



IN THE SUPERIOR COURT FOR THE STATE OF DELAWARE

CANDACE OWENS, in her
individual capacity, and
CANDACE OWENS, LLC,
a Delaware limited liability company,

Plaintiffs,

v.

LEAD STORIES, LLC, a Colorado
limited liability company, and
GANNETT SATELLITE
INFORMATION NETWORK, LLC
d/b/a USA TODAY, a Delaware limited
liability company,

Defendants.

C.A. No. _____

JURY TRIAL DEMANDED

COMPLAINT

NOW COMES Plaintiffs Candace Owens and Candace Owens, LLC (“Plaintiffs”), by and through counsel, and states their Complaint against Defendants Lead Stories, LLC (“Lead Stories”) and Gannett Satellite Information Network, LLC d/b/a USA TODAY (“USA TODAY”) (collectively, the “Defendants”) as follows:

INTRODUCTION

1. This action arises from the Defendants' malicious publication of false "fact check" articles charging Plaintiffs with spreading misinformation about the Covid-19 pandemic on the internet in "an attempt to downplay the severity" of the pandemic.

2. The Defendants wrongfully leveraged their power as Facebook Third-Party Fact-Checking partners to place false or misleading information warning labels on Plaintiffs' posts for the purpose of redirecting web traffic away from Plaintiffs and directing it to their respective websites. By such a scheme, the Defendants sought to increase their number of clicks and advertising revenue by commandeering Plaintiffs' large Facebook following, enhance their status on the internet, and enhance their relationship with Facebook as Third-Party Fact-Checking partners.

3. The content published by Plaintiffs, alleged below, is not "obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable" within the meaning of Section 230 of the Communications Decency Act ("Section 230"), and the Defendants and Facebook did not censor Plaintiffs' content in good faith.

4. Defendants' Third-Party Fact-Checking agreement with Facebook is void against public policy because it allows Defendants to censor speech that does not fall within the specific categories of content enumerated in Section 230.

PARTIES

Candace Owens

5. Plaintiff Candace Owens is a citizen and domiciliary of the District of Columbia.

6. Candace Owens is a highly-regarded, free-thinking and popular African-American conservative commentator who offers her opinion on a variety of political issues.

7. For example, Candace recently authored a book entitled “Blackout,” which argues that liberal policies and ideals are actually harmful to Black Americans and hinders their ability to rise above poverty, live independent and successful lives, and be an active part of the American Dream.¹

8. Similarly, in 2018, Candace started a movement known as “Blexit,” which is a term used to describe and encourage the Black exit from the Democratic party in favor of the Republican party.

9. Between 2017 and 2019, Candace served as communications director for Turning Point USA, a conservative, pro-President Trump non-profit organization.

¹ See <https://www.simonandschuster.com/books/Blackout/Candace-Owens/9781982133276> (last visited Aug. 20, 2020).

10. In 2019, Candace married George Farmer, the son of a British Conservative Party peer Lord Michael Farmer, and their wedding was held at the Trump Winery in Virginia and attended by Brexit Party leader Nigel Farage.

11. Candace has her own podcast program called “The Candace Owens Show” on PragerU, a nonprofit organization whose stated mission is “[t]o promote what is true, what is excellent, and what is noble through digital media.”²

12. Candace is a prominent social media star. She maintains, through her company, Candace Owens, LLC, a popular Facebook page, which has well over 4 million active followers (the “Facebook Page”).³

13. Upon information and belief, prior to the publication of the Defendants’ articles (alleged below), the Facebook Page was not in danger of being suspended by or banned from Facebook.

14. Candace also maintains, through Candace Owens, LLC, a popular Twitter account, which has approximately 2.6 million followers.⁴

² The Court can view her program page at <https://www.prageru.com/series/candace/> (last visited Aug. 25, 2020).

³ Candace’s Facebook Page can be viewed by the Court at https://www.facebook.com/realCandaceOwens/?ref=page_internal (last visited August 20, 2020).

⁴ Candace’s Twitter account can be viewed by the Court at <https://twitter.com/RealCandaceO> (last visited August 20, 2020) (the “Twitter Account”).

15. Candace’s popular social media posts reveal her opinions on the state of Black America, the Democratic and Republican Parties, and her support for President Donald Trump.

16. But her popularity does not come without opposition. Facebook employees, motivated by hostility towards Candace’s conservative political viewpoint and open support of President Trump, have maliciously and falsely labeled her a “Hate Agent” and actively attempt to limit her use of Facebook’s platform.⁵

17. Nevertheless, Candace takes pride in her social media posts and is often a last bastion for truth in an online world of misinformation. Candace is popular and economically successful in her trade as a political commentator because her posts are meticulously researched, carefully argued, and strive to be accurate and truthful. Her followers recognize her as a champion of truth and continue to follow her because she is truthful and courageous in her social media posts.

⁵ See Chris Enloe, *Report: Facebook tracks list of ‘hate agents’ that includes Candace Owens*, The Blaze (May 20, 2019), <https://www.theblaze.com/news/facebook-hate-agents-candace-owens>.

Candace Owens, LLC

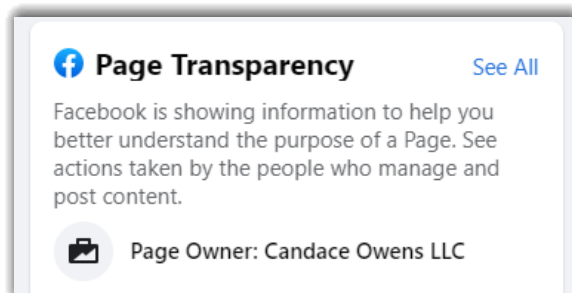
18. Plaintiff Candace Owens, LLC is a limited liability company existing under the laws of the State of Delaware. Candace Owens, LLC is citizen and domiciliary of the State of Delaware.

19. Candace Owens, LLC is a pass-through entity that is named after Candace and solely controlled and managed by Candace.

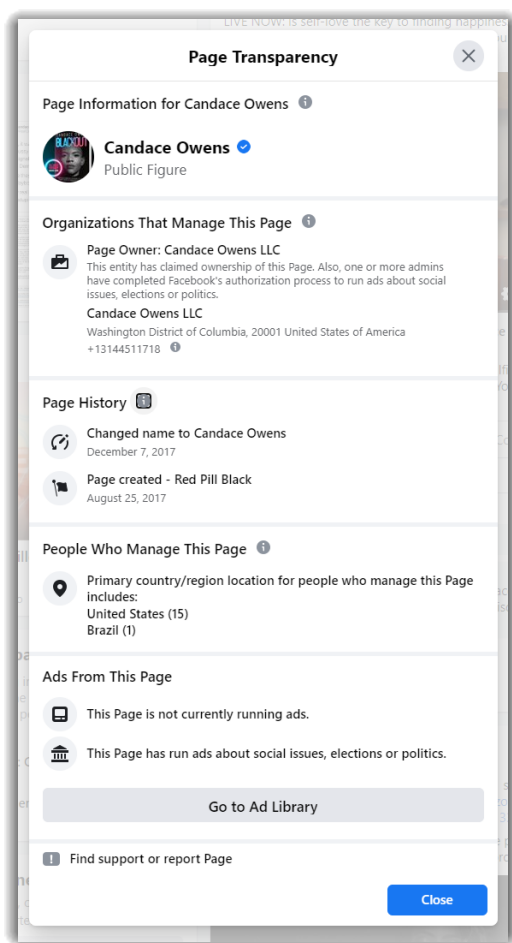
20. Candace Owens, LLC is the legal entity used by Candace Owens to, among other things, operate and manage Candace's popular social media accounts, including the Facebook Page.

21. Candace Owens, LLC is named after Candace, and Candace has primary control over the management of Candace Owens, LLC.

