

**IN UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

ROY S. MOORE,)	
)	Case No. _____
Plaintiff,)	
)	
v.)	COMPLAINT
)	
GUY CECIL,)	
PRIORITIES USA,)	
SENATE MAJORITY PAC (SMP),)	
BULLY PULPIT INTERACTIVE LLC,)	
WATERFRONT STRATEGIES, AND)	
FICTITIOUS PARTIES, OTHERWISE)	
UNKNOWN, WHO ARE)	
RESPONSIBLE FOR FUNDING,)	
PRODUCING, OR PLACING THE)	
DEFAMATORY ADVERTISEMENTS)	
DESCRIBED IN THIS COMPLAINT,)	
)	
Defendants.)	

INTRODUCTION

Plaintiff Roy Stewart Moore, former Chief Justice of the Supreme Court of Alabama (“Judge Moore”) brings this action against Guy Cecil, Priorities USA (“Priorities”), Senate Majority PAC (“SMP”), Bully Pulpit Interactive LLC (“Bully Pulpit”), and Waterfront Strategies, (“Waterfront”), for defamation, defamation by implication, and intentional infliction of emotional distress.

JURISDICTION AND VENUE

1. Because the parties are completely diverse in citizenship and the amount in controversy exceeds \$75,000, this Court has diversity jurisdiction. 28 U.S.C. § 1332.

2. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2). A substantial part of the events or omissions giving rise to the claim occurred in this judicial district.

PARTIES

3. Plaintiff Roy Moore is a citizen of the State of Alabama.

4. Defendant Guy Cecil is the Chairman of defendant Priorities USA. He was executive director of the Democratic Senatorial Campaign Committee in 2012 and 2014. Defendant Priorities USA (“Priorities USA”) is a 501(c)(4) nonprofit that has its principal place of business in the District of Columbia.

5. Defendant Senate Majority PAC (“SMP”) is a Super PAC that has its principal place of business in the District of Columbia.

6. Defendant Bully Pulpit Interactive LLC (“Bully Pulpit”) is a marketing services company that has its principal place of business in the District of Columbia.

7. Defendant Waterfront Strategies (“Waterfront Strategies”) is a media-buying firm that has its principal place of business in the District of Columbia.

8. Fictitious parties are individuals or entities, otherwise unknown, who are responsible for funding, producing, or placing the defamatory advertisements described in this complaint.

FACTS

I. Background

9. On September 25, 2017, Plaintiff Roy Moore won a run-off election to become the Republican nominee for the unexpired term of Alabama Senator Jeff Sessions who had resigned to be appointed Attorney General of the United States. Judge

Moore faced Democratic Party nominee Doug Jones in a special election on December 12, 2017.

10. On November 6, 2017, the Highway 31 Super PAC (“Highway 31”) filed a statement of organization with the Federal Election Commission (“FEC”) and was assigned ID# C00659896. The listed address of Highway 31 was in Birmingham, Alabama and its treasurer was Edward Still, a Birmingham attorney.

11. Although Highway 31 appeared to be an Alabama organization, it was a conduit for SMP and Priorities, national campaign organizations allied with the Democratic Party, to pour money into attack ads against Judge Moore without voters being aware that the ads were funded by out-of-state entities. The choice of the name “Highway 31,” which refers to a north-south Alabama highway that provides local connections parallel to Interstate I-65, was part of the subterfuge. By choosing a name tied to Alabama geography, the creators and controllers of the Highway 31 Super PAC sought to conceal the reality that it was merely a puppet organization manipulated by national Democratic Party interests.

12. Bully Pulpit, a digital media production and placement firm, was the vendor that Priorities used to place digital media attack ads against Judge Moore through the instrumentality of Highway 31. Waterfront Strategies, a Democratic-aligned media buying firm, was responsible for placing TV ads for Highway 31 under the direction of SMP.

