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KENTON CIRCUIT/DISTRICT COURT
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BY AM D.C.

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KENTON COUNTY CIRCUIT COURT

JOHN DOES 1 THROUGH 8,
Plaintiffs,

vs.

DEBORAH HAALAND
400 GOLD AVENUE SW, SUITE 680
ALBUQUERQUE, NM 87102

ANA VIOLETA NAVARRO FLORES
2907 COLUMBUS BLVD.
CORAL GABLES, FL 33134

ELIZABETH WARREN
1550 MAIN STREET, SUITE 406
SPRINGFIELD, MA 01103

MAGGIE HABERMAN
817 W. END AVENUE, APT. 4E
NEW YORK, NY 10025-5318

KATHY GRIFFIN
11782 SOUTHAMPTON COURT
LOS ANGELES, CA 90077-1360

MATTHEW JOHN DOWD
307 W. MONROE STREET
AUSTIN, TX 78704-3023

REZA ASLAN
1954 PINEHURST ROAD
LOS ANGELES, CA 90068-3730

Case No.: 19-C1-1351

PLAINTIFFS' COMPLAINT
WITH JURY DEMAND

PLAINTIFFS' COMPLAINT WITH JURY DEMAND - 1

1 KEVIN M. KRUSE'
2 121 BERTRAND DRIVE
3 PRINCETON, NJ 08540

4 JEFFREY SHAUN KING'
5 214 DUFFIELD STREET
6 BROOKLYN, NY 11201-5339

7 ADAM EDELEN'
8 EDELEN STRATEGIC VENTURES
9 300 EAST MAIN STREET, STE. 210
10 LEXINGTON, KY 40507

11 CLARA JEFFERY'
12 3809 20TH STREET, APT. 305
13 SAN FRANCISCO, CA 94114-3058

14 AND

15 JODI JACOBSON'
16 7315 WISCONSIN AVE., STE. 400W
17 BETHESDA, MD 20814

18 Defendants

19 **INTRODUCTION**

20 A field trip to our nation's capital for a group of minors from Covington, Kentucky turned into a social media
21 nightmare that changed their futures forever. Several of our Senators, most-famous celebrities, and widely read
22 journalists, collectively used their large social media platforms, perceived higher credibility and public followings to
23 lie and libel minors they never met, based on an event they never witnessed. These defendants called for the kids to
24 be named and shamed, doxxed and expelled, and invited public retaliation against these minors from a small town in
25 Kentucky. The defendants circulated false statements about them to millions of people around the world. The video
26 of the entire event, known to the defendants, exposed all of their factual claims against the kids as lies. The
27 defendants were each individually offered the opportunity to correct, delete, and/or apologize for their false
28 statements, but each refused, continuing to circulate the false statements about these children to this very day on
their social media platforms they personally control. This suit follows.

NOW COMES John Doe 1 through 8, identified by photograph and video as the "Covington Boys" to those who
know them, and known individually by their friends and acquaintances as the subject of the defamatory statements

1 complained of herein within this Complaint, bring this suit, by and through their parent and legal guardian, against
2 U.S. Senator Elizabeth Warren, U.S. Congresswoman Deb Haaland, New York Times lead political reporter Maggie
3 Haberman, media figure and celebrity Kathy Griffin, ABC analyst Matthew Dowd, former CNN analyst Reza Aslan,
4 Adam Edelen, Professor Kevin M. Kruse, media analyst Shaun King, Mother Jones editor Clara Jeffery and media
5 reporter Jodi Jacobson. The plaintiffs repeatedly offered each defendant publicly the opportunity to retract, correct,
6 or delete their offending and defamatory statements, but each refused, continuing to share their defamatory
7 comments with the public to this very day. No individual plaintiff seeks damages from any defendant in excess of
8 the cost of a four-year tuition at the University of Kentucky. Plaintiffs file this Complaint for neither fame nor
9 fortune; they bring this suit to protect future families from experiencing the nightmare the defendants caused these
10 kids to experience.

11 **PARTIES**

- 12 1. **JOHN DOE 1-8**, are all minors, who bring this action through their parents, who at all times pertinent,
13 reside in Kenton County, Kentucky, in and around the area of Covington, Kentucky.
- 14 2. **JOHN DOE 1-8** are students who, at all times pertinent, attend Covington Catholic High School in Park
15 Hills, Kentucky.
- 16 3. **DEB HAALAND**, at all times pertinent, is a natural person of the age of majority, residing in New
17 Mexico.
- 18 4. **ANNA NAVARRO**, at all times pertinent, is a natural person of the age of majority, residing in Florida.
- 19 5. **ELIZABETH WARREN**, at all times pertinent, is a natural person of the age of majority, residing in
20 Massachusetts.
- 21 6. **MAGGIE HABERMAN**, at all times pertinent, is a natural person of the age of majority, residing in
22 Virginia.
- 23 7. **KATHY GRIFFIN**, at all times pertinent, is a natural person of the age of majority, residing in California.
- 24 8. **MATTHEW DOWD**, at all times pertinent, is a natural person of the age of majority, residing in
25 Michigan.
- 26 9. **REZA ASLAN**, at all times pertinent, is a natural person of the age of majority, residing in California.
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10. **KEVIN M. KRUSE**, at all times pertinent, is a natural person of the age of majority, residing in New Jersey.
 11. **SHAUN KING**, at all times pertinent, is a natural person of the age of majority, residing in New York.
 12. **ADAM EDELEN**, at all times pertinent, is a natural person of the age of majority, residing in Kentucky.
 13. **CLARA JEFFERY**, at all times pertinent, is a natural person of the age of majority, residing in California.
 14. **JODI JACOBSON**, at all times pertinent, is a natural person of the age of majority, residing in Maryland.

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FACTS

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15. On Friday January 18, 2019, each of the John Does was part of a group of Covington Catholic High School students who traveled by bus from Park Hills, Kentucky to Washington D.C. to attend the March for Life. None was a public figure or publicly known to much of the world prior to this trip.
 16. The Covington Boys arrived at the Lincoln Memorial and encountered the Black Hebrew Israelites. Members of the Black Hebrew Israelites made offensive statements to the Covington Boys, including calling them “incest babies,” “dirty-ass crackers,” and “future school shooters.” Some of the Covington Boys asked the chaperones if they could do their school cheers to drown out the Black Hebrew Israelites.
 17. After the interaction with the Black Hebrew Israelites, Native American activist Nathan Phillips approached the Covington Boys. Phillips approached the Covington Boys from a distance and walked past clear pathways to the steps to the Lincoln Memorial. The Covington Boys did not move toward Phillips or otherwise actively approach or surround Phillips, block Phillips, taunt Phillips, or ever chant “build the wall” at Phillips. The Covington Boys did not interrupt or interfere with any Indigenous People’s March.
 18. Phillips beat on a drum and joined the students as they engaged in school cheers, including the sports cheer made famous by the New Zealand rugby team known as the Haka dance that celebrates the tribal traditions of the Maori tribe. Several of the students joined with Phillips, and some did so by mirroring the sports chant of the Florida State Seminole and the Atlanta Braves, with their famous tomahawk chop. No one voiced any objection to this at the time. Soon after, the students left the Lincoln Memorial without incident or any apparent controversy beyond being harassed by the notorious Black Hebrew Israelites. What the

1 Covington Boys did not know is what was happening to them on social media.
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3 19. As they arrived home, the Covington Boys uncovered a social media lynch mob had formed, advanced by
4 prominent politicians, journalists with big-pedigree publications, and social celebrities with large social
5 media platforms and public followings. The defendants used the perception of their enhanced credibility to
6 make statements about the Covington Boys without disclosing all the relevant facts, omitting critical
7 exculpatory facts, and implying many false facts about them. The defendants called for public punishment
8 of the Covington Boys, including doxing them, naming and shaming them publicly, that they be “punched
9 in the face,” and their expulsion from school. The target of the lynch mob was the Covington Boys, their
10 reputation and their future. Each of the statements complained of herein was known by the friends, family
11 and associates of each John Doe to be about them individually. Indeed, they were individually identified as
12 the subject of the statements complained of herein that they received death threats, hate mail, threatening
13 phone calls, threatening emails, and other personal attacks on them each individually. They were known to
14 be the subject of the statements complained of herein as they were identified by photo image throughout the
15 world, and each of the statements was interpreted by their friends, family and associates as about them
16 personally.

17 20. An accurate video as to what occurred in the incident was available online on Jan. 19 and known to the
18 defendants, when Shar Yaqataz Banyamyan, one of the Hebrew Israelites who was present for the
19 encounter between Phillips and Nicholas, posted a 1 hour and 46-minute video on Facebook (the
20 “Banyamyan Video”). The video made clear the statements made against the Covington Boys were false.