22. In fact, Facebook shows, under a "Page Transparency" window, to all Facebook users who access Candace's Facebook Page that it is Candace Owens, LLC who is the "Page Owner" of Candace's Facebook Page, as depicted in the below screenshot:



23. In a more detailed Page Transparency view, a screenshot of which was taken on September 14, 2020 and attached below for the Court’s convenience, Facebook indicates that the name of the page is “Candace Owens.” Moreover, the same detailed Page Transparency view shows that Facebook banned Candace Owens, LLC from running ads and deriving revenue from the Facebook platform—it states that “This Page is Not Currently Running Ads”:



24. Candace herself writes the content that is published on the social media accounts managed by Candace Owens, LLC.

25. Candace Owens, LLC derives significant revenue from its posts on various social media websites, including Facebook, through advertising.

26. Candace Owens, LLC has a contract with Facebook that allows Candace Owens, LLC to publish content on Facebook. In return, the contract provides that Candace Owens, LLC will be compensated by Facebook and its network of advertisers.

27. On June 22, 2020, Facebook demonetized Candace Owens, LLC, suspending its ability to derive revenue from Facebook.

28. As a proximate consequence of Defendants' actions as alleged herein, and to the date of filing this Complaint, Candace Owens, LLC remains demonetized and unable to derive revenue from Facebook.

Lead Stories, LLC

29. Defendant Lead Stories, LLC is a foreign limited liability company existing under the laws of the State of Colorado. Lead Stories, LLC is a citizen and domiciliary of the State of Colorado, with its principal place of business being located at 31 N. Tejon St., Ste. 405, Colorado Springs, Colorado 80903. Lead Stories may be served by delivery of a copy of the summons and complaint to its duly-appointed registered agent, Sanders Law Firm, 31 N. Tejon St., Ste. 400, Colorado Springs, Colorado 80903, in accordance with the provisions of 10 Del. Code § 3101, et seq. and Del R. Super. Ct. R. Civ. P. 4.

30. Lead Stories has its own independent website at LeadStories.com, which is where it publishes its “fact check” articles. The Court can view Lead Stories’ website at <https://leadstories.com/> (last visited Sep. 11, 2020).

31. Lead Stories is a “Facebook Third-Party Fact-Checking Partner” as it is defined by Facebook.⁶

32. Upon information and belief, Lead Stories is paid by Facebook to publish a certain amount of “fact check” articles that analyze whether certain Facebook posts contain truthful information or not.

33. Lead Stories is a signatory to the International Fact Checking Network (“IFCN”), which is a unit of the Poynter Institute of Media Studies that promulgates a “code of principles” to promote “excellence in fact-checking.”⁷

34. One of the co-founders of Lead Stories is Alan Duke, who was a former editor of the Cable News Network (“CNN”) for 26 years. CNN is an organization with a provable political and journalistic bias in favor of the Democratic party over the Republican party.

35. Ryan Cooper, who was Lead Stories’ reporter who wrote the April 1 Article (as alleged later in this Complaint), formerly worked for CNN for more than

⁶ See <https://www.facebook.com/journalismproject/programs/third-party-fact-checking> (last visited Aug. 26, 2020).

⁷ See <https://ifcncodeofprinciples.poynter.org/> (last visited August 21, 2020).

22 years and has written a thesis on the “impact of fake news and disinformation on the 2016 U.S. presidential election,” which attacks the legitimacy of the Trump presidency.⁸

Gannett Satellite Information Network, LLC d/b/a USA TODAY

36. Defendant Gannett Satellite Information Network, LLC d/b/a USA TODAY (“USA TODAY”) is a limited liability company existing under the laws of the State of Delaware with its principal place of business being located at 7950 Jones Branch Drive, McLean, Virginia 22107. USA TODAY is a citizen of the State of Delaware and the State of Virginia. USA TODAY may be served by delivery of a copy of the summons and complaint to its duly-appointed registered agent, The Corporation Trust Company, Corporation Trust Center 1209 Orange Street, Wilmington, Delaware 19801.

37. USA TODAY publishes a popular online and print newspaper throughout the United States that is viewed by millions of people every day. USA TODAY has its own website at www.usatoday.com, which is where it publishes its “fact check” articles, as well as its other articles.

⁸ See <https://leadstories.com/ryan-cooper.html> (last visited Sep. 11, 2020).

38. USA TODAY is a member and “partner” of Facebook’s Third-Party Fact-Checking Program as it is defined by Facebook.⁹ In this way, USA TODAY has an agreement with Facebook to publish fact-check articles on various Facebook and other internet posts.

39. Upon information and belief, USA TODAY is paid by Facebook, and possibly others, to publish a certain amount of “fact check” articles that analyze whether certain Facebook posts contain truthful information or not.

JURISDICTION

40. The preceding paragraphs are hereby realleged as if fully restated herein.

41. This Court has subject matter jurisdiction over this action as the state court of general jurisdiction pursuant to 10 Del Code § 541.

42. This Court has personal jurisdiction over Defendant Gannett Satellite Information Network, LLC d/b/a USA TODAY because it is a Delaware citizen.

⁹ See <https://www.usatoday.com/story/news/pr/2020/03/12/usa-today-expands-its-fact-checking-efforts-new-partnership-facebook-identify-misinformation/5032239002/> (last visited Oct. 8, 2020); <https://www.facebook.com/journalismproject/programs/third-party-fact-checking> (last visited Aug. 26, 2020).

43. This Court has personal jurisdiction over nonresident Defendant Lead Stories, LLC pursuant to 10 Del. Code § 3104 and the minimum contacts due process requirements of the Constitution.

44. Lead Stories regularly contracts to supply fact-checking services to Facebook, which operates extensively in this State. By the same token, Lead Stories regularly engages in a persistent course of conduct in Delaware and derives substantial revenue from Delaware by providing fact-checking services to Delaware citizens through its website and through Facebook.

45. Lead Stories regularly circulates its articles in Delaware through Facebook and the internet, and Delaware citizens regularly interact with Lead Stories' articles through Facebook and the internet.

46. Lead Stories targeted a citizen of Delaware and caused reputational injury to be suffered in Delaware to a citizen of Delaware. In order to profit from redirecting Candace's visitors, and to further its policy preferences and mute those it opposes, Lead Stories purposely and with malice targeted Candace personally and Candace Owens, LLC by tortiously interfering with Candace and Candace Owens, LLC's contractual relationship with Facebook and her and the LLC's prospective business relationships that stemmed from her successful and widely read Facebook posts and blog posts.

47. Through the use of the internet and its network, Lead Stories caused tortious injury to be suffered inside Delaware by an act outside of Delaware.

48. Lead Stories caused tortious injury in Delaware to a citizen of Delaware, including by publication and injury in Delaware.

49. Plaintiffs' causes of action against Lead Stories arise from or relate to Lead Stories' contacts with Delaware, specifically with its targeting of Candace Owens, LLC, a Delaware corporation, thereby invoking specific personal jurisdiction.

50. Lead Stories' website, www.leadstories.com, is an interactive website. It allows and encourages users, including users who are citizens of Delaware, to engage with the articles posted thereon through the use of sharing links. By encouraging this sharing of links, Lead Stories seeks and obtains profitable relationships with citizens of Delaware.

51. Lead Stories' website contains and promotes numerous advertisements, links, banners, and other marketing devices that encourage its readers, including citizens of Delaware, to engage with and make purchases from Lead Stories' supporters and advertisers. On information and belief, it is alleged that Lead Stories is compensated for that advertising and marketing, and that these payments increase or rely on visitors who view the entire advertisement, or "click" on the offer or enticement, or make actual purchases from Lead Stories' advertisers and supporters.

FACTUAL BACKGROUND

52. The preceding paragraphs are hereby realleged as if fully restated herein.

Relevant Social Media Posts

The First Facebook Post

53. On March 29, 2020, Candace published a post via her Facebook Page that outlined facts and her opinion surrounding the method U.S. government officials were using to count the Covid-19 pandemic death toll (the “First Facebook Post”). Mirroring an argument that has been made in numerous publications by numerous commentators and expert analysts, Candace’s First Facebook Post argued that government measures of cause-of-death overstated the extent and danger of the Covid-19 pandemic.