II. Shopping-Mall Ad

13. Between November 27 and December 6, 2017, Highway 31 ran a 30-

second ad close to 1000 times on network TV in Alabama (ABC, CBS, NBC, and Fox) that accused Judge Moore of “soliciting sex from young girls” at the Gadsden Mall. The “shopping mall” ad showed footage of a parking lot and the interior of a mall with the following text overlay that was read, except for the citations, by a voice-over announcer. See Exhibit A for screenshots of the ad.

What do people who know Roy Moore say?

“Moore was actually banned from the Gadsden mall ... for soliciting sex from young girls.”

—New American Journal, 11/12/2017

One he approached “was 14 and working as Santa’s helper.”

—AL.com 11/13/2017

“These stories have been going around this town for 30 years.”

—Blake Usry, AL.com, 11/13/2017

“These women are being skewered for the truth.”

—Teresa Jones, AL.com, 11/13/17

Gadsden Police Officer: “I actually voted for Moore ... but I’m basically disgusted now.”

—Gadsden Police Officer, TNY.com, 11/13/2017

Highway 31 is responsible for the content of this advertising.

14. The topic sentence of the ad that all the other quotations support, is that “Moore was actually banned from the Gadsden mall ... for soliciting sex from young girls.” The cited source is an online news and opinion site of journalist Glynn Wilson, an early supporter of Doug Jones. The full sentence in Wilson’s article states: “*Sources tell*

me Moore was actually banned from the Gadsden Mall and the YMCA for his inappropriate behavior of soliciting sex from young girls.”¹ Wilson does not identify those sources. Thus, Highway 31’s assertion that “people who know Roy Moore” say he was banned from the mall for soliciting sex has no factual support. Wilson does not claim he had such knowledge nor that his unnamed sources did.

15. Although the lead assertion in the ad had no factual support, Highway 31 marshaled four other unrelated quotes to create the illusion that Wilson’s assertion had been validated by others. The first three quotes are from an AL.com article of November 13, 2017. *See* highlighted portions of Exhibit B. The first quote in support of the proposition that Judge Moore solicited sex from young girls at the Gadsden mall is that “One he approached ‘was 14 and working as Santa’s helper.’” But the AL.com article, from which the latter part of the sentence is quoted, says nothing about soliciting sex. The article states:

Wendy Miller told The Post that she was 14 and working as Santa’s helper at the Gadsden Mall in 1977 when Moore first spoke with her and told her she looked pretty. Two years later, when she was 16, he asked her out on dates, although her mother wouldn’t let her go.

16. Speaking to someone, making a compliment, and asking a person out are not the same as “soliciting sex.” No one who was not reckless with the truth or intentionally seeking to lie about Judge Moore, would hold otherwise. Highway 31’s controllers deliberately juxtaposed the AL.com reporting with Glynn Wilson’s

¹ Glynn Wilson, *Politics Makes Strange Bedfellows, but Jesus. Not this* (Nov. 12, 2017) (emphasis added), <https://www.newamericanjournal.net/2017/11/politics-makes-strange-bedfellows-but-jesus-not-this>.

unvalidated assertion to create the false impression that Judge Moore solicited sex from a 14-year-old Santa's helper at the mall. The very source they cite in the ad refutes that statement. Thus, SMP and Priorities, who funded and controlled Highway 31, recklessly or deliberately twisted sources to broadcast an outrageous lie. The very article they relied on reveals their deception. And why? J.B. Poersch, the President of SMP, explained: "We are interested in winning. We do what we need to in order to win." *Newsmakers with J.B. Poersch*, C-SPAN.org (Aug. 17, 2017).

17. The second AL.com quote in support of the "soliciting sex" assertion is that "[t]hese stories have been going around this town for 30 years." But the stories Blake Usry was referring to were not about soliciting sex from young girls at the mall. As the AL.com article stated:

And yet people who lived in Etowah County during that time have said Moore's flirting with and dating much younger women and girls was no secret.

"These stories have been going around this town for 30 years," said Blake Usry, who grew up in the area and lives in Gadsden. "Nobody could believe they hadn't come out yet."