21 21. At 8:31 a.m. on Jan. 19, Congresswoman **DEB HAALAND** made the following Tweet of and concerning
22 the Covington Boys: “This Veteran put his life on the line for our country. The Covington boys’ blatant
23 display of hate, disrespect, and intolerance is a signal of how common decency has decayed under this
24 administration. Heartbreaking.” See Exhibit A. Haaland omitted the true facts, and instead implied the
25 following facts were true in her statements and the links attached thereto with the gist of the false
26 statements made about the plaintiffs was that the kids interrupted an indigenous march, stopped and
27

1 blocked a Native American elder and Vietnam War veteran from continuous participation in that event,
2 surrounded him in a threatening manner, and taunted him, as a native American elder, with chants of “build
3 the wall” to mock an elderly native American in the middle of an indigenous march. Each of the statements
4 complained of herein was known by the friends, family and associates of each John Doe to be about them
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7 attacks on them each individually. They were known to be the subject of the statements complained of
8 herein as they were identified by photo image throughout the world, and each of the statements was
9 interpreted by their friends, family and associates as about them personally.
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11 22. At 10:58 a.m. on Jan. 19, CNN contributor **ANNA NAVARRO** tweeted of and concerning the Covington
12 Boys: “Must Watch: Native-American elder taunted by racist MAGA-hat wearing teens, speaks and cries
13 for America, the country he defended and sacrificed and wore the uniform for. It is people like Nathan
14 Phillips who make America great. Thank you for your dignity, sir.” See Exhibit B. Navarro omitted the true
15 fact, and instead implied the following facts were true in her statements and the links attached thereto with
16 the gist of the false statements made about the plaintiffs was that the kids interrupted an indigenous march,
17 stopped and blocked a Native American elder and Vietnam War veteran from continuous participation in
18 that event, surrounded him in a threatening manner, and taunted him, as a native American elder, with
19 chants of “build the wall” to mock an elderly native American in the middle of an indigenous march. Each
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23 emails, and other personal attacks on them each individually. They were known to be the subject of the
24 statements complained of herein as they were identified by photo image throughout the world, and each of
25 the statements was interpreted by their friends, family and associates as about them personally.

26 23. At 1:08 p.m. on Jan. 19, 2019, **SHAUN KING**, a writer-in-residence at Harvard Law School's Fair
27 Punishment Project, made the made the following Tweet of and concerning the Covington Boys: “I am so
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1 deeply grieved and angry by this as young kids in MAGA hats surrounded and mocked a beloved Native
2 American elder yesterday. When your power is centered in your whiteness, mocking others who are unlike
3 you makes you feel strong. But it's weak. And despicable." See Exhibit C. King omitted the true fact, and
4 instead implied the following facts were true in his statements and the links attached thereto with the gist of
5 the false statements made about the plaintiffs was that the kids interrupted an indigenous march, stopped
6 and blocked a Native American elder and Vietnam War veteran from continuous participation in that event,
7 surrounded him in a threatening manner, and taunted him, as a native American elder, with chants of "build
8 the wall" to mock an elderly native American in the middle of an indigenous march. Each of the statements
9 complained of herein was known by the friends, family and associates of each John Doe to be about them
10 individually. Indeed, they were individually identified as the subject of the statements complained of herein
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12 attacks on them each individually. They were known to be the subject of the statements complained of
13 herein as they were identified by photo image throughout the world, and each of the statements was
14 interpreted by their friends, family and associates as about them personally.

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16 24. At 1:14 p.m., **ADAM EDELEN**, a blue-checkmark-approved Twitter personality, retweeted an article with
17 false factual statements about the Covington Boys, and validated the false factual claims of the article by
18 referring to the kids as "outrageous and abhorrent behavior," that requires they "read a history book on how
19 America's indigenous people have been treated," and that they "need to do some serious soul-searching."
20 Edelen omitted the true facts, and instead implied the following facts were true in his statements and the
21 links attached thereto with the gist of the false statements made about the plaintiffs was that the kids
22 interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam War veteran
23 from continuous participation in that event, surrounded him in a threatening manner, and taunted him, as a
24 native American elder, with chants of "build the wall" to mock an elderly native American in the middle of
25 an indigenous march. Each of the statements complained of herein was known by the friends, family and
26 associates of each John Doe to be about them individually. Indeed, they were individually identified as the
27 subject of the statements complained of herein that they received death threats, hate mail, threatening phone
28

1 calls, threatening emails, and other personal attacks on them each individually. They were known to be the
2 subject of the statements complained of herein as they were identified by photo image throughout the
3 world, and each of the statements was interpreted by their friends, family and associates as about them
4 personally.

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6 25. At 2:45 p.m. on Jan. 19, New York Times reporter **MAGGIE HABERMANN** made the following Tweet
7 of and concerning the Covington Boys: “When adults stand by and say nothing...” in reference to a retweet
8 that Habermann posted by Andrew Ujifusa that said, “In another video from this now-infamous incident
9 involving a Native American Vietnam vet, a young person scoffs at the idea of stolen land...” See Exhibits
10 D & E. Habermann omitted the true fact, and instead implied the following facts were true in his statements
11 and the links attached thereto with the gist of the false statements made about the plaintiffs was that the
12 kids interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam War
13 veteran from continuous participation in that event, surrounded him in a threatening manner, and taunted
14 him, as a native American elder, with chants of “build the wall” to mock an elderly native American in the
15 middle of an indigenous march. Each of the statements complained of herein was known by the friends,
16 family and associates of each John Doe to be about them individually. Indeed, they were individually
17 identified as the subject of the statements complained of herein that they received death threats, hate mail,
18 threatening phone calls, threatening emails, and other personal attacks on them each individually. They
19 were known to be the subject of the statements complained of herein as they were identified by photo
20 image throughout the world, and each of the statements was interpreted by their friends, family and
21 associates as about them personally.

22 26. At 6:04 p.m., former CNN TV personality **REZA ASLAN** made the following Tweet of and concerning the
23 Covington Boys with a picture of fellow Covington student at the Lincoln Memorial: “Honest question.
24 Have you ever seen a more punchable face than this kid’s?” See Exhibit F. Aslan omitted the true fact, and
25 instead implied the following facts were true in his statements and the links attached thereto with the gist of
26 the false statements made about the plaintiffs was that the kids interrupted an indigenous march, stopped
27 and blocked a Native American elder and Vietnam War veteran from continuous participation in that event,
28

1 surrounded him in a threatening manner, and taunted him, as a native American elder, with chants of “build
2 the wall” to mock an elderly native American in the middle of an indigenous march. Each of the statements
3 complained of herein was known by the friends, family and associates of each John Doe to be about them
4 individually. Indeed, they were individually identified as the subject of the statements complained of herein
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6 attacks on them each individually. They were known to be the subject of the statements complained of
7 herein as they were identified by photo image throughout the world, and each of the statements was
8 interpreted by their friends, family and associates as about them personally.

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10 27. At 6:45 p.m. Congresswoman **DEB HAALAND** made the following Tweet of and concerning the
11 Covington Boys: “A Native American War veteran was seen being harassed and mocked by a group of
12 MAGA hat-wearing teens.” See Exhibit G. Haaland omitted the true fact, and instead implied the following
13 facts were true in her statements and the links attached thereto with the gist of the false statements made
14 about the plaintiffs was that the kids interrupted an indigenous march, stopped and blocked a Native
15 American elder and Vietnam War veteran from continuous participation in that event, surrounded him in a
16 threatening manner, and taunted him, as a native American elder, with chants of “build the wall” to mock
17 an elderly native American in the middle of an indigenous march. Each of the statements complained of
18 herein was known by the friends, family and associates of each John Doe to be about them individually.
19 Indeed, they were individually identified as the subject of the statements complained of herein that they
20 received death threats, hate mail, threatening phone calls, threatening emails, and other personal attacks on
21 them each individually. They were known to be the subject of the statements complained of herein as they
22 were identified by photo image throughout the world, and each of the statements was interpreted by their
23 friends, family and associates as about them personally.