Important information for everyone to know about #coronavirus. Obesity is the number 1 killer in America. Right now, they are giving everyone who dies a Covid-19 lab test. If people die from heart disease, but were asymptomatic carriers of Covid-19, their deaths are counted toward the total. Same with other viruses an[d] illnesses. I am an asthmatic. If I die from an asthma attack today, and it is determined that I have Covid-19 in my system at the time of death, my death counts as “complications from coronavirus,” even if I never had any symptoms. They are trying desperately to get the numbers they need to justify this pandemic response.

Candace did not simply make an unsupported assertion that government officials were overstating Covid-19 fatalities. Her post cites to a research paper establishing this contention and described her personal research efforts on this topic and enlisted her readers' assistance in continuing her research project. Indeed, the Facebook Post continued:

Below is an article that explains how they are manipulating deaths. I spent all day today trying to look up daily death rates for any other diseases. You can't get it anywhere. They are reporting ONLY on coronavirus deaths. I suspect if we begin to demand the daily death toll numbers for heart disease, we will observe a deep decline. I am most interested in NYC overall deaths for this past month (Not just from Covid-19). If anyone knows where we can get this information, please let me know. They seem to be locking it down. If they can tell us how many people are dying from coronavirus daily— why can't they tell us how many people are dying otherwise?

Far from constituting a “false” posting, which is how Lead Stories would describe it, Plaintiffs' post was thoughtful, sourced, researched, and clearly furthered the important discussion of the most significant ongoing national crisis in decades.¹⁰ A true and correct copy of the Facebook Post is attached as *Exhibit A*.

54. Candace's First Facebook Post is true or substantially true.

¹⁰ The First Facebook Post is still online and can be viewed by the Court at <https://www.facebook.com/realCandaceOwens/posts/3598900840181091> (last visited August 25, 2020).

55. Candace’s First Facebook Post linked and referenced an article written by Dr. John Lee. Dr. Lee is a noted medical authority. He is a former professor of pathology and is a consultant pathologist with the National Health Service.¹¹ A true and correct copy of this article is attached as *Exhibit B*.

56. Dr. Lee’s article confirms that Candace’s First Facebook Post is accurate. Dr. Lee, consistent with the factual basis for Candace’s First Facebook Post, explains that, in general, the cause of death (here referencing the U.K. and respiratory infections) is not always recorded in a way that the public might expect. (Upon information and belief, the reporting criteria for cause of death are international: thus, the standards to be followed in the U.K. mirror those in the U.S.). Instead, specific causes of death by respiratory infection is not recorded unless the illness constitutes a “notifiable disease.” For respiratory illnesses, these diseases are “rare.”

But there’s another, potentially even more serious problem: the way that deaths are recorded. If someone dies of a respiratory infection in the UK, the specific cause of the infection is not usually recorded, unless the illness is a rare ‘notifiable disease.’ So the vast majority of respiratory deaths in the UK are recorded as bronchopneumonia, pneumonia, old age or a similar designation. We don’t really test for flu, or other seasonal

¹¹ Dr. Lee’s article is still online and can be viewed by the Court at <https://www.spectator.co.uk/article/The-evidence-on-Covid-19-is-not-as-clear-as-we-think?fbclid=IwAR2H45UElxXClpP4T1stxhKPCuGp0HgWb6SZ5cyBhMtJvn64p8fHJCZ0rXY> (last visited August 20, 2020).

infections. If the patient has, say, cancer, motor neurone (sic) disease or another serious disease, this will be recorded as the cause of death, even if the final illness was a respiratory infection. This means UK certifications normally under-record deaths due to respiratory infections.

Thus, explains Dr. Lee, the actual cause of death is not always listed as the reported cause of death. Then Dr. Lee takes his general point and applies it specifically to the problem of deaths from Covid-19. He points out that Covid-19 has been listed as a “notifiable disease.”

Now look at what has happened since the emergence of Covid-19. The list of notifiable diseases has been updated. This list — as well as containing smallpox (which has been extinct for many years) and conditions such as anthrax, brucellosis, plague and rabies (which most UK doctors will never see in their entire careers) — has now been amended to include Covid-19. But not flu. That means every positive test for Covid-19 must be notified, in a way that it just would not be for flu or most other infections.

This is important. Dr. Lee, an international expert and NHS consulting pathologist, explains precisely why Covid-19 would be potentially overstated as the cause of death. Covid-19 is listed, and therefore deaths from that disease will be “notified” or reported in a way that deaths from other, common respiratory diseases and maladies will not. The result, as Dr. Lee explains below, is that Covid-19 deaths will be reported and recorded in a way that deaths from other infections are not.

In the current climate, anyone with a positive test for Covid-19 will certainly be known to clinical staff looking

after them: if any of these patients dies, staff will have to record the Covid-19 designation on the death certificate — contrary to usual practice for most infections of this kind. There is a big difference between Covid-19 causing death, and Covid-19 being found in someone who died of other causes. Making Covid-19 notifiable might give the appearance of it causing increasing numbers of deaths, whether this is true or not. It might appear far more of a killer than flu, simply because of the way deaths are recorded.

As Dr. Lee explains, the method of reporting cause of death might make Covid-19 “appear far more of a killer than the flu, simply because of the way deaths are recorded.” Finally, Dr. Lee ties his explanation to public policy.

If we take drastic measures to reduce the incidence of Covid-19, it follows that the deaths will also go down. We risk being convinced that we have averted something that was never really going to be as severe as we feared. This unusual way of reporting Covid-19 deaths explains the clear finding that most of its victims have underlying conditions — and would normally be susceptible to other seasonal viruses, which are virtually never recorded as a specific cause of death.

It is this aberration, this “unusual way of reporting Covid-19 deaths,” that explains the “clear finding” that “most of its victims have underlying conditions.” This point is not contestable. It is a “clear finding,” one which Cadence Owens repeats and reports on to her vast network on Facebook. This “clear finding” in the expert view of the medical doctor is what the inexperienced journalist at Lead Stories terms “false” and a “hoax.”

57. Multiple credible United States officials, including Dr. Deborah Birx, a world-renowned global health official whose three-decade-long career has focused on HIV/AIDS immunology, vaccine research, and global health, and who is a prominent member of the White House Coronavirus Task Force, have likewise confirmed that the factual basis for Candace's First Facebook Post is true. On April 7, 2020, during a White House coronavirus press conference, Dr. Birx stated unequivocally:

There are other countries that if you had a preexisting condition and let's say the virus caused you to go to the ICU and then have a heart or kidney problem some countries are recording as a heart issue or a kidney issue and not a COVID-19 death. Right now we are still recording it and we will I mean the great thing about having forms that come in and a form that has the ability to market as COVID-19 infection the intent is right now that those if someone dies with COVID-19 we are counting that as a COVID-19 death.

There is no doubt from Dr. Birx's statement that, in America, if a person dies while testing positive for Covid-19, that person is counted as a Covid-19 death, even if something else caused that person's death.¹²

¹² See Tim Hains, *Dr. Birx: Unlike Some Countries, "If Someone Dies With COVID-19 We Are Counting That As A COVID-19 Death."* Real Clear Politics (April 8, 2020), https://www.realclearpolitics.com/video/2020/04/08/dr_birx_unlike_some_countries_if_someone_dies_with_covid-19_we_are_counting_that_as_a_covid-19_death.html (last visited Aug. 25, 2020).

58. Likewise, Dr. Ngozi Ezike, the Director of Public Health in Illinois, has confirmed this method of counting the death toll:

If you were in hospice and had already been given a few weeks to live, and then you also were found to have COVID, that would be counted as a COVID death. It means technically even if you died of a clear alternate cause, but you had COVID at the same time, it's still listed as a COVID death. So, everyone who's listed as a COVID death doesn't mean that that was the cause of the death, but they had COVID at the time of the death.¹³

59. Candace also published several tweets outlining how the U.S. government was counting Covid-19 deaths. For example, on March 29, 2020, Candace tweeted:

The number one killer in America is Heart disease. 1,002 people a day. Did you know that if you die from heart disease right now, and they determine you to be an asymptomatic carrier of Covid-19 in your post-Mortem (sic), they legally add your death to the #Coronavirus death toll?

