

**STATE OF RHODE ISLAND
PROVIDENCE, SC.**

SUPERIOR COURT

JEFFREY BUTLER,
Plaintiff,

v.

**MELISSA POTTER; KELLEESILVA;
SHANA CRANDALL; CHERIE CRUZ; and
RECLAIM RI,**
Defendants.

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C.A. No. PC-2025-_____

COMPLAINT

Plaintiff Jeffrey Butler (“Butler”) hereby files its complaint against Defendants Melissa Potter (“Potter”), Kellee Silva (“Silva”), Shana Crandall (“Crandall”), Cherie Cruz (“Cruz”), and Reclaim RI (“Reclaim”) (collectively, “Defendants”) as follows:

Parties, Jurisdiction, and Venue

1. Butler is a resident of the State of Rhode Island.
2. Upon information and belief, Potter, Silva, Crandall, and Cruz are residents of the State of Rhode Island.
3. Reclaim is a Rhode Island domestic non-profit corporation operating within the State of Rhode Island and with its principal office at 19 Forest Street, Providence, RI 02906.
4. This Court has personal jurisdiction over Defendants as they are residents of Rhode Island and/or conduct activities within the State. The conduct forming the basis for the claims against Defendants occurred in Rhode Island.
5. This Court has subject-matter jurisdiction pursuant to R.I. Gen. Laws §§ 8-2-13 and 8-2-14.
6. Venue is proper under R.I. Gen. Laws § 9-4-3.

General Allegations

8. Potter and Silva formerly resided in residential property owned by Butler located at 1890 Broad Street, Cranston, RI 02905 (“1890 Broad Street”).
9. In or around the Spring of 2024, Potter and Silva created and organized a private group that they referred to as the “Elmwood Realty Tenants Union.”
10. The “Elmwood Realty Tenants Union” was created with the aid, assistance, and direction of Reclaim, Crandall, and Cruz.
11. On April 10, 2024, during a routine inspection of 1890 Broad Street, Butler, alone and aged 59-years old at the time, encountered a group of angry and hostile individuals when seeking to inspect Silva’s unit for any needed repairs.
12. After exchanging words, the group—which included Robert Silva (50), Eugene Vasquez (21), and Silva (24)—as well as at least 2 other male individuals and 1 female individual, followed Butler outside of Silva’s unit.
13. Butler was then physically assaulted by Robert Silva, Eugene Vasquez, an unnamed male individual (estimated to be in his 30s or 40s), and Silva.
14. During this altercation, Butler was cornered by the group against an outside wall and beaten.
15. Butler called the Cranston Police Department, who responded to this incident the same day.
16. After reviewing video footage of the incident, Robert Silva, Eugene Vasquez, Silva, and Butler were arrested for disorderly conduct by the Cranston Police Department.
17. These 4 individuals were booked at the Cranston Police Department, and mugshots were taken of them, including Butler.

18. The charges against Butler were dropped the next day, and no further criminal action has been taken against Butler in relation to this incident.
19. This story was reported by local news outlets.
20. Upon information and belief and at all relevant times, Silva and Potter are/were the administrators of the TikTok account, “Elmwood Tenant Union RI,” and/or a TikTok account recognized by its handle “@elmwoodtenantunionri” and/or currently “@elmwood_ri” (the “Account”).
21. Upon information and belief and at all relevant times, Silva and Potter are/were also the administrators of the Instagram account, “elmwoodtenantunionri,” recognized by its handle, “@elmwoodtenantunionri.”
22. On April 14, 2024, Silva and/or Potter, who upon information and belief, both have joint access and control over the Account, published a social media post from the Account. *See **Exhibit A*** (the “Post”).
23. The Post presented and stated the following information to any third-party viewing the Post:
 - a. A photograph of a TV screen displaying a Channel 10 news program containing the mugshot of Butler from the April 10, 2024 incident;
 - b. The caption, “Jeffrey butler slumlord,” with a sub-caption of “[t]he public reviews speak for themselves on this one” and a “saluting” emoji;
 - c. The hashtags, “#jeffneverhadjobsecurity,” “#elmwoodrealty,” “#elmwoodtenantunion,” “#jeffreymbutler,” “#slumlord,” “#landlord,” “#klarissabutler,” “#foryou,” “#foryoupage,” “#drama,” “#fyp,” “xyzabc,” “#viral,” “#springstreetrealty,” “#union,” “#messytiktok,” and “#lawyer;” and

d. Finally, an isolated song lyric from an unknown song, stating **“You’re fucking delusional, so try your best to remember. You’re not a pig, you’re a borderline sex offender.”**