24 28. At 7:08 p.m. on Jan. 19, 2019, New York Times reporter **MAGGIE HABERMAN (@maggieNYT)**
25 tweeted: “There are dozens of students laughing and egging on the behavior. Will be interesting to see if
26 anyone is actually expelled, as officials suggest is possible.” See Exhibit H. Haberman omitted the true
27 fact, and instead implied the following facts were true in her statements and the links attached thereto with
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1 the gist of the false statements made about the plaintiffs was that the kids interrupted an indigenous march,
2 stopped and blocked a Native American elder and Vietnam War veteran from continuous participation in
3 that event, surrounded him in a threatening manner, and taunted him, as a native American elder, with
4 chants of “build the wall” to mock an elderly native American in the middle of an indigenous march. Each
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8 emails, and other personal attacks on them each individually. They were known to be the subject of the
9 statements complained of herein as they were identified by photo image throughout the world, and each of
10 the statements was interpreted by their friends, family and associates as about them personally.
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12 29. At 7:15 p.m., on Jan. 19, U.S. Senator **ELIZABETH WARREN** made the following Tweet of and
13 concerning the Covington Boys: “Omaha elder and Vietnam War veteran Nathan Phillips endured hateful
14 taunts with dignity and strength, then urged us all to do better.” See Exhibit I. Warren omitted the true
15 facts, and instead implied the following facts were true in her statements and the links attached thereto with
16 the gist of the false statements made about the plaintiffs was that the kids interrupted an indigenous march,
17 stopped and blocked a Native American elder and Vietnam War veteran from continuous participation in
18 that event, surrounded him in a threatening manner, and taunted him, as a native American elder, with
19 chants of “build the wall” to mock an elderly native American in the middle of an indigenous march. Each
20 of the statements complained of herein was known by the friends, family and associates of each John Doe
21 to be about them individually. Indeed, they were individually identified as the subject of the statements
22 complained of herein that they received death threats, hate mail, threatening phone calls, threatening
23 emails, and other personal attacks on them each individually. They were known to be the subject of the
24 statements complained of herein as they were identified by photo image throughout the world, and each of
25 the statements was interpreted by their friends, family and associates as about them personally.

26 30. At 2:05 a.m. on Jan. 20 comedienne **KATHY GRIFFIN** called for the doxing of the Covington Boys,
27 which several people then acted upon, linking the Covington Boys to their photos and names, and widely
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circulated on social media: “Ps. The reply from the school was pathetic and impotent. Name these kids. I want NAMES. Shame them. If you think these fuckers wouldn’t dox you in a heartbeat, think again.” See Exhibit J. GRIFFIN then requested, five minutes later: “Names please. And stories from people who can identify them and vouch for their identity. Thank you.” See Exhibit K. Griffin omitted the true facts, and instead implied the following facts were true in her statements and the links attached thereto with the gist of the false statements made about the plaintiffs was that the kids interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam War veteran from continuous participation in that event, surrounded him in a threatening manner, and taunted him, as a native American elder, with chants of “build the wall” to mock an elderly native American in the middle of an indigenous march. Each of the statements complained of herein was known by the friends, family and associates of each John Doe to be about them individually. Indeed, they were individually identified as the subject of the statements complained of herein that they received death threats, hate mail, threatening phone calls, threatening emails, and other personal attacks on them each individually. They were known to be the subject of the statements complained of herein as they were identified by photo image throughout the world, and each of the statements was interpreted by their friends, family and associates as about them personally.

31. At 1:16 p.m. on Jan. 21, Chief Political Analyst for ABC News **MATTHEW DOWD** made the following Tweet of and concerning the Covington Boys: “Folks, let us not let these kids, their parents and their school off the hook. Regardless of what led up to this, this is awful.” See Exhibit M. Dowd omitted the true facts, and instead implied the following facts were true in her statements and the links attached thereto with the gist of the false statements made about the plaintiffs was that the kids interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam War veteran from continuous participation in that event, surrounded him in a threatening manner, and taunted him, as a native American elder, with chants of “build the wall” to mock an elderly native American in the middle of an indigenous march. Each of the statements complained of herein was known by the friends, family and associates of each John Doe to be about them individually. Indeed, they were individually identified as the subject of the statements complained of herein that they received death threats, hate mail, threatening phone calls, threatening

1 emails, and other personal attacks on them each individually. They were known to be the subject of the
2 statements complained of herein as they were identified by photo image throughout the world, and each of
3 the statements was interpreted by their friends, family and associates as about them personally.
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5 32. At 1:27 p.m. on Jan. 21, **CLARA JEFFERY** the Editor-in-Chief of Mother Jones magazine, made the
6 following Tweet of and concerning the Covington Boys: "The tapes that have emerged do show the BHI
7 [Black Hebrew Israelites] doing their usual end-times ranting. But they also show the Covington Catholic
8 kids: making cavemen gestures at BHI; tomahawk chanting at Natives; taunting random women; chants of
9 "build the wall" and "it's not rape if you enjoy it." See Exhibit N. Jeffery omitted the true facts, and instead
10 implied the following facts were true in her statements and the links attached thereto with the gist of the
11 false statements made about the plaintiffs was that the kids interrupted an indigenous march, stopped and
12 blocked a Native American elder and Vietnam War veteran from continuous participation in that event,
13 surrounded him in a threatening manner, and taunted him, as a native American elder, with chants of "build
14 the wall" to a Native American elder to taunt him, while also falsely accusing the teens of taunting women
15 with the chant "it's not rape if you enjoy it." Each of the statements complained of herein was known by
16 the friends, family and associates of each John Doe to be about them individually. Indeed, they were
17 individually identified as the subject of the statements complained of herein that they received death
18 threats, hate mail, threatening phone calls, threatening emails, and other personal attacks on them each
19 individually. They were known to be the subject of the statements complained of herein as they were
20 identified by photo image throughout the world, and each of the statements was interpreted by their friends,
21 family and associates as about them personally.

22 33. At 5:23 p.m. on Tuesday Jan. 22, 2019, **KEVIN M. KRUSE** Tweeted: "No, the accusation was that this
23 kid and his friends mocked an elderly Native American war veteran and, hey, they did. They also taunted
24 women and shouted "it's not rape if you enjoy it" but sure, they're the real victims. According to his PR
25 firm anyway." See Exhibit O. Kruse omitted the true facts, and instead implied the following facts were
26 true in his statements and the links attached thereto with the gist of the false statements made about the
27 plaintiffs was that the kids interrupted an indigenous march, stopped and blocked a Native American elder
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1 and Vietnam War veteran from continuous participation in that event, surrounded him in a threatening
2 manner, and taunted him, as a native American elder, with chants of “build the wall” to a Native American
3 elder to taunt him, while also falsely accusing the teens of taunting women with the chant “it’s not rape if
4 you enjoy it.” Each of the statements complained of herein was known by the friends, family and associates
5 of each John Doe to be about them individually. Indeed, they were individually identified as the subject of
6 the statements complained of herein that they received death threats, hate mail, threatening phone calls,
7 threatening emails, and other personal attacks on them each individually. They were known to be the
8 subject of the statements complained of herein as they were identified by photo image throughout the
9 world, and each of the statements was interpreted by their friends, family and associates as about them
10 personally.

11 34. On Jan. 22, 2019, **JODI JACOBSON**, the president and editor in chief of the website Rewire.News,
12 authored an article published on Rewire.News titled “White-Washing White Supremacy: Media Rushes to
13 Excuse Covington Catholic Students.” A true and correct copy of said communication is attached hereto as
14 Exhibit Q. **JACOBSON’S** article erroneously claimed Covington Boys wore blackface to caricature black
15 students, harassed young women at the Memorial (claiming they chanted “it’s not rape if you enjoy it”),
16 and ridiculed the native American elder for the purposes of harassment. Jacobson omitted the true facts,
17 and instead implied the following facts were true in her statements and the links attached thereto with the
18 gist of the false statements made about the plaintiffs was that the kids interrupted an indigenous march,
19 stopped and blocked a Native American elder and Vietnam War veteran from continuous participation in
20 that event, surrounded him in a threatening manner, and taunted him, as a native American elder, with
21 chants of “build the wall” to a Native American elder to taunt him, while also falsely accusing the teens of
22 taunting women with the chant “it’s not rape if you enjoy it.” Each of the statements complained of herein
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24 they were individually identified as the subject of the statements complained of herein that they received
25 death threats, hate mail, threatening phone calls, threatening emails, and other personal attacks on them
26 each individually. They were known to be the subject of the statements complained of herein as they were
27

1 identified by photo image throughout the world, and each of the statements was interpreted by their friends,
2 family and associates as about them personally.

3 35. Each of the complained of statements herein by each of the defendants concerning the Covington Boys
4 were known by friends and acquaintances of each of the John Doe plaintiffs to be in reference to and
5 concerning them individually. This is evident by the fact they were quickly subject to public ridicule, scorn,
6 and criticism personally and individually, as well as threatening phone calls, hate mail to their homes,
7 individual email addresses, and social media accounts, and personally threatened with everything from
8 expulsion and denial of college admission to being put through a physical shredder and having their school
9 burned with them in it.