This tweet is still available online and can be viewed by the Court at <https://twitter.com/RealCandaceO/status/1244380921329070081> (last visited August 21, 2020). This tweet was incorporated into Candace's First Facebook Post.

¹³ See Lauren Melendez, *IDPH Director explains how Covid deaths are classified*, Week.com (April 20, 2020), <https://week.com/2020/04/20/idph-director-explains-how-covid-deaths-are-classified/>.

60. Far from being “false,” or constituting a “hoax,” Candace’s First Facebook Post and the recordation of cause of death were carefully researched, cited leading medical experts, and were consistent with the views of leading medical authorities.

The Second Facebook Post

61. On April 28, 2020, Candace published a post via her Facebook Page that questioned the relationship between and the counting of flu deaths and Covid-19 deaths in early 2020 (the “Second Facebook Post”). The Second Facebook Post stated:

According to CDC reports—2020 is working out to be the lowest flu death season of the decade. 20,000 flu deaths took place before Covid-19 in January, and then only 4,000 deaths thereafter. To give you context: 80,000 Americans died of the flu in 2019.

The Second Facebook Post incorporated the text of a tweet published by Candace on her Twitter account that stated:

Possibly the greatest trade deal ever inked was between the flu virus and #coronavirus. So glad nobody is dying of the flu anymore, and therefore the CDC has abruptly decided to stop calculating flu deaths altogether. Agreements between viruses are the way of the future!¹⁴

¹⁴ The Second Facebook Post is still online and can be viewed by the Court at <https://www.facebook.com/realCandaceOwens/posts/3701928399878334> (last visited Oct. 8, 2020).

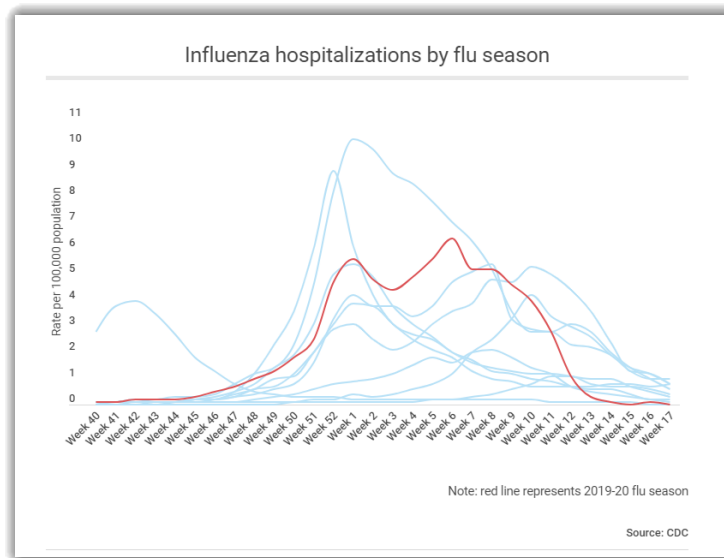
A true and correct copy of the Second Facebook Post is attached to this Complaint and hereby incorporated by reference as *Exhibit C*.

62. The Second Facebook Post communicates Candace’s opinion and was not interpreted by reasonable readers to convey actual statements of fact. To the extent that readers read the Second Facebook Post to convey statements of fact, those statements are true or substantially true.

63. Candace’s Second Facebook Post utilizes hyperbolic sarcasm—a literary technique—to pointedly highlight and question how immense public attention was being given to the Covid-19 pandemic and very little attention being given to regular flu deaths in early 2020.

64. The essence of the Second Facebook Post is to highlight the idea that the public could be giving undue attention to the Covid-19 pandemic and not to other diseases, such as the flu. Indeed, a chart produced by the Centers for Disease Control (“CDC”) shows that the 2019-2020 season of flu deaths was one of the most abrupt reduction in deaths on record, which tends to prove that public attention shifted away from flu deaths in early 2020 when the Covid-19 pandemic hit:¹⁵

¹⁵ <https://www.advisory.com/daily-briefing/2020/05/05/flu-update> (last visited Oct. 15, 2020).



65. The purpose of Candace’s Second Facebook Post was not to republish actual statistics but to raise an issue in an ongoing debate surrounding Covid-19. The purpose of the Second Facebook Post was to highlight an issue in the public perception of the Covid-19 pandemic. In this way, the Second Facebook Post reads more like a critique of the media response to the Covid-19 pandemic than it does a statistical exposé of the amount of flu deaths in recent years.

66. As alleged later in this Complaint, USA TODAY published an article “fact checking” the Second Facebook Post. USA TODAY should have known, like any reasonable reader would know, that Candace’s Second Facebook Post was not capable of being fact checked because the post was merely being sarcastic about the difference between flu deaths and Covid-19 deaths.

67. As a result of USA TODAY’s article, alleged later in this Complaint, Facebook placed a false information warning label upon Candace’s Second Facebook Post that blocks its viewability to readers, as depicted below:



68. Candace’s Second Facebook Post was “fact checked” by USA TODAY because it desired to publish its own weblink on her Second Facebook Post, hijacking her large following to obtain clicks and views on USA TODAY’s own article.

69. Candace has also published several other social media posts about the Covid-19 pandemic that are not the subject of this action.

Lead Stories Published False Statements About the Plaintiffs

70. On April 1, 2020, Lead Stories published an article written by its reporter Ryan Cooper with the headline, “Fact Check: COVID-19 NOT Being Blamed For Deaths Primarily Due To Unrelated Causes” (the “April 1 Article”).¹⁶ A true and correct copy of the April 1 Article is attached as *Exhibit D* and is hereby incorporated by reference in its entirety.

71. Data sourced from Facebook’s Crowdtangle web tool shows that the April 1 Article was interacted with over 2,600 times on Facebook.

72. Lead Stories republished its April 1 Article on Facebook on April 1, 2020. Facebook is an interactive website. By republishing the April 1 Article on Facebook, Lead Stories invited public comment on the April 1 Article.¹⁷

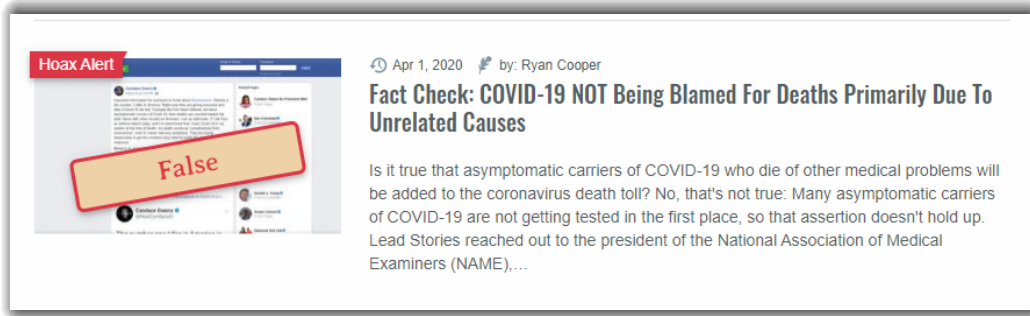
73. Lead Stories’ April 1 Article imputes to Candace the false charge that she is a liar who intentionally lied about the Covid-19 pandemic to “downplay the severity” of the disease, presumably in an effort to bolster President Trump’s successful handling of the pandemic and to increase Plaintiffs’ advertising revenue from Facebook.

¹⁶ The April 1 Article is still available online and can be viewed by the Court at <https://leadstories.com/hoax-alert/2020/04/Fact-Check-COVID19-NOT-Being-Blamed-For-Deaths-Primarily-Due-To-Unrelated-Causes.html>.

¹⁷ This republication is still available online and can be viewed by the Court at <https://www.facebook.com/LeadStoriesCom/posts/2881451205287498> (last visited Sep. 11, 2020).