Usry, a traveling nurse, said he knew some girls that Moore tried to flirt with.

"It's not a big secret in this town about Roy Moore," he said. "That's why it's sort of frustrating to watch" the public disbelieve the women who have come forward, he said.

Flirting and dating are not the same as soliciting sex. No one who was not recklessly indifferent to the truth or deliberately seeking to blacken Judge Moore's name would claim otherwise. But Highway 31's masters did not let truth impede them.

18. The third quote in the ad from the AL.com article is from Teresa Jones whose tenure in the Etowah County District Attorney's office overlapped for one year with that of Judge Moore. The ad quotes her statement: "These women are being skewered for the truth." The supposed truth, according to the Highway 31 ad, is that Judge Moore solicited sex from young girls at the Gadsden Mall. But Jones statements quoted in the AL.com article do not allege that Judge Moore solicited sex at the mall. Jones spoke of "common knowledge about Roy's propensity for teenage girls," which she clarified to mean "that Roy dated high school girls." *See* Exhibit B. Again, Highway 31 is deceptively quoting and citing an article to support a proposition unrelated to what the article actually said.

19. The shopping-mall ad concludes with a quote from TNY.com. TNY.com is short for "The New Yorker." Their standard URL is newyorker.com, but those that ran Highway 31 did not want the name "New York" in the ad. They instead used the cryptic and uninformative abbreviation TNY.com.

20. The quote, taken from a *New Yorker* article of November 13, 2017, ascribes to an unnamed police officer the statement that "I'm basically disgusted now."² The reasonable implication from the ad is that the officer, who formerly voted for Judge Moore, is disgusted to learn that Judge Moore had been soliciting sex from young girls at the mall. But the *New Yorker* article says only that the police officer was "appalled" at Moore's statement that "he's never dated anybody without their mother's permission."

² Charles Bethea, *Locals Were Troubled by Roy Moore's Interactions with Teen Girls at the Gadsden Mall*, <https://www.newyorker.com/news/news-desk/locals-were-troubled-by-roy-moores-interactions-with-teen-girls-at-the-gadsden-mall> (Nov. 13, 2017).

However “disgusting” that might be, it has no relationship to the ad’s allegation of soliciting sex from young girls at the mall. Again, the masters of Highway 31 have pulled a quote out of context. Asking a mother for permission to date her daughter is a gentlemanly gesture, not an act of sensual solicitation.

21. From beginning to end the shopping mall ad is a deliberately constructed maze of lies and deception. Defamation was not something that the powers behind Highway 31 accidentally or unintentionally stumbled into but was instead a weapon of choice consistently employed to annihilate a targeted political opponent.

22. On December 5, 2017, after the shopping mall ad had been running statewide on network TV for over a week, Judge Moore through his attorney sent a cease-and-desist letter to 12 Alabama TV stations. *See* Exhibit C. The letter pointed out that, contrary to the opening question: “What do people who know Roy Moore say?”, no one quoted in the ad had any firsthand knowledge of the allegations of sexual misconduct. In fact, “the people quoted in the ad were alleging hearsay and third-hand gossip and do not ‘know Roy Moore’ at all.” Furthermore, the accusation that Judge Moore was banned from the Gadsden Mall for soliciting sex from young girls was “doubly false.”

The truth is that Judge Moore was never banned from any mall for any reason, as confirmed by the then-manager of the Gadsden Mall. Furthermore, the truth is that Moore never solicited sex from young girls at the Gadsden Mall and no such false accusation has been alleged by anyone.

23. The demand letter noted the ad’s implication that Judge Moore approached a 14-year-old girl for sex. “The truth is that Wendy Miller ... never alleged that Moore solicited her for sex at the mall or anywhere else.” Accordingly, “[t]he facts make clear

that the allegations in these attack ads are patently false *and known by Highway 31 political action committee to be false.*” (emphasis added).