10 36. Each of the defendants made these statements knowing they both omitted true facts and implied false facts,
11 including the false factual claim the Covington Boys interrupted an indigenous people's march, stopped,
12 blocked and surrounded a native American elder war veteran for the purposes of taunting, harassing, and
13 mocking him with chants of build the wall, aggregating these lies into public denunciations, calls for public
14 doxing, and public demands of school expulsion, to induce public contempt upon the plaintiffs.

15
16 **JOHN DOE 1 THROUGH 8 ARE MINORS & PRIVATE FIGURES**

17 37. **DOES 1-8**, at all times pertinent to this action, were minors.

18 38. **DOES 1-8** had no notoriety of any kind to their community at large at any time prior to this event.

19 39. **DOES 1-8** did not make public appearances for political reasons at any time prior to this event.

20 40. **DOES 1-8** have not inserted themselves into the forefront of any public issue at any time prior to this
21 event.

22 41. Each of the statements made herein were identified by the friends, family, associates, and others as of and
23 concerning each of the John Does individually. They were doxed and publicly identified by name after the
24 request for that to occur by defendants above, identified by photo in video and photo images shared around
25 the world, and the context of the statements made them individually identified as the ones being spoken
26 about. They were publicly attacked, personally threatened, and subject to individual investigation based on
27 them being individually identified as the subject of the above offending statements of fact from the
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1 defendants with large social media platforms and an audience who took the defendants' at their word due to
2 the defendants status as elected officials and prominent members of the press.

3 **FIRST CAUSE OF ACTION: DEFAMATION PER SE**

4 **DOES 1-8 against DEB HAALAND**

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6 42. **DOES 1-8** reassert and incorporate by reference paragraphs the other paragraphs of this Complaint as if
7 fully restated herein.
- 8 43. **HAALAND**, known on Twitter as @Deb4CongressNM, published to approximately 68,000 third parties,
9 without privilege “[a] Native American War veteran was seen being harassed and mocked by a group of
10 MAGA hat-wearing teens.” A true and correct copy of said communication is attached hereto as Exhibit H.
11 Haaland omitted the true facts, and instead implied the following facts were true in her statements and the
12 links attached thereto with the gist of the false statements made about the plaintiffs was that the kids
13 interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam War veteran
14 from continuous participation in that event, surrounded him in a threatening manner, and taunted him, as a
15 native American elder, with chants of “build the wall” to mock an elderly native American in the middle of
16 an indigenous march. Each of the statements complained of herein was known by the friends, family and
17 associates of each John Doe to be about them individually. Indeed, they were individually identified as the
18 subject of the statements complained of herein that they received death threats, hate mail, threatening phone
19 calls, threatening emails, and other personal attacks on them each individually. They were known to be the
20 subject of the statements complained of herein as they were identified by photo image throughout the
21 world, and each of the statements was interpreted by their friends, family and associates as about them
22 personally.
- 23 44. **HAALAND**'s communication was false and defaming as none of **DOES 1-8** harassed or mocked anyone,
24 and particularly no Native American “War Veterans.” This comment is deliberately directed against **DOES**
25 **1-8**, all minors, and communicated to at least 68,000 third parties without privilege, knowing **DOES 1-8**
26 were from Covington, Kentucky, with the intent to negatively influence the opinion of **DOES 1-8** in their
27 school, their community, and the nation at large.

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45. **HAALAND**'s false and defamatory communication injured **DOES 1-8** as it disgraced and degraded the plaintiffs and held them up to public hatred, contempt, ridicule, and/or caused them to be shunned and avoided.

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SECOND CAUSE OF ACTION: DEFAMATION PER SE

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DOES 1-8 against ANNA NAVARRO

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46. **DOES 1-8** reassert and incorporate by reference paragraphs the other paragraphs of this Complaint as if fully restated herein.

47. **NAVARRO**, known on Twitter as @ananavarro, published to approximately 1.1 million third parties, without privilege, "Must Watch: Native-American elder taunted by racist MAGA-hat wearing teens, speaks and cries for America, the country he defended and sacrificed and wore the uniform for. It is people like Nathan Phillips who make America great. Thank you for your dignity, sir..". A true and correct copy of said communication is attached hereto as Exhibit B. Navarro omitted the true facts, and instead implied the following facts were true in her statements and the links attached thereto with the gist of the false statements made about the plaintiffs was that the kids interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam War veteran from continuous participation in that event, surrounded him in a threatening manner, and taunted him, as a native American elder, with chants of "build the wall" to mock an elderly native American in the middle of an indigenous march. Each of the statements complained of herein was known by the friends, family and associates of each John Doe to be about them individually. Indeed, they were individually identified as the subject of the statements complained of herein that they received death threats, hate mail, threatening phone calls, threatening emails, and other personal attacks on them each individually. They were known to be the subject of the statements complained of herein as they were identified by photo image throughout the world, and each of the statements was interpreted by their friends, family and associates as about them personally.

48. **NAVARRO**'s communication was false and defaming as she accuses **DOES 1-8**, of overt racism and taunting, not exhibited. This comment is deliberately directed against **DOES 1-8**, all minors, and communicated to at least 1.1 million third parties without privilege, knowing **DOES 1-8** were from

1 Covington, Kentucky, with the intent to negatively influence the opinion of **DOES 1-8** in their school, their
2 community, and the nation at large.

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4 49. **NAVARRO**'s false and defamatory communication injured **DOES 1-8** as it disgraced and degraded the
5 plaintiffs and held them up to public hatred, contempt, ridicule, and/or caused them to be shunned and
6 avoided.

7 **THIRD CAUSE OF ACTION: DEFAMATION PER SE**

8 **DOES 1-8** against **KATHY GRIFFIN**

- 9 50. **DOES 1-8** reassert and incorporate by reference paragraphs the other paragraphs of this Complaint as if
10 fully restated herein.

- 11 51. **GRIFFIN**, known on Twitter as @kathygriffin, published to approximately 2.1 million third parties,
12 without privilege "Ps. The reply from the school was pathetic and impotent. Name these kids. I want
13 NAMES. Shame them. If you think these fuckers wouldn't dox you in a heartbeat, think again." Griffin
14 then followed up with, "Names please. And stories from people who can identify them and vouch for their
15 identity. Thank you." See Exhibit L. A true and correct copy of said communication is attached hereto as
16 Exhibits L and K. Griffin omitted the true facts, and instead implied the following facts were true in her
17 statements and the links attached thereto with the gist of the false statements made about the plaintiffs was
18 that the kids interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam
19 War veteran from continuous participation in that event, surrounded him in a threatening manner, and
20 taunted him, as a native American elder, with chants of "build the wall" to a Native American elder to taunt
21 him. Each of the statements complained of herein was known by the friends, family and associates of each
22 John Doe to be about them individually. Indeed, they were individually identified as the subject of the
23 statements complained of herein that they received death threats, hate mail, threatening phone calls,
24 threatening emails, and other personal attacks on them each individually. They were known to be the
25 subject of the statements complained of herein as they were identified by photo image throughout the
26 world, and each of the statements was interpreted by their friends, family and associates as about them
27 personally. Griffin's call to dox the plaintiffs succeeded, as their names were identified to the broader
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1 public in a range of social media platforms, and they subsequently received a range of threats.

2 52. **GRIFFIN**'s communication was intentionally defaming as she openly calls for shame of **DOES 1-8**. This
3 comment is deliberately directed against **DOES 1-8**, all minors, and communicated to at least 2.1 million
4 third parties without privilege, knowing **DOES 1-8** were from Covington, Kentucky, with the intent to
5 negatively influence the opinion of **DOES 1-8** in their school, their community, and the nation at large.

6 53. **GRIFFIN**'s defamatory communication injured **DOES 1-8** as it disgraced and degraded the plaintiffs and
7 held them up to public hatred, contempt, ridicule, and/or caused them to be shunned and avoided.

8 **FOURTH CAUSE OF ACTION: DEFAMATION PER SE**

9 **DOES 1-8 against ELIZABETH WARREN**

10 54. **DOES 1-8** reasserts and incorporates by reference paragraphs the other paragraphs of this Complaint as if
11 fully restated herein.

12 55. **WARREN**, known on Twitter as @ewarren, published to approximately 2.3 million third parties, without
13 privilege "Omaha elder and Vietnam War veteran Nathan Phillips endured hateful taunts with dignity and
14 strength, then urged us all to do better." A true and correct copy of said communication is attached hereto
15 as Exhibit J. Warren omitted the true facts, and instead implied the following facts were true in her
16 statements and the links attached thereto with the gist of the false statements made about the plaintiffs was
17 that the kids interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam
18 War veteran from continuous participation in that event, surrounded him in a threatening manner, and
19 taunted him, as a native American elder, with chants of "build the wall" to a Native American elder to taunt
20 him. Each of the statements complained of herein was known by the friends, family and associates of each
21 John Doe to be about them individually. Indeed, they were individually identified as the subject of the
22 statements complained of herein that they received death threats, hate mail, threatening phone calls,
23 threatening emails, and other personal attacks on them each individually. They were known to be the
24 subject of the statements complained of herein as they were identified by photo image throughout the
25 world, and each of the statements was interpreted by their friends, family and associates as about them
26 personally.