74. Lead Stories’ April 1 Article terming Candace an intentional liar is unequivocally false.

75. On Lead Stories’ website, as a link to the April 1 Article, Lead Stories labeled a screenshot of Candace Owens’ Facebook Post with the words “Hoax Alert” and “False,” as pictured below:



These two statements are provably untrue because Candace’s Facebook Post was not a “hoax” nor was it “false.”

76. In its April 1 Article, Lead Stories published at least three false and defamatory statements about Plaintiffs and the Facebook Post. The three false statements are organized in the table below for the Court’s convenience:

SPECIFIC FALSE STATEMENTS IN LEAD STORIES’ APRIL 1 ARTICLE	
Statement 1	“The [false] claims [about the Covid-19 death counting method] originated in a post ... published on Facebook by Candace Owens on March 29, 2020.”

Statement 2	“[Owens’ First Facebook Post] is being shared to suggest that medical officials are – in Owens’ words – ‘trying desperately to get the numbers to justify this pandemic response.’ This comment is an attempt to downplay the severity of a global infectious disease that has killed more than 42,000 people as of March 31, 2020.”
Statement 3	There are several inaccuracies in Owens’ [First Facebook Post].”

USA TODAY Discredited Plaintiffs for Its Own Financial Gain

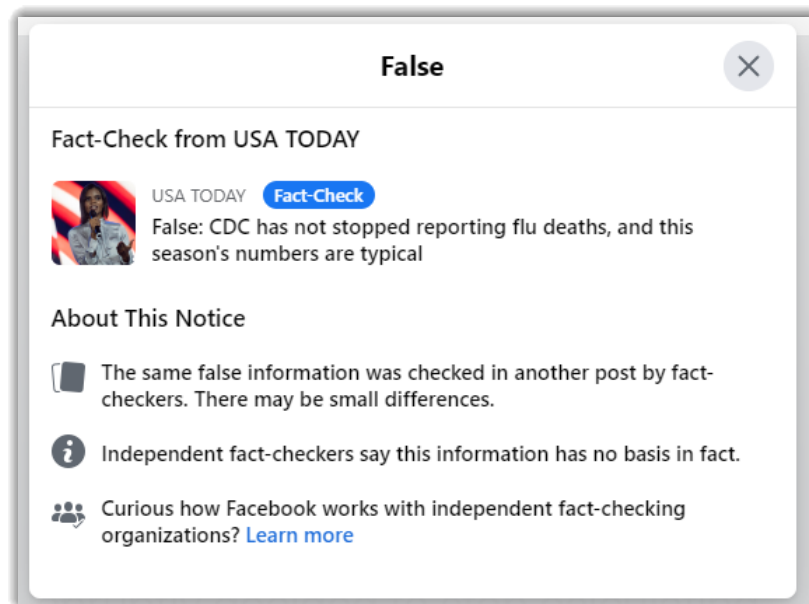
77. On April 30, 2020, USA TODAY published an article on its website with the headline, “Fact Check: CDC has not stopped reporting flu deaths, and this season’s numbers are typical” (the “April 30 Article”).¹⁸ A true and correct copy of the April 30 Article is attached to this Complaint and hereby incorporated by reference as *Exhibit E*.

78. The April 30 Article is false and references Candace’s Second Facebook Post and identifies Candace specifically by name.

79. The April 30 Article was used by Facebook to place a false information warning label upon Candace’s Second Facebook Post. When one clicks the false information warning label, Facebook identifies USA TODAY as the entity who fact

¹⁸ The April 30 Article is still available online and can be viewed by the Court at https://www.usatoday.com/story/news/factcheck/2020/04/30/fact-check-cdc-still-tracking-flu-deaths-2019-20-typical/3044888001/?fbclid=IwAR17Rl8OjBWnU_v0r2wCKhZkIpP60r_CdNxXLlpoV7fX7uV7Z7du (last visited Oct. 8, 2020).

checked Candace. Moreover, this allows one to be easily redirected to USA TODAY's website by clicking on the link that appears directly under the blue oval that states "fact-check," as depicted below:



80. The April 30 Article was wrongful and improper because USA TODAY intended that its article would be used by Facebook to place a false information warning label upon the Second Facebook Post so that traffic from Candace's page would be redirected to USA TODAY's webpage for USA TODAY's own financial gain. By redirecting Plaintiffs' large following to USA TODAY's webpage, USA TODAY generates clicks and views that increase its advertising revenue.

The Defendants' Articles Caused Facebook to Demonetize Plaintiffs

81. The Defendants' articles individually and collectively caused Facebook to restrict the viewability of Plaintiffs' First and Second Facebook Posts through the use of false information warning labels. Moreover, the Defendants' articles individually and collectively caused Facebook to demonetize Plaintiffs by suspending their ability to derive revenue from Facebook.

82. For example, after Lead Stories published its April 1 Article, Facebook used and linked to it as justification for placing a false information warning label on Candace's Facebook Post that labels it as "false." This false information warning label entirely blocks Candace's First Facebook Post. When clicked, the false warning label reads:

Independent facet-checkers at Lead Stories say [the Facebook Post] has false information. To help stop the spread of false news, a notice will be added to your post if you decide to share [the Facebook Post].

83. Facebook's warning label is based entirely upon the allegations made in Lead Stories' April 1 Article.

84. As a result of USA TODAY's April 30 Article, Facebook placed a similar warning label upon Candace's Second Facebook Post, as previously alleged in this Complaint.

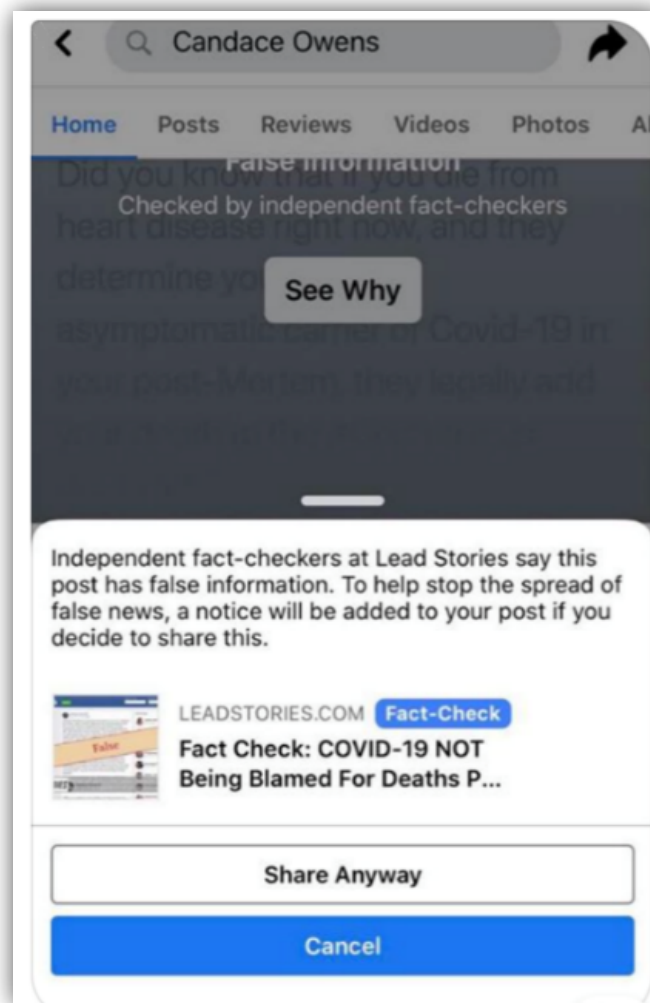
85. As Facebook Third-Party Fact-Checking Partners that are signatories to the IFCN, the Defendants knew that their respective articles would be used by Facebook to discredit Plaintiffs through the publication of false information warning labels. Moreover, the Defendants knew and were substantially certain that its articles would be used by Facebook as a justification to suspend Plaintiffs' ability to derive revenue from Facebook.