24. The TV stations received the letter on Tuesday, December 5 and notified Highway 31. The last day the shopping mall ad ran on any TV station in Alabama was December 6, a tacit admission that the charges in the letter were correct.

25. Additional evidence demonstrates that Highway 31 ran the shopping mall ad in defiance of evidence of its falsity. The “shopping mall” ad ran close to 1000 times on network TV in Alabama during the two weeks before the election. Yet, by Monday, November 27, the day the ad began running, defendants had information that the mall ban story was fictitious.

26. A *New Yorker* article of November 13, cited in the shopping-mall ad, quoted a former Gadsden mall manager as saying that he did not recall Roy Moore being banned from the mall. The Barnes Boyle interview with WBRC (FOX-Birmingham), in which the former manager of the Gadsden Mall stated that to his knowledge Judge Moore “was not banned from the mall,” took place on November 16, 11 days before the shopping mall ad began running.

27. Between November 16 and November 18, the Barnes Boyle interview on WBRC was widely reported in conservative media, including the *Washington Examiner*, *Breitbart News*, *The Gateway Pundit*, *Western Journalism Review*, *Daily Wire*, and *American Thinker*.

28. On November 20, the Moore campaign issued a press release that included the Barnes Boyle statement and also the statements of Johnny Adams and Johnnie V.

Sanders that refuted the mall-ban story. AL.com ran a full story on those statements quoting them in full. *See* Exhibit D. Other media that ran this story on November 20 and 21 included the *Alabama Reporter*, *New American*, *The Blaze*, and *Talking Points Memo*.

29. Defendants intentionally disregarded these stories in crafting the shopping mall ad, which falsely stated that Judge Moore “was actually banned from the Gadsden mall.” Even Glynn Wilson, whom Highway 31 quoted as its source for the mall ban story, retracted his allegation in a published article on November 27.³ Highway 31 was not deterred.

30. Besides ignoring readily available evidence that the mall ban was fictitious, Highway 31 and its controllers, as stated above, brazenly stated that Judge Moore was banned from the mall for soliciting sex from young girls. No evidence at all supported that claim which relied on anonymous sources that the ad creators sought to buttress through supporting quotes they deceptively wrested from context.

III. Sexual predator ad

31. One Highway 31 ad that ran on digital media, including before YouTube videos, used the following text overlay and voice over:

**If you don’t vote
and Roy Moore — a child predator — wins,
could you live with that?**

³ Glynn Wilson, “Gadsden Alabama Unfairly Targeted by National Media in Roy Moore Sex Scandal,” <https://www.newamericanjournal.net/2017/11/gadsden-alabama-unfairly-targeted-by-national-media-in-roy-moore-sex-scandal> (Nov. 27, 2018).

**Your vote is public record,
and your community will know
whether or not you helped stop Roy Moore.
Tuesday, December 12th, vote for Doug Jones for Senate.
Paid for by Highway 31 and not authorized by any candidate or
candidate's committee. WWW.HIGHWAY31.COM**

See Exhibit E for screenshots of the ad.

32. The “child predator” language is defamatory *per se*. The loaded term “sexual predator” typically applies to convicted sex offenders who are liable to reoffend. A faculty member at the University of Alabama School of Law stated: “The single most common dehumanizing term used to describe convicted sex offenders was ‘sexual predators.’” That term deliberately “compar[es] the actions of animals that hunt and kill other animals to sexual offenders’ pursuit and sexual victimization of children.”⁴ Without any evidence to support labeling Judge Moore as a sexual predator, Priorities USA, SMP, and Bully Pulpit deliberately chose the inflammatory language of predation to shock the electorate. To reinforce the deception, the ad pictured a young girl who could not have been more than ten years old. Exhibit E.