24. Butler is not a sex offender, nor has he ever been charged or convicted of any such offense.
25. By selecting, cropping, and publishing this isolated song lyric from an unknown song, and then utilizing and publishing this lyric in connection with a mugshot of Butler, this Post made by Silva and Potter implied that Butler had been arrested for a sex offense, or that he was otherwise a sex offender (the “Defamatory Statement”).
26. The use of general hashtags in the Post such as “drama,” “#fyp,” “xyzabc,” “#viral,” and “#messytiktok” also shows an intent by Potter and Silva to widely distribute this Defamatory Statement. These hashtags make the Post searchable and increase visibility.
27. The Defamatory Statement was made with actual malice, as Silva and Potter knew the Defamatory Statement was false and acted with reckless disregard for its truth or falsity.
28. Potter and Silva made this Defamatory Statement through the Post on the Account for the “Elmwood Realty Tenants Union,” which was organized with the assistance, aid, and sponsorship of Reclaim, Crandall, and Cruz.
29. Upon information and belief, Potter and Silva acted in concert together and with Reclaim, Crandall, and Cruz in making the Defamatory Statement in the Post from the Account.
30. Upon information and belief, Reclaim, Crandall, and Cruz are aware of the Post, and Reclaim, Crandall, and Cruz have either given their affirmative approval of the Post or their tacit approval of the Post by continuing to associate with, sponsor, and/or endorse Potter, Silva, and/or the “Elmwood Realty Tenant Union.”

31. As a direct and proximate result of the Defendants' actions, Butler has suffered harm to his reputation, emotional distress, and other damages, including those relating to businesses he owns and business partnerships and relations with third parties.
32. Irrespective of any damages, the Defamatory Statement is also actionable *per se* for implying Butler was guilty of a criminal offense or responsible for serious sexual misconduct.
33. Butler has requested the Defendants to remove the Post through counsel, but to the best of Butler's knowledge, said request was ignored and not acted upon.

Count I

Defamation

34. Plaintiff restates and reavers each of the allegations set forth in Paragraphs 1 through 33 of this Complaint, as if each were independently stated herein.
35. Defendants published a false and defamatory statement about Plaintiff, as detailed above through the Post containing the Defamatory Statement.
36. The Defamatory Statement was false and malicious, imputing conduct which injuriously affects Butler's reputation, or which tends to degrade him in society or bring him into public hatred and contempt.
37. The Defamatory Statement represented an unprivileged publication to a third party or third parties.
38. The Defamatory Statement is not subject to any First Amendment or constitutional protections.

39. The Defamatory Statement is not subject to any immunities or defenses provided by Rhode Island Anti-SLAPP law, it does not involve the Defendants' right of petition or free speech in connection with a matter of public concern, and
40. The Defamatory Statement was made with actual malice, intending to harm Plaintiff's reputation.
41. The Defendants are at fault for the Defamatory Statement at least to negligence on the part of the Defendants.
42. The publication of the Defamatory Statement has caused Plaintiff to suffer reputational harm, emotional distress, and other damages.
43. The Defamatory Statement is also actionable *per se* for implying Butler was guilty of a criminal offense or responsible for serious sexual misconduct.

WHEREFORE, Plaintiff requests this Court to enter judgment in his favor on Count I and award Plaintiff compensatory damages, punitive damages, costs, and attorney's fees, and any and all other relief that it deems just and appropriate, including injunctive relief requiring the Defendants to remove the Post.

Count II

Invasion of Privacy (False Light) – R.I. Gen. Laws §§ 9-1-28.1(a)(4) and 9-1-28.1(b)

44. Plaintiff restates and reavers each of the allegations set forth in Paragraphs 1 through 43 of this Complaint, as if each were independently stated herein.
45. The Defamatory Statement published by the Defendants contained fictitious facts which imply an association between Plaintiff and individuals who are sex offenders which does not exist.

46. This association which has been published or implied is objectionable to the ordinary reasonable man under the circumstances.

47. This portrayal of Plaintiff in a false light by the Defendants is actionable by Plaintiff under R.I. Gen. Laws §§ 9-1-28.1(a)(4) and 9-1-28.1(b).