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56. **WARREN's** communication was false and defaming as she accuses **DOES 1-8**, of overt taunting, not exhibited. This comment is deliberately directed against **DOES 1-8**, all minors, and communicated to [how many] third parties without privilege, knowing **DOES 1-8** were from Covington, Kentucky, with the intent to negatively influence the opinion of **DOES 1-8** in their school, their community, and the nation at large.
57. **WARREN's** communication injured **DOES 1-8** as it disgraced and degraded the plaintiffs and held them up to public hatred, contempt, ridicule, and/or caused them to be shunned and avoided.

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FIFTH CAUSE OF ACTION: DEFAMATION PER SE

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DOES 1-8 against MAGGIE HABERMAN

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58. **DOES 1-8** reassert and incorporate by reference paragraphs the other paragraphs of this Complaint as if fully restated herein.
59. **HABERMAN**, known on Twitter as @maggieNYT, published to approximately 1.08 million third parties, without privilege "When adults stand by and say nothing..." A true and correct copy of said communication is attached hereto as Exhibit D. Haberman also published to some 1.08 million third parties, without privilege, "There are dozens of students laughing and egging on the behavior. Will be interesting to see if anyone is actually expelled, as officials suggest is possible." A true and correct copy of said communication is attached hereto as Exhibit I. Haberman omitted the true facts, and instead implied the following facts were true in her statements and the links attached thereto with the gist of the false statements made about the plaintiffs was that the kids interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam War veteran from continuous participation in that event, surrounded him in a threatening manner, and taunted him, as a native American elder, with chants of "build the wall" to a Native American elder to taunt him. Each of the statements complained of herein was known by the friends, family and associates of each John Doe to be about them individually. Indeed, they were individually identified as the subject of the statements complained of herein that they received death threats, hate mail, threatening phone calls, threatening emails, and other personal attacks on them each individually. They were known to be the subject of the statements complained of herein as they were identified by photo image throughout the world, and each of the statements was interpreted by their friends,

1 family and associates as about them personally.

2 60. **HABERMAN**'s communication was false and defaming as she accuses **DOES 1-8**, of egging on behavior
3 worthy of expulsion from school, not exhibited. This comment is deliberately directed against **DOES 1-8**,
4 all minors, and communicated to [how many] third parties without privilege, knowing **DOES 1-8** were
5 from Covington, Kentucky, with the intent to negatively influence the opinion of **DOES 1-8** in their school,
6 their community, and the nation at large.

7 61. **HABERMAN**'s communication injured **DOES 1-8** as it disgraced and degraded the plaintiffs and held
8 them up to public hatred, contempt, ridicule, and/or caused them to be shunned and avoided.

9 **SIXTH CAUSE OF ACTION: DEFAMATION PER SE**

10 **DOES 1-8 against MATTHEW DOWD**

11 62. **DOES 1-8** reassert and incorporate by reference paragraphs the other paragraphs of this Complaint as if
12 fully restated herein.

13 63. **DOWD**, known on Twitter as @matthewjdowd, published to approximately 137,000 third parties, without
14 privilege "Folks, let us not let these kids, their parents and their school off the hook. Regardless of what led
15 up to this, this is awful." A true and correct copy of said communication is attached hereto as Exhibit N.
16 Dowd omitted the true facts, and instead implied the following facts were true in his statements and the
17 links attached thereto with the gist of the false statements made about the plaintiffs was that the kids
18 interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam War veteran
19 from continuous participation in that event, surrounded him in a threatening manner, and taunted him, as a
20 native American elder, with chants of "build the wall" to a Native American elder to taunt him. Each of the
21 statements complained of herein was known by the friends, family and associates of each John Doe to be
22 about them individually. Indeed, they were individually identified as the subject of the statements
23 complained of herein that they received death threats, hate mail, threatening phone calls, threatening
24 emails, and other personal attacks on them each individually. They were known to be the subject of the
25 statements complained of herein as they were identified by photo image throughout the world, and each of
26 the statements was interpreted by their friends, family and associates as about them personally.

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64. **DOWD**'s communication was false and defaming as she accuses **DOES 1-8**, of awful behavior, not exhibited. This comment is deliberately directed against **DOES 1-8**, all minors, and communicated to 137,000 third parties without privilege, knowing **DOES 1-8** were from Covington, Kentucky, with the intent to negatively influence the opinion of **DOES 1-8** in their school, their community, and the nation at large.

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65. **DOWD**'s communication injured **DOES 1-8** as it disgraced and degraded the plaintiffs and held them up to public hatred, contempt, ridicule, and/or caused them to be shunned and avoided.

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SEVENTH CAUSE OF ACTION: DEFAMATION PER SE

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DOES 1-8 against REZA ASLAN

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66. **DOES 1-8** reasserts and incorporates by reference paragraphs the other paragraphs of this Complaint as if fully restated herein.

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67. **ASLAN**, known on Twitter as @rezaaslan, published to approximately 289,000 third parties, without privilege "Honest question. Have you ever seen a more punchable face than this kid's?" A true and correct copy of said communication is attached hereto as Exhibit G. Aslan omitted the true facts, and instead implied the following facts were true in his statements and the links attached thereto with the gist of the false statements made about the plaintiffs was that the kids interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam War veteran from continuous participation in that event, surrounded him in a threatening manner, and taunted him, as a native American elder, with chants of "build the wall" to a Native American elder to taunt him. Each of the statements complained of herein was known by the friends, family and associates of each John Doe to be about them individually. Indeed, they were individually identified as the subject of the statements complained of herein that they received death threats, hate mail, threatening phone calls, threatening emails, and other personal attacks on them each individually. They were known to be the subject of the statements complained of herein as they were identified by photo image throughout the world, and each of the statements was interpreted by their friends, family and associates as about them personally.

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68. **ASLAN**'s communication was false and defaming as he accuses **DOES 1-8**, of behavior deserving of being punched in the face, not exhibited. This comment is deliberately directed against **DOES 1-8**, all minors, and communicated to hundreds of thousands of third parties without privilege, knowing **DOES 1-8** were from Covington, Kentucky, with the intent to negatively influence the opinion of **DOES 1-8** in their school, their community, and the nation at large.

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69. **ASLAN**'s communication injured **DOES 1-8** as it disgraced and degraded the plaintiffs and held them up to public hatred, contempt, ridicule, and/or caused them to be shunned and avoided.

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EIGHTH CAUSE OF ACTION: DEFAMATION PER SE

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DOES 1-8 against ADAM EDELEN

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70. **DOES 1-8** reasserts and incorporates by reference paragraphs the other paragraphs of this Complaint as if fully restated herein.

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71. **ADAM EDELEN**, a blue-checkmark-approved Twitter personality, retweeted an article with false factual statements about the Covington Boys, and validated the false factual claims of the article by referring to the kids as "outrageous and abhorrent behavior," that requires they "read a history book on how America's indigenous people have been treated," and that they "need to do some serious soul-searching." Edelen omitted the true facts, and instead implied the following facts were true in his statements and the links attached thereto with the gist of the false statements made about the plaintiffs was that the kids interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam War veteran from continuous participation in that event, surrounded him in a threatening manner, and taunted him, as a native American elder, with chants of "build the wall" to mock an elderly native American in the middle of an indigenous march. Each of the statements complained of herein was known by the friends, family and associates of each John Doe to be about them individually. Indeed, they were individually identified as the subject of the statements complained of herein that they received death threats, hate mail, threatening phone calls, threatening emails, and other personal attacks on them each individually. They were known to be the subject of the statements complained of herein as they were identified by photo image throughout the

1 world, and each of the statements was interpreted by their friends, family and associates as about them
2 personally.

- 3 72. **EDELEN's** communication was false and defaming as he accuses **DOES 1-8**, of engaging in outrageous
4 conduct of threatening a native American elder. This comment is deliberately directed against **DOES 1-8**,
5 all minors, and communicated to hundreds of thousands of third parties without privilege, knowing **DOES**
6 **1-8** were from Covington, Kentucky, with the intent to negatively influence the opinion of **DOES 1-8** in
7 their school, their community, and the nation at large.