33. The assertion that “your vote is public record,” although not directly defamatory of Judge Moore, sought to intimidate voters into voting for his opponent, lest they be exposed as voting for a “child predator.” This tactic, a direct attack on the sanctity of the secret ballot and a deliberate effort to capitalize on the “child predator”

⁴ Daniel M. Filler, *Making the Case for Megan’s Law: A Study in Legislative Rhetoric*, 76 Ind. L. J. 315, 338-39 (2001).

charge, drew the ire of Alabama Secretary of State, John Merrill. In an official press release he stated: “Reports from several sources indicate a targeted effort to misinform and confuse voters regarding whether an individuals’ voting record would be available to the public. No individual voting record is made available to anyone at anytime, including the voter who cast the ballot.” *See* Exhibit F-1. Secretary Merrill provided an internet link to the ad, which is the one quoted above in ¶ 31 and depicted in Exhibit E.

34. Secretary Merrill further stated: “We have communicated with the individual(s) that created the video and have expressed to them the misinterpretations presented in this political commercial. Monday [Dec. 4], the PAC responded to the Office and indicated they would not amend nor take out any of the information in the ad.” In fact, according to a Highway 31 spokesman, the PAC “was in contact with Google to ensure the ad runs through election day.”⁵

35. “We have seen the contents of the ad and it is voter intimidation,” Merrill said to AL.com.⁶ In the face of a direct request from the Alabama Secretary of State, Highway 31 refused to modify or remove its “sexual predator” ad that was designed “to misinform and confuse voters” as to the secrecy of their ballots.

36. Not to be thwarted by the brazen effrontery of Highway 31, Secretary Merrill directly contacted Google to have the ad removed from YouTube. His December 6 press release on the matter (*see* Exhibit F-2) stated:

⁵ Melissa Brown, *Secretary of state asks Google to remove anti-Moore ad*, Montgomery Advertiser (Dec. 7, 2017).

⁶ Amy Yurkanin, *Pro-Doug Jones ad provokes concerns about voter intimidation*, AL.com (Dec. 4, 2017), https://www.al.com/news/index.ssf/2017/12/pro-doug_jones_ad_provokes_con.html.

Secretary Merrill's team contacted the Media and Advertising team at Google (YouTube's parent company) and through several intense discussions and many references to Alabama State Law the team at Google felt the ad should be "disapproved" and that it was in violation of the AdWords advertising policies.

The ad has been removed by Google and was done so at the request of the Alabama Secretary of State's Office.

37. Highway 31 provided the following Orwellian explanation to the media in defense of the ad:

The Secretary of State is distorting the intent of the ad. Whether or not someone votes is public knowledge. The ad is not improper. Standing up and voting against Roy Moore on December 12 is critically important to the future of our state and we are going to make sure all Alabamians know that.⁷

This rationalization is wholly unpersuasive. The statement that "[w]hether or not someone votes is public knowledge" is true, but that is not what the ad asserts. The ad says that "[y]our vote is public record." That is flatly untrue. *How* someone votes is not public record. This irrelevant and misleading "explanation" is evidence that Highway 31 understood what it was doing and deliberately lied to the electorate to benefit Jones's candidacy.

38. The lesson of this episode is that the backers of Highway 31 were utterly unscrupulous in pursuing their single minded objective of defeating Judge Moore by any means, no matter how unethical. Their stubborn refusal to withdraw an ad that struck at the integrity of the electoral process indicates that their pursuit of political advantage

⁷ Olivia Stump, *Secretary of State Criticizes, Clarifies Inaccurate Information on Ad*, WKRG.com, https://www.wkrg.com/news/national/secretary-of-state-criticizes-clarifies-inaccurate-information-on-ad_20180108080022666/906237546 (Dec. 5, 2017).

recognized no ethical limits. Their intentional flouting of basic norms of American democracy is evidence of their willing and reckless disregard of the truth in framing attack ads against Judge Moore. No means, however unscrupulous, and no lie, however outrageous, was out of bounds for them. The only test was: will the tactic work to defeat Judge Moore? As J.B. Poersch, the President of SMP, explained to C-SPAN: “We are interested in winning. We do what we need to in order to win.” *Newsmakers with J.B. Poersch*, C-SPAN.org (Aug. 17, 2017).