86. The Defendants, as Facebook Third-Party Fact-Checking Partners, knew that Facebook's false information warning label would serve to redirect Candace's viewers to Lead Stories' and USA TODAY's respective websites. In fact, the false information warning labels on both the First Facebook Post and Second Facebook Post contain clickable links that redirect Candace's viewers to Lead Stories' and USA TODAY's respective websites.

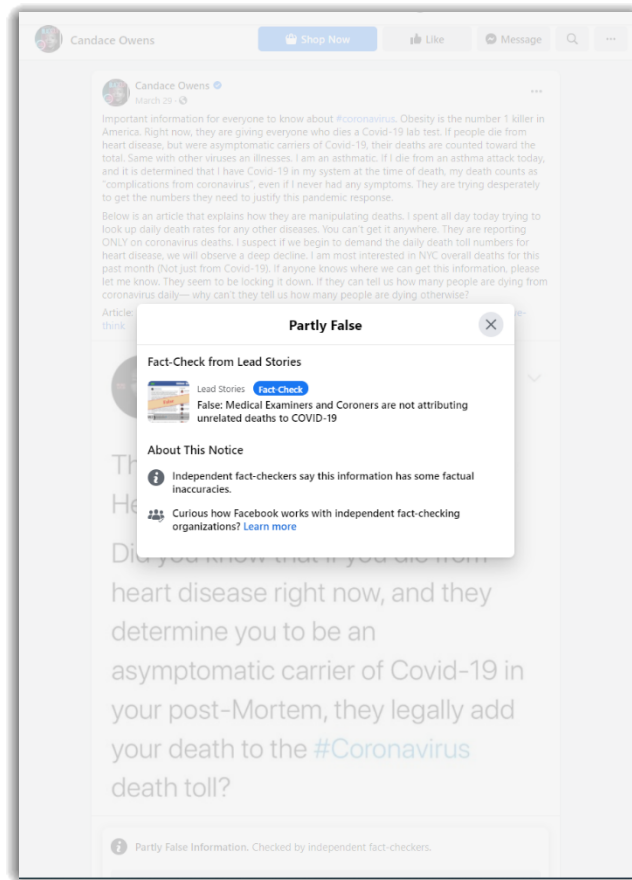
87. Upon information and belief, Facebook would not have placed false information warning labels upon Candace's First or Second Facebook Posts but for Lead Stories' April 1 Article and USA TODAY's April 30 Article.

88. Facebook's false information warning labels improperly block and obstruct the viewability of Candace's First and Second Facebook Posts to her 4.1 million followers and undermine the content contained therein. The false information warning labels actually blur the text of Candace's First and Second Facebook Posts so that viewers cannot read it. For example, screenshots of the false

information warning label from both the smartphone and desktop perspective for the First Facebook Post appear below:



Smartphone View



Desktop View

89. As depicted in the Desktop View, above, at the time of the publication of Lead Stories’ false Article, the Desktop View said “False” and not “Partly False.” Lead Stories subsequently changed its label to “Partly False” after Candace complained to Lead Stories about its erroneous labeling of her posts.

90. To the date of this filing of this Complaint, the false information warning labels still block or obscure the viewability of Candace's First and Second Facebook Posts on the internet, across both the smartphone and desktop view.¹⁹

91. All Facebook users are confronted with the false information warning labels on the First and Second Facebook Posts every time they view those posts on Facebook, regardless of who shares the posts and regardless of whether the posts are viewed on Plaintiffs' Facebook timeline, someone else's Facebook timeline, or elsewhere on Facebook. In this way, Facebook and the Defendants are inhibiting readers' ability to pass along or forward Candace's posts to friends, acquaintances, and other parties.

92. Facebook's false information warning labels state that Facebook will attach the label to users who pass along or forward Candace's First or Second Facebook Post. The Defendants were aware that Facebook would attach this label to all instances where users or followers of Candace would attempt to expand her influence or spread her message.

93. The Defendants acted with actual and common law malice to curtail and sever Candace's opportunities to expand her business, her market for her views, opinions, and publications, and her goodwill.

¹⁹ See <https://www.facebook.com/realCandaceOwens/posts/3598900840181091> (last visited Aug. 25, 2020).

94. The false information warning labels attach to Candace's name and likeness because users cannot engage with her First or Second Facebook Post without first clicking a button that acknowledges the existence of the false information warning label.

95. In May 2020, Facebook emailed Plaintiffs to inform them that Plaintiffs' account and Facebook Page were at risk of being suspended or outright eliminated from the Plaintiffs' contract with Facebook for purportedly spreading misinformation about the Covid-19 pandemic in its Facebook Post.

96. But for the Defendants' articles, Plaintiffs would not have received Facebook's threat to ban its account and break its contract. Upon information and belief, the Defendants' articles were a substantial factor in Facebook's decision to threaten Plaintiffs with suspension and demonetization.

97. Shortly after emailing its threat, Facebook demonetized Candace Owens' Facebook Page, banning Plaintiffs from deriving revenue from her presence on Facebook.

98. But for Defendants' articles, Plaintiffs would not have been demonetized by Facebook and would not have lost substantial revenue. Defendants' articles were a substantial factor in Facebook's decision to demonetize Plaintiffs and suspend them from deriving revenue from Facebook.

99. Candace Owens, LLC derives significant revenue from posts it makes on various social media websites, including Facebook. For example, between June 1, 2020 and June 21, 2020 alone, Candace Owens, LLC generated approximately \$780,000 in revenue from advertising on Facebook for an average of approximately \$35,500 per day.

100. On a monthly basis, Candace Owens, LLC loses \$1,065,000 in Facebook revenues. This along with other damages caused by Facebook's ban result in monthly damages of \$1,082,750.58.

Plaintiffs' Demands for Retraction Have Been Unsuccessful

101. Pursuant to the protocol established by Facebook for appealing the misinformation warning labels placed upon Facebook posts, Candace sent an email directly to Alan Duke, co-founder and a representative of Lead Stories, explaining to him why Lead Stories' Article was incorrect and should be edited or removed from the internet.

102. Instead of acknowledging Lead Stories' ironic failure to accurately fact check its own baseless allegations concerning Candace, Mr. Duke merely changed Lead Stories' Article rating of the Facebook Post from "False" to "Partly False." As Lead Stories knew, this was insufficient to cause Facebook to remove its false information warning label. It also did not properly respond to the well-researched and accurate statements made in Candace's Facebook Post. Although Candace

explained this situation to him in subsequent email communications, Mr. Duke ignored additional emails from Candace. True and correct copies of these emails are attached to this Complaint and hereby incorporated by reference as *Exhibit F*.

103. The fact that Lead Stories changed the label on the Facebook Post from “False” to “Partly False” is a practical demonstration that Lead Stories’ Article is false, yet Lead Stories has not retracted it or published a sufficient correction.

104. Moreover, Facebook representatives told Candace that they would not remove the Warning Label on her Facebook Post unless Lead Stories agreed to have it removed or Lead Stories removed its Article. A true and correct copy of this correspondence is attached to this Complaint and hereby incorporated by referenced as *Exhibit G*.

105. Without a further response from Mr. Duke, Plaintiffs propounded a written demand for retraction upon Lead Stories and Facebook on May 18, 2020, which identified the April 1 Article and explained why it was false and defamatory. A true and correct copy of Plaintiffs’ retraction demand is attached to this Complaint and hereby incorporated by reference as *Exhibit H*.

106. Although Facebook responded to Candace’s demand in a letter dated June 8, 2020, which denied responsibility and pointed the finger at Lead Stories accusing them of being wholly responsible for the April 1 Article, Lead Stories has,

to the date of the filing of this Complaint, failed to respond or issue a retraction of its April 1 Article.

107. Facebook's response letter to Candace states, as a matter of fact, that the defamatory statements in the April 1 Article were published by Lead Stories and not Facebook.