8 **NINTH CAUSE OF ACTION: DEFAMATION PER SE**

9 **DOES 1-8 against KEVIN M. KRUSE**

- 10 73. **DOES 1-8** reasserts and incorporates by reference paragraphs the other paragraphs of this Complaint as if
11 fully restated herein.

- 12 74. **KRUSE**, known on Twitter as @KevinMKruse, published to approximately 284,000 third parties, without
13 privilege "No, the accusation was that this kid and his friends mocked an elderly Native American war
14 veteran and, hey, they did. They also taunted women and shouted "it's not rape if you enjoy it" but sure,
15 they're the real victims. According to his PR firm anyway." A true and correct copy of said communication
16 is attached hereto as Exhibit P. Kruse omitted the true facts, and instead implied the following facts were
17 true in his statements and the links attached thereto with the gist of the false statements made about the
18 plaintiffs was that the kids interrupted an indigenous march, stopped and blocked a Native American elder
19 and Vietnam War veteran from continuous participation in that event, surrounded him in a threatening
20 manner, and taunted him, as a native American elder, with chants of "build the wall" to mock an elderly
21 native American in the middle of an indigenous march, and falsely accused the plaintiffs of threatening
22 women with chants of "it's not rape if you enjoy it." Each of the statements complained of herein was
23 known by the friends, family and associates of each John Doe to be about them individually. Indeed, they
24 were individually identified as the subject of the statements complained of herein that they received death
25 threats, hate mail, threatening phone calls, threatening emails, and other personal attacks on them each
26 individually. They were known to be the subject of the statements complained of herein as they were
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1 identified by photo image throughout the world, and each of the statements was interpreted by their friends,
2 family and associates as about them personally.

3 75. **KRUSE**'s communication was false and defaming as he accuses **DOES 1-8**, of mocking a war veteran,
4 taunting women and making a statement about rape – none of which were exhibited. This comment is
5 deliberately directed against **DOES 1-8**, all minors, and communicated to [284,000] third parties without
6 privilege, knowing **DOES 1-8** were from Covington, Kentucky, with the intent to negatively influence the
7 opinion of **DOES 1-8** in their school, their community, and the nation at large.

8 76. **KRUSE**'s communication injured **DOES 1-8** as it disgraced and degraded the plaintiffs and held them up
9 to public hatred, contempt, ridicule, and/or caused them to be shunned and avoided.

10 **TENTH CAUSE OF ACTION: DEFAMATION PER SE**

11 **DOES 1-8 against SHAUN KING**

12 77. **DOES 1-8** reasserts and incorporates by reference paragraphs the other paragraphs of this Complaint as if
13 fully restated herein.

14 78. **KING**, known on Twitter as @shaunking, published to approximately 1.1 million third parties, without
15 privilege "I am so deeply grieved and angry by this as young kids in MAGA hats surrounded and mocked a
16 beloved Native American elder yesterday. When your power is centered in your whiteness, mocking others
17 who are unlike you makes you feel strong. But it's weak. And despicable." A true and correct copy of said
18 communication is attached hereto as Exhibit C. King omitted the true facts, and instead implied the
19 following facts were true in his statements and the links attached thereto with the gist of the false
20 statements made about the plaintiffs was that the kids interrupted an indigenous march, stopped and
21 blocked a Native American elder and Vietnam War veteran from continuous participation in that event,
22 surrounded him in a threatening manner, and taunted him, as a native American elder, with chants of "build
23 the wall" to mock an elderly native American in the middle of an indigenous march, and falsely accused the
24 plaintiffs of threatening women with chants of "it's not rape if you enjoy it." Each of the statements
25 complained of herein was known by the friends, family and associates of each John Doe to be about them
26 individually. Indeed, they were individually identified as the subject of the statements complained of herein
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1 that they received death threats, hate mail, threatening phone calls, threatening emails, and other personal
2 attacks on them each individually. They were known to be the subject of the statements complained of
3 herein as they were identified by photo image throughout the world, and each of the statements was
4 interpreted by their friends, family and associates as about them personally.

5 79. **KING's** communication was false and defaming as he accuses **DOES 1-8**, of overt racism and taunting and
6 weak and despicable behavior -- none of which was exhibited. This comment is deliberately directed
7 against **DOES 1-8**, all minors, and communicated to 1.1 million third parties without privilege, knowing
8 **DOES 1-8** were from Covington, Kentucky, with the intent to negatively influence the opinion of **DOES 1-**
9 **8** in their school, their community, and the nation at large.

10 80. **KING's** communication injured **DOES 1-8** as it disgraced and degraded the plaintiffs and held them up to
11 public hatred, contempt, ridicule, and/or caused them to be shunned and avoided.

12 **ELEVENTH CAUSE OF ACTION: DEFAMATION PER SE**

13 **DOES 1-8 against CLARA JEFFERY**

14 81. **DOES 1-8** reasserts and incorporates by reference paragraphs the other paragraphs of this Complaint as if
15 fully restated herein.

16 82. **JEFFERY**, known on Twitter as @ClaraJeffery, published to approximately 113,000 third parties, without
17 privilege "The tapes that have emerged do show the BHI [Black Hebrew Israelites] doing their usual end-
18 times ranting. But they also show the Covington Catholic kids: making cavemen gestures at BHI;
19 tomahawk chanting at Natives; taunting random women; chants of "build the wall" and "it's not rape if you
20 enjoy it." A true and correct copy of said communication is attached hereto as Exhibit O. Jeffery omitted
21 the true facts, and instead implied the following facts were true in her statements and the links attached
22 thereto with the gist of the false statements made about the plaintiffs was that the kids interrupted an
23 indigenous march, stopped and blocked a Native American elder and Vietnam War veteran from
24 continuous participation in that event, surrounded him in a threatening manner, and taunted him, as a native
25 American elder, with chants of "build the wall" to mock an elderly native American in the middle of an
26 indigenous march, and falsely accused the plaintiffs of threatening women with chants of "it's not rape if
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1 you enjoy it.” Each of the statements complained of herein was known by the friends, family and associates
2 of each John Doe to be about them individually. Indeed, they were individually identified as the subject of
3 the statements complained of herein that they received death threats, hate mail, threatening phone calls,
4 threatening emails, and other personal attacks on them each individually. They were known to be the
5 subject of the statements complained of herein as they were identified by photo image throughout the
6 world, and each of the statements was interpreted by their friends, family and associates as about them
7 personally.

8 83. **JEFFERY**’s communication was false and defaming as she accuses **DOES 1-8**, of a number of actions not
9 exhibited: making caveman gestures, taunting random women, chanting “build the wall” and saying “it’s
10 not rape if you enjoy it.” This comment is deliberately directed against **DOES 1-8**, all minors, and
11 communicated to [how many] third parties without privilege, knowing **DOES 1-8** were from Covington,
12 Kentucky, with the intent to negatively influence the opinion of **DOES 1-8** in their school, their
13 community, and the nation at large.

14 84. **JEFFERY**’s communication injured **DOES 1-8** as it disgraced and degraded the plaintiffs and held them
15 up to public hatred, contempt, ridicule, and/or caused them to be shunned and avoided.

16 **TWELFTH CAUSE OF ACTION: DEFAMATION PER SE**

17 **DOES 1-8 against JODI JACOBSON**

18 85. **DOES 1-8** reasserts and incorporates by reference paragraphs the preceding paragraphs of this Complaint
19 as if fully restated herein.

20 86. **JACOBSON**, the president and editor in chief of the website Rewire.News, authored an article published
21 on Jan. 22, 2019 on Rewire.News titled “White-Washing White Supremacy: Media Rushes to Excuse
22 Covington Catholic Students.” A true and correct copy of said communication is attached hereto as Exhibit
23 Q. Jacobson omitted the true facts, and instead implied the following facts were true in her statements and
24 the links attached thereto with the gist of the false statements made about the plaintiffs was that the kids
25 interrupted an indigenous march, stopped and blocked a Native American elder and Vietnam War veteran
26 from continuous participation in that event, surrounded him in a threatening manner, and taunted him, as a
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1 native American elder, with chants of “build the wall” to mock an elderly native American in the middle of
2 an indigenous march, and falsely accused the plaintiffs of threatening women with chants of “it’s not rape
3 if you enjoy it.” Each of the statements complained of herein was known by the friends, family and
4 associates of each John Doe to be about them individually. Indeed, they were individually identified as the
5 subject of the statements complained of herein that they received death threats, hate mail, threatening phone
6 calls, threatening emails, and other personal attacks on them each individually. They were known to be the
7 subject of the statements complained of herein as they were identified by photo image throughout the
8 world, and each of the statements was interpreted by their friends, family and associates as about them
9 personally.

