

**CAUSE NO. 141-307474-19**

VICTOR MIGNOGNA,  
Plaintiff,

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IN THE DISTRICT COURT

v.

141<sup>st</sup> JUDICIAL DISTRICT

FUNIMATION PRODUCTIONS, LLC,  
JAMIE MARCHI, MONICA RIAL,  
AND RONALD TOYE,  
Defendants

TARRANT COUNTY, TEXAS

**AFFIDAVIT OF CHUCK HUBER**

STATE OF TEXAS  
COUNTY OF TARRANT

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On this day, CHUCK HUBER, personally known to me to be the affiant herein,  
appeared before me and, after being sworn according to law, on his oath, deposed and said  
as follows:

1. My name is CHUCK HUBER, and I reside at 7005 Overhill Road, Fort Worth, Tarrant County, Texas. I am over the age of eighteen years and competent to make this affidavit. I have personal knowledge of the facts stated in this Affidavit, and these facts are true and correct.
2. The facts in this affidavit should not be construed to condone Vic Mignogna’s behavior especially as it relates to his infidelity toward Michelle Specht which was personally heartbreaking and horrible.
3. I have been an Anime Voice Actor or VA since 1998 and have performed over 200 roles.
4. I have attended over 150 anime conventions.
5. I have been a voice actor for Funimation since 1998 and am intimately familiar with the work environment at Funimation.
6. I am friends with several employees of Funimation and have had direct communication with former CEO Gen Fukanaga, Karen Mika, Justin Cook and Colleen Clinkenbeard through my years of employment at Funimation.
7. I have been a voice actor for Okratron5000, a company owned by Chris

Sabat, since 2004 and have been an employee of Deep Space Mustache, a film company founded by Chris Sabat, during 2012-2013.

8. I have been friends with Plaintiff, Victor Mignogna (“Vic”), for at least 10 years.
9. I have been friends with the Defendants’, Jamie Marchi and Monica Rial for at least 10 years.
10. I know Ron Toye from his relationship with Monica Rial.
11. The first time I heard Vic’s name was in a conversation in 2003 or 2004 with Chris Sabat. This occurred while I was recording for a Funimation property at Okratron5000.
12. In that conversation, Chris Sabat verbally disparaged Vic’s Christian faith and speculated that Vic was “actually gay” based on the way he dressed.
13. In that conversation, Chris Sabat stated that Vic was a pedophile who liked “little girls”. Despite these statements, he did not express concerns about risks to fans, which I thought was odd.
14. During this conversation, there was no specific mention of Vic committing sexual harassment, sexual assault, inappropriate behavior with teenage fans or that Vic posed a risk to fans at conventions.
15. In approximately 2007, Vic began the practice of autographing artwork depicting anime characters for money at anime conventions.
16. Other voice actors (Jamie Marchi, Monica Rial and Chris Sabat) and other Funimation employees initially described that practice as “stealing from fans,” “using fans,” or “being an asshole.” We all later adopted the same practices and currently follow those practices at conventions.
17. This behavior by voice actors (including Jamie Marchi, Monica Rial and Chris Sabat) and other Funimation employees toward Vic’s successful business tactics demonstrates longstanding negative opinions about Vic.
18. In virtually all conversations I had with these voice actors when Vic was not present, disparaging remarks were made about Vic. Typical statements included “he’s a prima dona, he’s a douche, he’s a diva, his clothes are gay,” plus comments of his purported infidelity, dislike of his conservative Christian beliefs and personal attacks for his support of Donald Trump. All of these comments were made at one time or another by Monica Rial, Jamie Marchi, Chris Sabat, and others. All of them, however, conceded his ability to do his job.

21. In December 2013, at Yama-Con, I had lunch with Sean Schemmel and Sonny Strait.
22. Sean Schemmel tried to persuade me to participate in a derogatory video about Vic known as the "Vince Mangina VA pedophile video". The video was to portray Vic as a pedophile. I refused because Vic is my friend and he is not a pedophile.
23. Most of the time when I interacted with Sean Schemmel, he attacked Vic for pushing his Christian faith on fans at conventions and for Vic's purported sexual promiscuity.
24. In 2016, I was at Funimation and witnessed a producer at Funimation, warn other Funimation employees of Vic's arrival and address Vic negatively with directors at Funimation.
25. In approximately 2016-2017, a director employed at Funimation, told me that Vic would never get a directing job at Funimation because he was "such a douche." This conversation happened at Funimation. I advised Vic of this conversation. Vic later told me he addressed this issue with Justin Cook, a member of Funimation management.
29. In my opinion, the voice actors and Funimation employees described above were overly preoccupied with disparaging Vic.
30. Over the last decade, I was around Vic, the Defendants' and other Funimation employees hundreds of times. Until January 2019, none of them directly accused him of sexual assault or sexual harassment in my presence.
31. Until January 2019 negative discussions about Vic Mignogna in my presence were accompanied by laughter and derision but never included concern for any alleged victims or named specific victims. Vic has always been a joke to a certain clique of influential Funimation employees for decades but never a threat.
32. Vic indicated to me that in 20 years of working at Funimation he had never been warned of any complaints about his behavior.
33. Vic told me he had a meeting with a producer at Funimation, in approximately 2018 specifically to discuss any issues with his behavior. He stated that there was no mention in this meeting of his having committed sexual harassment, sexual assault or his having behaved in an inappropriate manner at Funimation or at any conventions. He stated that

she told him that he was “difficult to work with” because he sometimes asked directors to do additional takes when the director was satisfied with his initial take.