39. Another example of Highway 31’s willful embrace of deceit was a direct-mail piece that imitated a *Montgomery Advertiser* headline, as if that major Alabama newspaper had published the ad content. The paper’s cease-and-desist letter to Highway 31 stated: “Your actions are intentionally confusing members of the public concerning the source of the ad,” leaving the impression that it was an *Advertiser* production. *See* highlighted portion of Exhibit G. Highway 31’s defiance of the Secretary of State and its production of a counterfeit *Advertiser* front page are evidence that its lies about Judge Moore were not inadvertent or good-faith error but were instead an integral part of an intentional strategy to deceive the public for political gain.

IV. Guy Cecil’s Personal Defamation of Judge Moore

40. On Twitter, Guy Cecil, Chairman of Priorities USA, asserted as fact that Judge Moore had engaged in criminal sexual conduct. He did not use qualifying adjectives such as “accused” or “alleged.” In separate tweets on December 6, 2017, Cecil described Judge Moore as “a Republican pedophile” and “a sexually assaulting pedophile.” Several days later, *Politico* reports, Cecil described Judge Moore as

“someone who has sexually assaulted young women.”⁸ On election day, Cecil tweeted: “To the @GOP, we will never forget that you chose to support a child predator” He further stated as fact that Judge Moore was “a predator who stalked young girls and assaulted them.” *See* Exhibit H-1.

41. On election night after the returns came in, Cecil issued a press release echoing the “sexual predator” ad his organization had produced for Highway 31. “Donald Trump and national Republicans,” he stated, “supported a child molester.” But “Priorities USA was proud to stand up for Doug and against a pedophile” Just as Priorities through Highway 31 had boldly insisted that anyone who voted for Judge Moore would be publicly shamed, so its chairman recklessly repeated without qualification that Judge Moore was “a child molester” and “a pedophile.”⁹ *See* Exhibit H-2. The *Chicago Sun Times* reprinted the press release in full.¹⁰

V. Defendants Priorities and SMP, as the creators and controllers of Highway 31, are responsible for its attack ads against Judge Moore.

42. Senate Majority PAC was not a mere passive contributor to Highway 31. Instead, Senate Majority PAC controlled Highway 31, which was an alter ego of this Democratic Party ad funding powerhouse.¹¹ Senate Majority PAC’s attempt to conceal its

⁸ Edward-Isaac Dover, *Why Democrats win even if they lose in Alabama*, Politico (Dec. 10, 2017), <https://www.politico.com/story/2017/12/10/democrats-alabama-roy-moore-doug-jones-288631>

⁹ *Priorities USA Congratulates Senator-elect Doug Jones* (Dec. 12, 2017), <https://priorities.org/press/priorities-usa-congratulates-senator-elect-doug-jones>.

¹⁰ *Reaction: Trump, others weigh in on Jones’ historic victory over Moore* (Dec. 12, 2017), <https://chicago.suntimes.com/columnists/democrat-jones-beats-republican-moore-in-alabama-senate-battle-react/>

¹¹ Senate Majority PAC’s sole mission is to “protect and expand the number of Democrats in the U.S. Senate.” <https://www.senatemajority.com/ourwork>.

control of Highway 31 merely highlighted the reality that Highway 31 was its instrumentality.