10 87. **JACOBSON’S** communication was false and defaming as she accuses **DOES 1-8**, of a number of actions
11 not exhibited: racism, being aggressive and disrespectful to Nathan Phillips, harassing young women,
12 saying “it’s not rape if you enjoy it.” These comments were deliberately directed against **DOES 1-8**, all
13 minors, and communicated to [how many] third parties without privilege, knowing **DOES 1-8** were from
14 Covington, Kentucky, with the intent to negatively influence the opinion of **DOES 1-8** in their school, their
15 community, and the nation at large.

16 88. **JACOBSON’S** article went on to make false statements about Covington Catholic High School, including
17 erroneously claiming that the school’s students had worn blackface and body paint to caricature black
18 students on the opposing team during basketball games.

19 89. **JACOBSON’S** article injured **DOES 1-8** as it disgraced and degraded the plaintiffs and held them up to
20 public hatred, contempt, ridicule, and caused them to be shunned and avoided.

21 **DAMAGES**

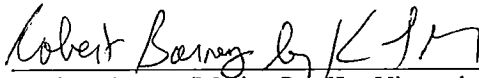
22 90. False and Defamatory Accusations against the plaintiffs are defamatory *per se*, as they are libelous on their
23 face without resort to additional facts, and as clearly demonstrated here, **DOES 1-8** were subjected to
24 public hatred, contempt, scorn, obloquy, and shame. The conduct of the plaintiffs, based on the false facts
25 the defendants placed and circulated into the court of public opinion, led to these lifetime labels on these
26 minors: “display of hate, disrespect and intolerance”; “heartbreaking”; “decency decayed”; “racist”; “cried
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1 for America”; “infamous”; “gall”; “shameful”; “darker chapters”; compared to genocide; “laughing and
2 egging on” “hurtful” behavior; “awful”; “cavemen gestures”; “taunting”; “harassing”; “stalking”;
3 “mocking”; “bullies” who should be doxed, “named and shamed”, expelled from school, denied admission
4 to college, be punched in the face, their bodies shredded, and their lives ruined.

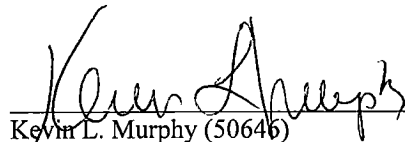
5 **WHEREFORE**, Plaintiff respectfully prays:

- 6 91. That judgment be entered for each plaintiff against Defendants for damages in an amount not less than
7 \$15,000 but not more than \$50,000 against each defendant;
8
9 92. For a trial by jury.
10 93. For all costs and expenses, including reasonable attorneys fees.
11 94. That the Court grant all such other and further relief that the Court deems just and proper, including
12 declaratory and equitable relief.

13 Respectfully submitted this 1st day of August, 2019.

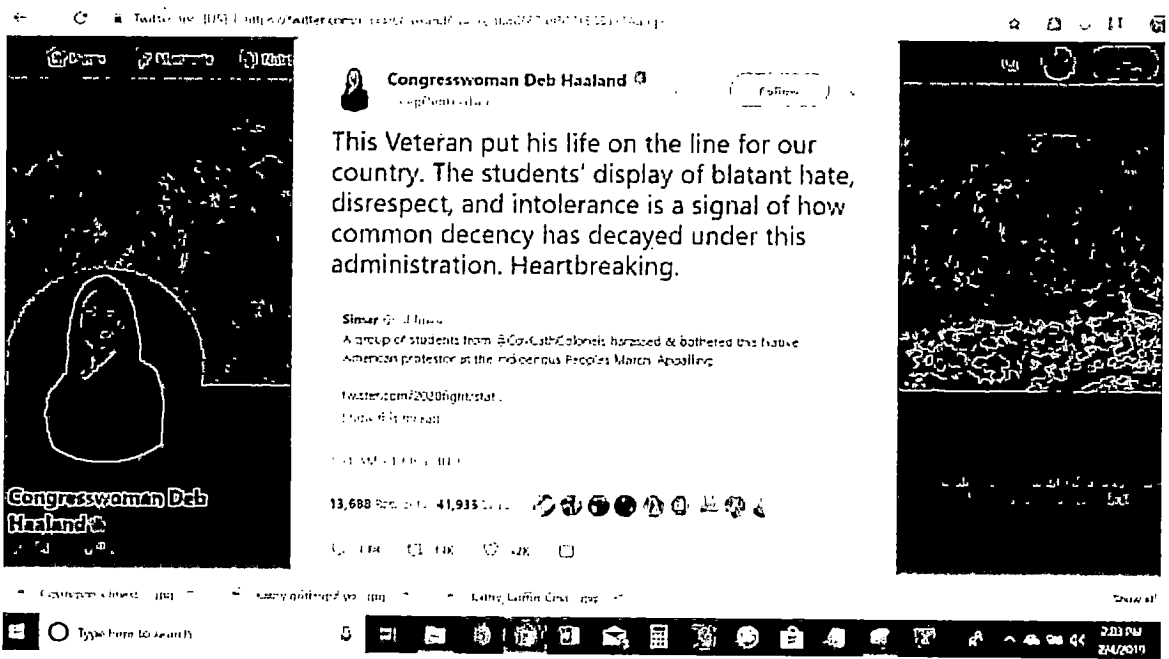
14 

15 Robert Barnes (Motion Pro Hac Vice to be filed)
16 Barnes Law
17 Attorney for Plaintiffs

18 

19 Kevin L. Murphy (50646)
20 Murphy Landen Jones PLLC
21 2400 Chamber Center Drive, Suite 200
22 P.O. Box 17534
23 Fort Mitchell, KY 41017
24 Attorney for Plaintiffs

EXHIBIT A



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EXHIBIT B



Ana Navarro

Must Watch: Native-American elder taunted by racist MAGA-hat wearing teens, speaks and cries for America, the country he defended and sacrificed and wore the uniform for. It is people like Nathan Phillips who make America great. Thank you for your dignity, sir.



Unneeded Clothing
Nathan Phillips of the Omaha Nation speaking on what happened

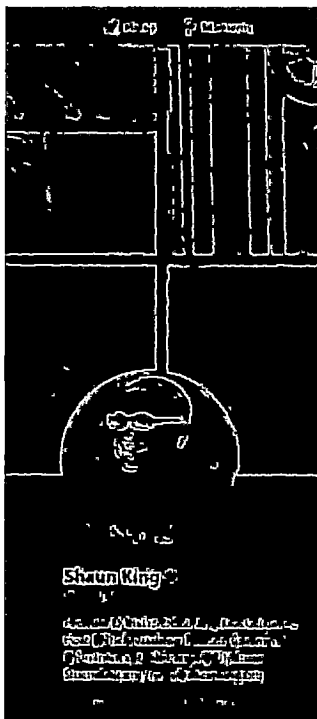
5:15 AM · PUBLIC · 11P

24,178 Retweets 82,473 Likes

10 84K 13 24K 177 42K 15



EXHIBIT C




Shaun King

I am so deeply grieved and angry by this as young kids in MAGA hats surrounded and mocked a beloved Native American elder yesterday.

When your power is centered in your whiteness, mocking others who are unlike you makes you feel strong.

But it's weak. And despicable.



22,214 followers · 19,126 posts

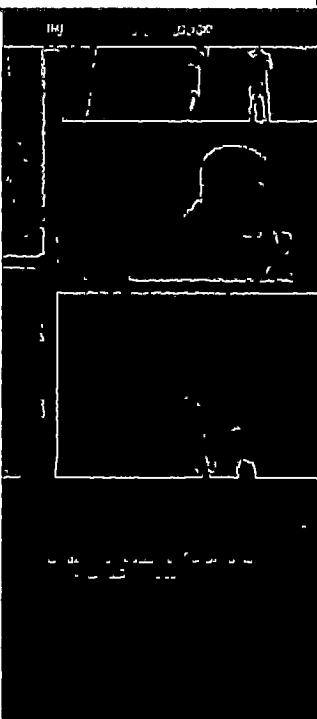


EXHIBIT D

Tweets 195K Following 3,774 Followers 1.04M **Following**

Maggie Haberman 

@maggieNYT

White House correspondent for NYTimes, analyst for CNN. RTs don't imply agreement.
maggie.haberman@nytimes.com



Maggie Haberman  @maggieNYT · Jan 19

When adults stand by and say nothing...

Andrew Ujifusa @AndrewUjifusa

In another video from this now-infamous incident involving a Native American Vietnam vet, a young person scoffs at the idea of stolen land.

"And y'all stole it from the aboriginals. ... Land gets stolen. That's how it..."