**Lead Stories Published Its April 1 Article with
Actual and Common Law Malice**

108. Lead Stories maliciously and falsely attacked Plaintiffs for its own financial and political gain.

109. Lead Stories stands to gain financially from its false attack on Candace. It profits from visitors being redirected from Candace's website and to its website and being exposed to Lead Stories' advertisers and sponsors. Lead Stories also profits from its contractual relationship with Facebook and has an economic incentive to fulfill its contractual obligation with Facebook to locate and label falsehoods and hoaxes.

110. By terming a prominent political commentator like Candace a liar who utters irresponsible falsehoods and conjures up hoaxes that impair the national interest, Lead Stories also advances its patent political or policy interest in promoting a leftist agenda and thwarting Candace's conservative agenda.

111. Lead Stories is an organization that knowingly employs reporters like Ryan Cooper who have a provable and demonstrable left-leaning political bias and an axe to grind with conservative thought leaders like Candace.

112. Lead Stories targeted Candace and deliberately aimed to censor her opinion on the Covid-19 pandemic. Lead Stories has a contractual relationship with Facebook and a patent interest in satisfying its mission to police Facebook posts. Facebook has incorrectly and maliciously labeled Candace a “Hate Agent,” of which Lead Stories is presumably aware.

113. Lead Stories actually knew and knows that that accusations made against Candace were false. It has been alerted to that fact by Candace’s demand for retraction. It has been made aware of statements such as those made by high-ranking U.S. officials, including Dr. Birx, a chief member of the White House Coronavirus Task Force, which support the factual basis for Candace’s Facebook Post as previously alleged in this Complaint.

114. Upon information and belief, Lead Stories purposely avoided publishing facts and including expert opinions that would have supported Candace’s position in her First Facebook Post.

115. To the extent that the First Facebook Post relied on its own expert, Dr. Lee, and Lead Stories Article relied on its own expert, Dr. Aiken, Lead Stories had actual knowledge that it could not “fact check” the Facebook Post and prove it

“false” because the competing expert opinions about how Covid-19 deaths are being counted reflected an inconclusive disagreement among experts.

116. Because Lead Stories knew that Candace’s Facebook Post could not be “false” because it in part illustrated a mere disagreement among experts, it was publication in reckless disregard of the truth for Lead Stories to accuse Candace of originating a viral lie that spread on Facebook.

117. Lead Stories’ actual malice is further evidenced by its failure to retract the Article in derogation of accepted journalistic standards and those articulated by the IFCN, an organization to which Lead Stories is a signatory, as previously alleged in this Complaint.

118. Even in May 2020—approximately one month after the Article’s publication—Lead Stories consciously disregarded contrary information presented to it by Candace to continue its attack on Plaintiffs.

119. Lead Stories—and its reporter Ryan Cooper—do not like Candace, her political viewpoint, or her support for President Trump.

120. Upon information and belief, Lead Stories condones Facebook’s incorrect labeling of Candace as a “Hate Agent.”

121. Lead Stories published its false and defamatory April 1 Article knowing full well that it would be used by Facebook to attack Candace and make her appear to be a liar in front of her followers.

122. Upon information and belief, Lead Stories itself selected Candace's Facebook Post for "fact checking" and it was not required, by contract or request, to specifically fact check Candace's Facebook Post. In this way, Lead Stories voluntarily chose to attack Candace and to interfere with her contract with Facebook and to impede her future business opportunities.

123. Upon information and belief, Lead Stories could have adequately published its April 1 Article without reference to Candace at all, but it instead chose to identify her by name and make her the centerpiece of its Article.

CAUSES OF ACTION

Count 1—Intentional Interference with Contractual Relations **(brought by Candace Owens, LLC against both Defendants)**

124. The preceding paragraphs are hereby incorporated by reference as if fully realleged herein.

125. Candace Owens, LLC, at all times relevant to this action, had a contract with Facebook pursuant to Facebook's terms of service that provided for, among other things, the ability for Candace Owens, LLC to derive revenue from the Facebook platform.

126. The Defendants had actual knowledge of the contract between Candace Owens, LLC and Facebook given that, among other things, the Defendants are

Facebook Third-Party Fact Checking Partners and themselves under a contract with Facebook.

127. Defendant Lead Stories committed an intentional act by publishing defamatory statements that it knew would be utilized by Facebook to justify banning Candace Owens, LLC from deriving advertising revenue from the Facebook platform.

128. Lead Stories' intentional act was improper and wrongful in that it constitutes a recognized tort (defamation), and because it intended to harm Candace Owens, LLC out of political motivation. It sought to hinder the LLC's ability to operate and derive revenue from the Facebook platform, seeking to diminish or eliminate a conservative opinion with which it disagreed. Instead of fighting free speech with free speech, Lead Stories used its financial and contractual relationship with Facebook to eliminate Candace's speech.

129. USA TODAY's intentional act was improper and wrongful in that another of its motives in publishing its April 30 Article was to redirect traffic from Candace's Facebook page to its own website so that it could obtain more advertising clicks and views. As such, USA TODAY sought to advance its sole financial interest.

130. The Defendants were not justified in publishing their respective articles.

131. But for the Defendants’ articles, Plaintiffs would not have suffered damages significant pecuniary harm and other damages resulting from Facebook’s demonetization of Plaintiffs.

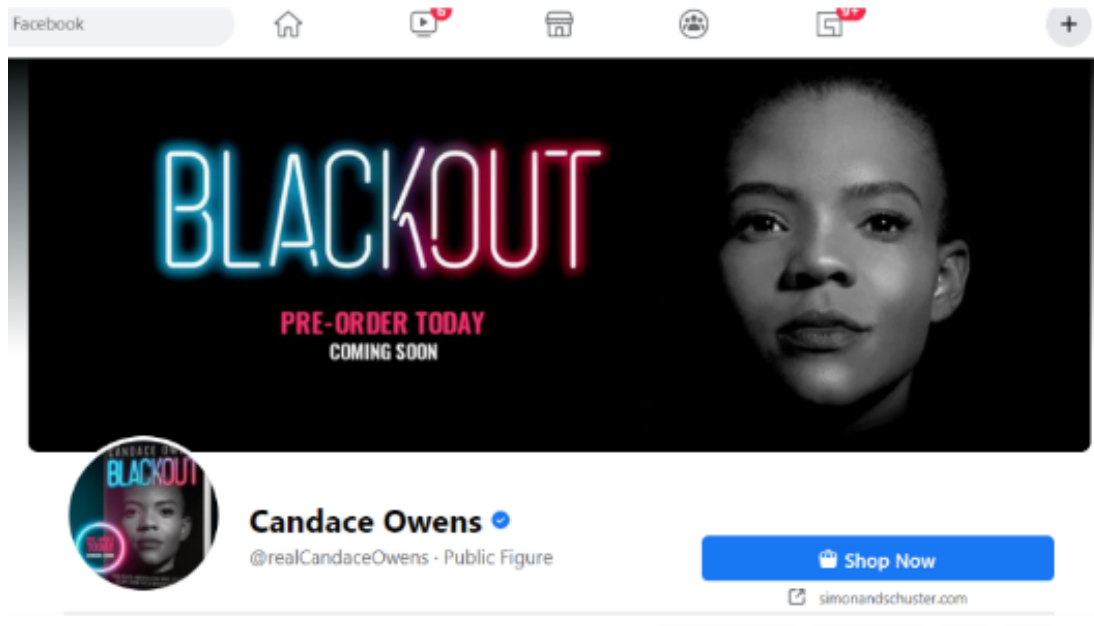
Count 2—Tortious Interference with Prospective Business Relations
(brought by both Plaintiffs against both Defendants)

132. The preceding paragraphs are hereby incorporated by reference as if fully realleged herein.

133. Before the publication of the Defendants’ articles, given Candace’s prior success, it was reasonably probable—and absolutely expected—that Plaintiffs would obtain future business opportunities and revenue derived from Facebook and other social media platforms.