43. Campaign Legal Center (“CLC”) is the foremost public-interest law firm that acts as a private attorney general to enforce federal election law. *See* campaignlegalcenter.org. Their post-election complaint to the Federal Election Commission (“FEC”) exposed the shell game Senate Majority PAC and Priorities USA played to conceal their control of Highway 31.¹²

A. SMP and Priorities USA deliberately conceal from Alabama voters their control of Highway 31.

44. Highway 31, in fact, was a straw PAC whose sole purpose was to disguise the identity of the puppet masters who controlled it. Senate Majority PAC and Priorities USA apparently did not want to buy ads in Alabama in their own names “to avoid further identifying Jones with the national Democratic Party.”¹³

45. In its last pre-election report on November 30, 2017, Highway 31 disclosed over \$1 million in expenditures on ads for Jones and against Moore, making it the largest outside supporter of Jones’s candidacy. Yet in that same report Highway 31 stated that it had received no contributions and that the “expenditures” were all debts owed to its vendors. In other words, the primary vendors for the ads, defendants Bully Pulpit and Waterfront Strategies, both long-term Democratic Party vendors, apparently developed and placed over \$1 million in ads without receiving any payment. Furthermore, on the

¹² *See* Campaign Legal Center, *Complaint Against Highway 31 to the Federal Election Commission*, <http://www.campaignlegalcenter.org/document/complaint-against-highway-31-federal-election-commission> (March 5, 2018).

¹³ Michael Scherer, *Democratic group attacks Roy Moore without disclosing donors*, Washington Post (Dec. 1, 2017).

closing date for the pre-election report Highway 31 also had no revenue with which to pay for those ads. The vendors either were making an unreported in-kind contribution or else they had a secret assurance that the bill would be paid from a heretofore undisclosed source.

46. Neither media firm had ever done business before with Highway 31, which had only been formed on November 6, two days before ads began to appear in its name. As the Campaign Legal Center stated in its complaint to the FEC about Highway 31: “It is hard to believe that the vendors here would, in the ordinary course of business, extend hundreds of thousands of dollars in credit to an entity that was formed just weeks earlier and had a total of \$0 in its bank account.” CLC complaint (March 5, 2018), ¶ 24.

47. The powers behind Highway 31 and the guarantors of payments to the well-established Democratic-Party media firms were defendants Senate Majority PAC and Priorities USA.¹⁴ The cooperation of the vendors in the scheme to disguise the funding source required an absolute assurance of ultimate payment which could only have been obtained from customers whose previous payment history with them was impeccable and

¹⁴ Priorities USA is a 501(c)(4) affiliate of Priorities USA Action, a Super PAC “mistakenly” listed on a Highway 31 FEC report as a funding source. See Andrew Kerr, *Legal Group Files Complaint Against Pro-Doug Jones Super PAC For Concealing Donor Identities*, DailyCaller.com (March 5, 2018) (citing Priorities USA communications director, Josh Schwerin, explaining that Highway 31’s report of receiving a contribution from Priorities USA Action confused that organization with Priorities USA). According to its filings with the FEC, Priorities USA Action made no contributions to Highway 31 in the second half of 2017. See <http://docquery.fec.gov/pdf/440/201810019124271440/201810019124271440.pdf>.

Because Priorities USA is a 501(c)(4) “nonprofit,” it does not have to disclose its donors, a useful dark-money dodge for this supposed “social welfare” organization. See generally Robert Maguire, *In the service of social welfare, Democratic operatives get IRS seal of approval*, OpenSecrets.org (April 19, 2017). In 2016, as part of its social-welfare activity, Priorities USA gave \$1.3 million to the Planned Parenthood Action Fund. See Priorities USA Form 990 (2016), Schedule I, Part IV, <https://www.guidestar.org/FinDocuments/2016/474/596/2016-474596232-0eb6e073-9O.pdf>.

whose access to sufficient funds to make the payments was beyond question.¹⁵ Both Senate Majority PAC and Priorities USA, which together provided 94% of the funding for Highway 31, satisfied those requirements. *See* Exhibit I-1 (Contributions to Highway 31). Bully Pulpit Interactive and Waterfront Strategies, therefore, were in fact producing and placing ads for SMP and Priorities, not for the straw organization known as Highway 31 whose sole purpose for existence was to disguise the source of funding for the defamatory attack ads against Roy Moore until the election was over. Highway 31, explained CNN, “allowed national Democrats to keep their involvement in the Alabama race quiet until they filed campaign finance reports a month after the election.”¹⁶

48. That Highway 31 filed for termination the same day it filed its mandatory year-end report is further evidence that it was no more than an alter ego for Senate Majority PAC and Priorities USA. Once its function to disguise the source of funding for the anti-Moore ads was accomplished, the Highway 31 sock puppet was thrown away. Its lifespan was a mere 10 weeks.