Show this thread

228 580 2.5K

4:14 PM
2/4/2019

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EXHIBIT E



Andrew Ujifusa
@AndrewUjifusa

Follow

In another video from this now-infamous incident involving a Native American Vietnam vet, a young person scoffs at the idea of stolen land.

"And y'all stole it from the aboriginals. ... Land gets stolen. That's how it works. It's the way of the world."



Video of Boys Mocking Native American Vet, Unchecked by Adults, ...
A group of young people were filmed taunting a Native American man and military veteran who was participating in the Indigenous Peoples March.
blogs.edweek.org

2:34 PM - 19 Jan 2019

204 Retweets 324 Likes



175 204 324

EXHIBIT F



EXHIBIT G

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The image is a screenshot of a tweet from Deb Haaland (@DebHaaland). The tweet text reads: "A Native American Vietnam War veteran was seen being harassed and mocked by a group of MAGA hat-wearing teens. huffingtonpost.com/entry/maga-hat ... via @HuffPost". Below the text is a photograph showing a group of people, with one person in the foreground wearing a MAGA hat. The tweet includes a link to a Huffington Post article and a timestamp of "10:47 PM · Jan 2019".

EXHIBIT H

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Maggie Haberman
@maggieNYT

Following

There are dozens of students laughing and egging on the behavior. Will be interesting to see if anyone is actually expelled, as officials suggest is possible



Viral Video Shows Boys in 'Make America Great Again' Hats Surrounding Nat...
Students from Covington Catholic High School in Kentucky appeared to surround the elder, Nathan Phillips, outside the Lincoln Memorial. The high school has conde...
nytimes.com

4:08 PM - 19 Jan 2019

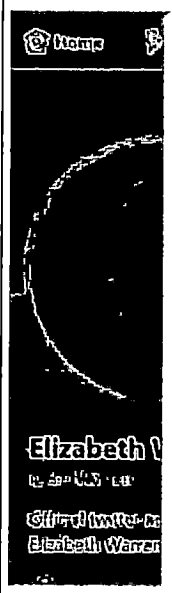
3,144 Retweets 11,226 Likes



5.1K 3.1K 11K

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EXHIBIT I




Elizabeth Warren 
@SenWarren

Follow

Omaha elder and Vietnam War veteran Nathan Phillips endured hateful taunts with dignity and strength, then urged us all to do better.

Listen to his words:



Splinter  @splinter_news
Nathan Phillips would not be intimidated. Hear his response.

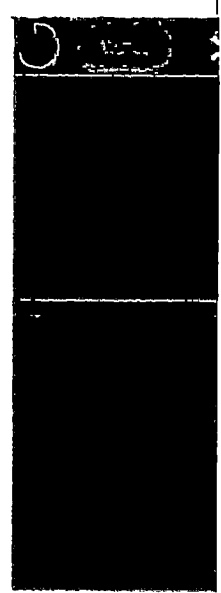
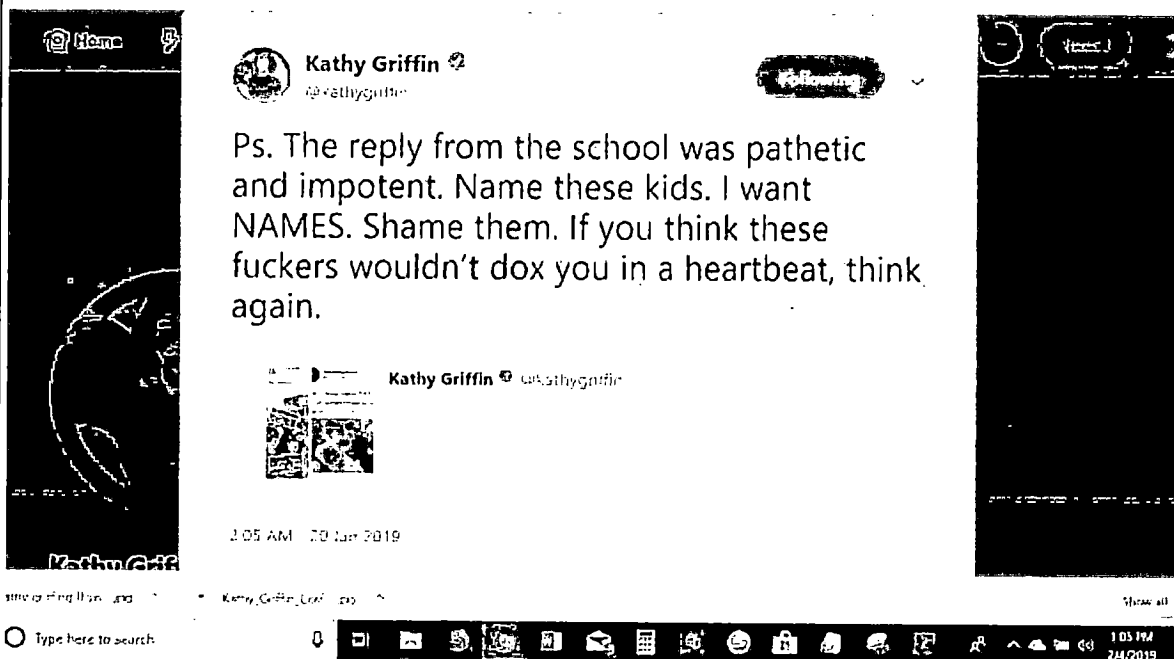


EXHIBIT J



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EXHIBIT K



50 10 39

Kathy Griffin 
@kathygriffin

Available to all public

Names please. And stories from people who can identify them and vouch for their identity. Thank you.

7:15 AM · 20 Jan 2019

68 Retweets · 427 Likes

3.2K 68 427

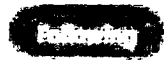


aly... Griff...
Type here to search
1:00 PM 2/4/2019

EXHIBIT L



Robert Barnes
@Barnes_Law



Retract this libel @ananavarro, or let us know where we can serve the lawsuit.

Ana Navarro-Cárdenas @ananavarro

Must Watch: Native-American elder taunted by racist MAGA-hat wearing teens, speaks and cries for America, the country he defended and sacrificed and wore the uniform for. It is people like Nathan Phillips who make America great. Thank you for your dignity, sir. twitter.com/UncededClothin...

2:08 PM · 20 Jun 2019

8,064 Retweets 17,096 Likes



1.7K 3.1K 17K



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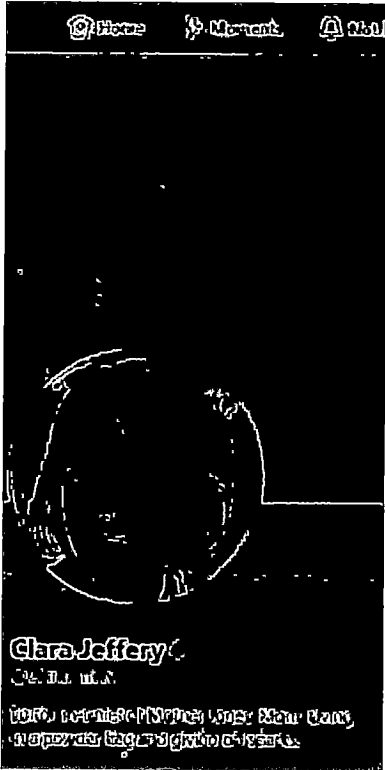
EXHIBIT M



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EXHIBIT N



Clara Jeffery @ClaraJeffery · Jan 21

I am truly dismayed by how many in MSM got worked—yet again—by conservative claims that one video exonerated these kids. I've watched them all. None put them in a better light, unless you're really teaching. Some are a lot WORSE than original.

1.8K 11K 47K



Clara Jeffery @ClaraJeffery

Follow

The tapes that have emerged do show the BHI doing their usual end-times ranting. But they also show the Covington Catholic kids:

- * making cavemen gestures at BHI
- * tomahawk chanting at Natives
- * taunting random women
- * chants of "build the wall" and "it's not rape if you enjoy it"

11:29 AM · Jan 21, 2019

844 Retweets 2,612 Likes

249 844 2.6K

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EXHIBIT O



I went to Catholic school. They actually taught us about personal responsibility.

2 2 29



Jay Caruso

What? The accusation was that this kid and his friends surrounded Phillips and got in his face when in fact, it was Phillips who approached them and started banging a drum in his face. Come on, man.

4 13 101



Kevin M. Kruse

Profile picture of Kevin M. Kruse

No, the accusation was that this kid and his friends mocked an elderly Native American war veteran and, hey, they did.

They also taunted women and shouted "it's not rape if you enjoy it" but sure, they're the real victims. According to his PR firm anyway.

2:21 PM · 12/15/2017

3 Retweets 23 Likes

26 1 35 50