defamatory per se. This expressed words and the obvious implications are utterly false. In publishing these statements, you intentionally avoided revealing that Philip Ross, Laura Martinez, and Brittany Martinez were found—nearly a year before the publications—to have engaged in a conspiracy to defraud Thrash' estate, the Court, and the guardians of Thrash, and were jointly sanctioned in the sum of \$222,974.00 and that the court found their conduct established that their positions were without merit and were brought solely to harass and for other improper purposes. The publications were made with actual malice with knowledge of the contents of the order for sanctions. I have attached Plaintiff's Original Petition which is being filed and incorporate in this letter the allegations set forth in that Petition.

As a result of the Episode and the false statements presented, Ms. Barina has been subject to near-daily death threats, republication of defamation, and obscene and offensive online publications. She can no longer work in her banking profession as a result and has sustained very substantial damages.

Demand is made for correction, clarification and retraction within 30 days of your receipt of this request which meets the following requirements:

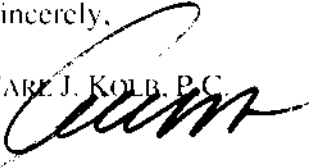
1. Worldwide distribution on Netflix at the same time and in the same medium as the Episode of a retraction of, apology for, and admission of falsity of all of the statements and publications contained in the Episode concerning Ms. Barina;
2. Worldwide distribution on Netflix at the same time and in the same medium as the Episode of all facts established in the court's records, including reporters' records and the May 24, 2019 Order Granting Sanctions (enclosed) and demonstrating the factual and legal bankruptcy of all of the statements and publications by Philip Ross, Laura Martinez, and Brittany Martinez;
3. Worldwide distribution on Netflix at the same time and in the same medium as the Episode of the judicial annulment of the marriage of Thrash and Laura Martinez;
4. Worldwide distribution on Netflix at the same time and in the same medium as the Episode of the judicial orders voiding the adoption by Thrash of Laura Martinez' children, Brittany and Joe Martinez;
5. Directing that any other person who has repeated the false statements made in the Episode should retract and remove from any public forum any republication of any statements published in the Episode, and any offensive, threatening, or abusive remarks they have posted following the Episode;

I look forward to receiving a timely reply and agreement to make the appropriate retractions as requested, in mitigation of the very substantial damages you have caused to Ms. Barina.

March 11, 2021  
Philip Ross  
Page 3

Sincerely,

CARL J. KOLB, P.C.



---

Carl J. Kolb

CJK/mlm  
Cc: Tonya Barina