34. Senior Funimation directors have described the work environment at Funimation to me as a “Den of Poison,” “Kafka Nightmare,” and “Orwellian Slave Factory.”
35. My experience working at Funimation was unpleasant. It is well known that if one falls out of favor with certain people (including Chris Sabat) or if one tries to do anything to change the working conditions, that person will not be rehired as a voice actor. I felt threatened with not being used as a voice actor in subsequent projects if I complained about the work environment.
36. Funimation posted no employment policies regarding sexual harassment in the workplace or at conventions.
37. Funimation did not provide an employee handbook to me, Vic, Jamie Marchi and Monica Rial.
38. In the twenty (20) years I worked at Funimation, it was very common for employees, voice actors, writers, producers, directors to hug and kiss each other at the Funimation offices. Raunchy and sexual comedy was extremely common. Sexual relationships between Funimation employees and voice actors was common. No one was ever disciplined or terminated for this conduct.
39. When Sony acquired a majority interest in Funimation in late 2017, a “no hugs” policy was announced. Funimation employees and voice actors largely ignored this policy at first.
40. The voice actors (including Jamie Marchi and Monica Rial) and other Funimation employees talked and flirted freely at Funimation on a regular basis, though this did become less common after Sony instituted the “no hugs” policy.
41. When the Dragonball Kai was being recorded in 2007, I heard rumors that actresses had been recast at Funimation for refusing sexual advances by Funimation employees. I consider these rumors credible based on my experience working at Funimation and from direct messages received from a former DBZ cast member.
42. I also heard that actresses who participated in sex with Funimation/Okatron5000 employees were cast in roles. I consider these rumors credible based on my experience working at Funimation

43. When the trailer for the Dragonball Z: Super Broly movie was released, Vic did not voice the character of Broly, even though Vic was the only English actor who had ever voiced Broly up to that point.
44. During this timeframe, I sent a text message to Chris Sabat who responded that “if this has anything to do with Vic, I will not talk about it.”
45. Chris Sabat is the owner of Okratron5000 and is a voice actor at Funimation.
46. Chris Sabat did most of the casting and recording for the Dragonball Z properties including for the movie Dragonball Z: Super Broly.
47. Chris Sabat engaged in negotiations, either directly or through Funimation for various projects with TOEI, owner of the Dragonball Z properties.
48. The voice actors employed by Funimation generally consider Chris Sabat to be a de facto manager at Funimation and they believe his approval and support is vitally beneficial to succeeding at Funimation and the conventions and the converse regarding his disapproval.
49. Chris Sabat has more influence at Funimation and other studios, including Roosterteeth and Toei, than Vic has ever had in the Anime industry.
50. I heard Chris Sabat and Sean Schemmel call Vic a pedophile numerous times before the allegations against Vic in January/February 2019 arose.
51. I have observed Chris Sabat on multiple occasions talk in a derogatory manner about members of Funimation management and other people he calls “friends.”
52. I was aware of no rumors or accusations that Vic committed rape, sexual assault or sexual harassment until the accusations arose in January-February 2019 on the internet.
57. I was aware of no rumors or statements that identified any purported victims of sexual assault or sexual harassment by Vic until January-February 2019 on the internet.
58. Jamie Marchi and I have been close friends and writing partners since 2009. She never mentioned the hair-pulling incident at Funimation that she alleges occurred between Vic and her.

60. I believe Jamie Marchi would have mentioned the hair-pulling incident, if it had bothered her, since she is typically very outspoken. In addition, while Jamie Marchi, Monica Rial and other Funimation employees often expressed animosity towards Vic, they never claimed he had sexually harassed or sexually assaulted anyone. Their animosity was primarily due to his personality, his sexual promiscuity, his Christian faith and claims that he was difficult to work with.
61. In 2009, Jamie Marchi and I worked with Chris Sabat on CONdotcom.com, which was a website where voice actors could provide content for fans. Vic was a digital guest on that website and our primary marketing force because of his prolific convention schedule. In dozens of specific conversations about Vic there was never any concern about pedophilia or other criminal sexual behavior.
62. I have never seen Vic behave inappropriately with any fans of any age.
63. Although voice actors and other Funimation employees called Vic a pedophile and accused him of liking underage girls for years, they never said these things to Vic and never expressed any concerns about working with Vic or doing panels at conventions with Vic until 2019. Nor did they express concern for the convention fans until 2019.
64. The sexual assault and sexual harassment allegations by the Defendants and Funimation employees have seriously damaged Vic's career by inducing numerous conventions to cancel his appearances, by inducing producers and directors to not consider him or terminate him from projects.
65. Jamie Marchi, Monica Rial, myself and almost all other voice actors have kissed and hugged hundreds of fans at conventions, no matter their age.
66. I approached Jamie Marchi and Monica Rial to attempt a settlement between Vic and the Defendants' in early March 2019. Vic was not aware of my efforts.
67. I was initially supportive of what Jamie and Monica were doing because my understanding was that they were, with inflated versions of their stories, attempting to help the alleged underage victims of rape and sexual assault by Vic, which they along with Michelle Specht directly told me existed, who would otherwise be too afraid to speak out. I never considered Jamie and Monica to be victims of attempted rape or sexual assault by Vic.
68. I drafted a proposed statement by Vic that included the phrase "I am a sex