WHEREFORE, Plaintiff requests this Court to enter judgment in his favor on Count II and award Plaintiff compensatory damages, punitive damages, costs, and attorney's fees (under R.I. Gen. Laws § 9-1-28.1(b)), and any and all other relief that it deems just and appropriate, including injunctive relief requiring the Defendants to remove the Post.

Count III

Intentional Infliction of Emotional Distress

48. Plaintiff restates and reavers each of the allegations set forth in Paragraphs 1 through 47 of this Complaint, as if each were independently stated herein.

49. As set forth above, the Defendants' conduct was intentional or in reckless disregard of the probability of causing emotional distress to Plaintiff.

50. The Defendants' conduct was extreme and outrageous.

51. The Defendants' unlawful conduct has been the direct and proximate cause of emotional distress to Plaintiff.

52. Plaintiff's emotional distress has been severe.

53. The Defendants are liable for intentional infliction of emotional distress.

WHEREFORE, Plaintiff requests this Court to enter judgment in his favor on Count III and award Plaintiff compensatory damages, punitive damages, costs, and attorney's fees, and any and all other relief that it deems just and appropriate, including injunctive relief requiring the Defendants to remove the Post.

Count IV

Negligent Infliction of Emotional Distress – Silva

54. Plaintiff restates and reavers each of the allegations set forth in Paragraphs 1 through 53 of this Complaint, as if each were independently stated herein.
55. Plaintiff was in a zone of physical danger when Silva participated in his assault on April 10, 2024, which included Silva throwing a flailing punch at Plaintiff.
56. By then making the Defamatory Post on April 14, 2024, Silva negligently caused emotional distress to Plaintiff (in the unlikely event that Silva's actions are deemed unintentional).

WHEREFORE, Plaintiff requests this Court to enter judgment in his favor on Count IV and award Plaintiff compensatory damages, punitive damages, costs, and attorney's fees, and any and all other relief that it deems just and appropriate, including injunctive relief requiring the Defendants to remove the Post.

Count V

Tortious Interference with Current and Prospective Business Relations

57. Plaintiff restates and reavers each of the allegations set forth in Paragraphs 1 through 56 of this Complaint, as if each were independently stated herein.
58. Being former tenants of the Plaintiff or otherwise aware of the fact that Plaintiff is in the business of owning and managing rental properties, the Defendants knew that the Plaintiff has current and future business relationships with third parties.
59. The Defendants' intentionally interfered with the Plaintiff's business relations through their aforementioned conduct.

60. Multiple business partners have ceased or negatively altered their business and contractual relations with Plaintiff due to negative publicity generated about Plaintiff and caused, at least in part, by the Defendants.

61. This interference by the Defendants was improper, unlawful, malicious, and used improper procedures.

WHEREFORE, Plaintiff requests this Court to enter judgment in his favor on Count V and award Plaintiff compensatory damages, punitive damages, costs, and attorney's fees, and any and all other relief that it deems just and appropriate, including injunctive relief requiring the Defendants to remove the Post.

Count VI

Civil Conspiracy

62. Plaintiff restates and reavers each of the allegations set forth in Paragraphs 1 through 61 of this Complaint, as if each were independently stated herein.

63. As set forth above, the Defendants and others collectively formed an unlawful enterprise and conspired through an orchestrated effort to damages the Plaintiff's reputation and cause the Plaintiff harm and damages.

64. Each of the Defendants is jointly and severally liable because of their role in the civil conspiracy.

WHEREFORE, Plaintiff requests this Court to enter judgment in his favor on Count VI and award Plaintiff compensatory damages, punitive damages, costs, and attorney's fees, and any and all other relief that it deems just and appropriate, including injunctive relief requiring the Defendants to remove the Post.

[SIGNATURE BLOCK TO FOLLOW]

Respectfully submitted,

JEFFREY BUTLER,

By and through his attorneys,

/s/ Michael A. Kelly

Michael A. Kelly, Esq. (#2116)

Gregory S. Estabrooks, Esq. (#10713)

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Dated: August 25, 2025

EXHIBIT A

<https://www.dropbox.com/scl/fo/5grvlwsbdkq8zua0d32o2/APEr5CY3Yi40evpFpT1eibE?rlkey=wyuw6t8a724hhbtm55r21e4uq&st=rlrays5m&dl=0>