134. In fact, Lead Stories knew or should have known, through the cover photo and profile picture of Candace Owens’ Facebook account, that Candace was advertising and encouraging pre-orders of her new book, “Blackout.” A copy of

this cover photo describing the presale, which is immediately viewable to all who access Plaintiffs' Facebook Page, is depicted below:



135. Plaintiffs' Facebook Page contains a large, blue "Shop Now" button that would allow viewers to immediately navigate to www.simonandschuster.com, where viewers could pre-order Candace's new book.

136. The Defendants knew and should have known that their respective articles would be used to place false information warning labels on Candace's First and Second Facebook Posts and that all who saw the First and Second Facebook Posts—regardless of who shared it—would be confronted with false information warning labels.

137. Lead Stories, through publication of its Article, unreasonably and intentionally interfered with:

- a. Plaintiffs' opportunity to advertise and sell Candace's book through the use of Facebook and other social media platforms;
- b. Plaintiff's opportunity to maximize the amount of pre-sale orders for Candace's book;
- c. Plaintiffs' opportunity to expand viewership of Candace's Facebook page and its accounts on other social media platforms; and
- d. Other opportunities for Candace to speak, teach, publish, comment, or engage in other activities that either immediately inured to the Plaintiffs' financial gain or contributed to Candace's goodwill.

138. But for Lead Stories' Article, Plaintiffs would not have suffered significant pecuniary and other damages resulting from Facebook's demonetization of Plaintiffs.

Count 3—Unfair Competition at Common Law
(brought by both Plaintiffs against both Defendants)

139. The preceding paragraphs are hereby incorporated by reference as if fully realleged herein.

140. Plaintiffs had a reasonable expectancy of entering into and continuing a valid business relationship with Facebook and various advertisers through Facebook. This expectancy was reasonable because it was based upon a contract and history of prior dealing between Facebook and Candace Owens, LLC whereby Plaintiffs would publish content on Facebook and Facebook, through various advertisers, would compensate Plaintiffs.

141. The Defendants wrongfully interfered with this expectancy by leveraging their power as Facebook Third-Party Fact-Checking Partners to place false or misleading information warning labels on Candace's posts for the purpose of redirecting web traffic away from Candace and directing it to their respective websites. By such a scheme, the Defendants sought to increase their number of clicks and advertising revenue by commandeering Plaintiffs' large Facebook

following, enhance their status on the internet, and enhance their relationship with Facebook as Third-Party Fact-Checking partners.

142. The Defendants were substantially certain that by publishing articles that sought to fact check Candace and identify her by name, Facebook would place a false information warning label on her First and Second Facebook Post and cite, through clickable URL links, to the Defendants' articles as justification.

143. Defendants' actions were unfair actions because they prevented Plaintiffs from legitimately earning revenue from Facebook, as well as from enhanced goodwill, book sales and other publication opportunities, speaking and teaching, and other business relationships.

144. Plaintiffs' reasonable expectancy was defeated by the Defendants' wrongful conduct. The Defendants' articles were a substantial factor in Facebook's decision to demonetize Candace Owens, LLC and prohibit Plaintiffs from deriving revenue from Facebook.

145. Candace Owens, LLC suffered substantial harm as a result of Defendants' wrongful and unfair conduct, including by being demonetized and losing revenue.

Count 4—Defamation with Actual Malice
(brought by both Plaintiffs against Defendant Lead Stories, LLC)

146. The preceding paragraphs are hereby incorporated by reference as if fully realleged herein.

147. Lead Stories' April 1 Article is demonstrably false.

148. Lead Stories' April 1 Article is of and concerning the Plaintiffs because it specifically identifies Candace by name several times, as previously alleged in this Complaint. Lead Stories' April 1 Article singles Plaintiffs out in specific accusations that charge the intentional dissemination of false information.

149. Lead Stories' April 1 Article imputes specific charges of conduct to Plaintiffs including but not limited to:

- a. intentionally spreading a lie;
- b. receiving advertising revenue from spreading misinformation on the internet; and
- c. attempting to "downplay the severity" of a deadly worldwide pandemic.

150. Lead Stories' April 1 Article is capable of a defamatory meaning because, when read by a reasonable reader in context, the aforementioned specific charges of conduct tend to, in no particular order:

- a. subject Plaintiffs to hatred, ridicule, and contempt;
- b. diminish Plaintiffs' standing in the community; and

- c. denigrate Plaintiffs' fitness for her occupation at PragerU and as a media commentator.

151. Lead Stories' April 1 Article is defamatory per se because it is defamatory on its face without any reference to outside material.

152. Lead Stories published its April 1 Article and false accusations therein as fact. Indeed, Lead Stories labels its work "fact checking."

153. Lead Stories did not publish its false statements as mere parody or opinion.

154. Lead Stories published its false accusations about Plaintiffs with actual malice, as previously alleged in this Complaint.

155. Lead Stories' Article was unprivileged.

156. Candace has suffered significant reputational harm as a result of Lead Stories' April 1 Article. She demands \$50,000,000 in damages for reputational harm.

157. Candace has suffered significant reputational harm as a result of Lead Stories' April 1 Article.

158. Even though the Article was defamatory per se and is actionable irrespective of allegations of special harm, but for Lead Stories' April 1 Article, Plaintiffs would not have suffered significant pecuniary damages resulting from Facebook's demonetization of Plaintiffs.

Count 5—Defamation with Common Law Malice
(brought by both Plaintiffs against Defendant Lead Stories, LLC)

159. The preceding paragraphs are hereby incorporated by reference as if fully realleged herein.

160. Lead Stories' April 1 Article is demonstrably false.

161. Lead Stories' April 1 Article is of and concerning the Plaintiffs because it specifically identifies Candace by name several times, as previously alleged in this Complaint. Lead Stories' April 1 Article singles Plaintiffs out in specific accusations that charge the intentional dissemination of false information.

162. Lead Stories' April 1 Article imputes specific charges of conduct to Plaintiffs including but not limited to:

- a. intentionally spreading a lie;
- b. receiving advertising revenue from spreading misinformation on the internet; and
- c. attempting to "downplay the severity" of a deadly worldwide pandemic.

163. Lead Stories' April 1 Article is capable of a defamatory meaning because, when read by a reasonable reader in context, the aforementioned specific charges of conduct tend to, in no particular order:

- a. subject Plaintiffs to hatred, ridicule, and contempt;
- b. diminish Plaintiffs' standing in the community; and

- c. denigrate Plaintiffs' fitness for her occupation at PragerU and as a media commentator.

164. Lead Stories' April 1 Article is defamatory per se because it is defamatory on its face without any reference to outside material.

165. Lead Stories published its April 1 Article and false accusations therein as fact. Indeed, Lead Stories labels its work "fact checking."

166. Lead Stories did not publish its false statements as mere parody or opinion.

167. Lead Stories published its false accusations about Plaintiffs with common law malice, as previously alleged in this Complaint.

168. Lead Stories' April 1 Article was unprivileged.

169. Candace has suffered significant reputational harm and humiliation as a result of Lead Stories' April 1 Article. She demands \$50,000,000 in damages for reputational harm.

170. Even though the April 1 Article was defamatory per se and is actionable irrespective of allegations of special harm, but for Lead Stories' Article, Plaintiffs would not have suffered significant pecuniary damages from Facebook's demonetization of Plaintiffs.

WHEREFORE, Plaintiffs respectfully pray:

- (a) That judgment be entered against the Defendants, jointly and severally, for substantial compensatory damages in an amount to be determined at trial;
- (b) That Lead Stories be held liable for the reputational harm it has caused Plaintiff;
- (c) That judgment be entered against the Defendants for punitive damages in an amount to be determined at trial;
- (d) That Plaintiffs recover pre- and post-judgment interest;
- (e) That Plaintiffs recover their reasonable attorneys' fees and expenses from the Defendants;
- (f) That trial by jury on all issues so triable;
- (g) That all costs of this action be taxed to the Defendants; and
- (h) That the Court grant all such other and further relief that the Court deems just and proper, including equitable relief.

Dated: October 19, 2020

/s/ Sean J. Bellew

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