addict” because my conversations with Jamie Marchi and Monica Rial convinced me that Vic would have to admit some form of “guilt” for them to settle. Vic never saw or approved that phrase.

69. I am not educated about sex addiction nor am I an expert about sex addiction.
70. I talked with Vic about sex addiction and advised him to speak with his counselor about it. I now believe his sexual activity and infidelities are more closely associated to the common narcissism and ego from men in his position. I believe Vic is sincere in his efforts with his counselor to correct the abject moral failings associated with his sexual behavior.
71. My settlement efforts were an attempt to help my friend Vic who was suffering tremendously, to protect Jamie and Monica from the difficulty of a lawsuit and to heal the Anime community, which has been seriously divided by the allegations against Vic.
72. During my settlement efforts. Todd Haberkorn told me that that Chris Sabat, Ron Toye and Sean Schemmel told him that he was in danger of never working at Funimation again because Haberkorn retained the same law firm as Vic. (see attached email)
73. I also feared that my twenty (20) year voice acting career at Funimation and personal reputation would be damaged by retaliation for my association with Vic.
74. I contacted Gen Fukanaga, the then CEO of Funimation to discuss my concerns with Chris Sabat’s gaslighting of Sean Schemmel, damaging use of his authority toward actors and his attempts to destroy my career, in early March 2019 who met with me and advised that Vic would lose and have to pay via something he had learned about called an Anti-SLAPP motion. He also, in response to my specific concerns about Chris Sabat, said that he had been friends with Chris Sabat for 17 years and he did not believe me. This meeting occurred on March 5, 2019 at 2:30 p.m. in Gen’s office approximately a month to a month and a half prior to Vic filing the current pending lawsuit.
75. I and my wife fear direct, planned and specific retaliation from Chris Sabat and those loyal to him in response to this affidavit that will be damaging to my reputation and career.
76. I have known Vic for many years, and I do not believe he has ever sexually approached anyone past the point of them telling him no.
77. I believe Vic utilized his position of privilege in shameful ways in attempts

to obtain sex.

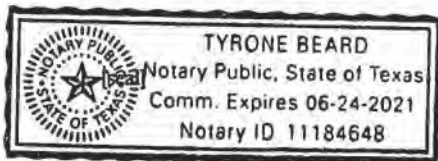
78. In my experiences with Vic, if someone acted like they did not want to be hugged or kissed, he stopped immediately.
79. Funimation employees, including Jamie Marchi, Monica Rial and Michelle Specht have advised me more than once since February 2019 that criminal charges are coming against Vic. In response I encouraged them to help these alleged underage victims of rape and sexual assault to come forward. When asked to provide specifics to these allegations they couldn't or refused to do so.
80. When I was told about the contents of the "confidential" investigation undertaken by Tammie Denbow on behalf of Funimation, my opinion was that Funimation, Jamie Marchi and Monica Rial acted together and with encouragement from Chris Sabat and Sean Schemmel, to destroy Vic's career and life.
81. I believe that the purported incidents investigated by Tammi Denbow occurred off Funimation property and not at Funimation events. The one incident that purportedly occurred on Funimation property occurred prior to Sony's acquisition of Funimation, thus the "no hugs" policy from Sony was not in effect (i.e. there were no signs about the policy hung around the Funimation office).
81. I do not believe that Vic kissed Sarah Bachmeyer without her consent. I have never heard rumors of Vic behaving sexually inappropriate at Funimation.
82. Funimation has supported the accusations made by Defendants' that Vic is a sexual predator, pedophile and rapist by supporting the accusations directly with their own public statements (I, as a member of the public, viewed the Tweets made on February 11, 2019 by Funimation as supporting the accusations against Vic and asserting Vic was fired for sexual harassment and threats).
83. It appears to me that Ron Toye, Monica Rial and Jamie Marchi have been speaking with Funimation's tacit or overt consent in tweets that have been made by them since January 2019.

  
Affiant

Printed name: Chuck Huber



SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned Notary Public in and for the State of Texas, on this 30 day of AUGUST, 2019, by CHUCK HUBER, the affiant named above, to which witness and certify my signature and official seal.



  
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NOTARY PUBLIC  
STATE OF TEXAS