49. Brendan Fischer, who authored CLC’s complaint to the FEC about Highway 31, called the gambit “a shady scheme to deprive voters of information about who is trying to influence them.”¹⁷ “I think it’s likely,” he later added, “that national

¹⁵ SMP raised and spent over \$90 million in 2016. *Senate Majority PAC*, OpenSecrets.org, <https://www.opensecrets.org/pacs/lookup2.php?strID=C00484642&cycle=2016>. Priorities raised and spent close to \$17 million the same year. *Priorities USA Form 990* (2016), https://apps.irs.gov/pub/epostcard/cor/474596232_201612_990O_2018010815096184.pdf

¹⁶ Eric Bradner, *Priorities USA to spend \$75 million on 2018 midterms*, CNN.com (Jan. 31, 2018), <https://www.cnn.com/2018/01/31/politics/priorities-usa-midterm-spending/index.html>.

¹⁷ Lachlan Markay, *The Super PAC Attacking Roy Moore Won’t Disclose Its Donors Before the Vote*, The Daily Beast.com (Dec. 1, 2017).

Democrats wanted to create the appearance of Highway 31 being a local organization and wanted to disguise the fact that the true sources of the group's support were coming from out of the state and national Democratic donors.”¹⁸ The *Anniston Star* lamented:

The trove of shadowy Facebook ads that flooded our state last year during the special U.S. Senate election between Roy Moore and Doug Jones was a textbook case of outside, unnamed groups attempting to influence our election with misleading or false claims. Voters are either lied to, led to believe half-truths or considered too disinterested or poorly educated to see through the charade. We deserve better.

Editorial: Misleading claims in an Alabama Election, (Anniston Star, May 29, 2018)

50. Adam Muhlendorf, spokesman for Highway 31, while refusing to disclose its donors, nonetheless admitted that “[w]e are a single-issue PAC that was formed for the sole purpose of helping Doug Jones be the next senator from Alabama.”¹⁹ Senate Majority PAC spokesman, Chris Hayden, explained: “The face of this was Adam Muhlendorf, an Alabama voter and political consultant.”²⁰

51. A day before the election Politico.com revealed who controlled Highway 31.

A mystery super PAC backing Democrat Doug Jones in Alabama is controlled by a pair of groups closely aligned with the national Democratic Party

Highway 31 ... is a joint project of two of the largest national Democratic super PACs — Senate Majority PAC and Priorities USA Action”

....

¹⁸ Andrew Kerr, *Legal Group Files Complaint Against Pro-Doug Jones Super PAC For Concealing Donor Identities*, DailyCaller.com (March 5, 2018).

¹⁹ Michael Scherer, *Democratic group attacks Roy Moore without disclosing donors*, Washington Post (Dec. 1, 2017).

²⁰ Chip Brownlee, *Democratic Senate Majority PAC pumped \$6 million into US Senate race, backed pro-Jones Highway 31 PAC*, ALReporter.com (Dec. 28, 2017).

Though Birmingham lawyer Edward Still is listed as the group's treasurer, it was, in fact, founded jointly with Senate Majority PAC, the outside group closely tied to Democratic leadership in the Senate.

....

The pair of Washington-based super PACs are two of the largest in Democratic politics. Priorities spent at least \$190 million to try and elect Clinton in 2016, while Senate Majority spent more than \$90 million in that election cycle.²¹

52. Once Jones was elected, the mask came off and the puppet masters crowed about the success of their scheme. "This race was about whether or not an alleged child molester would represent Alabama in the Senate," said Chris Hayden, SMP communications director. "And to help ensure that did not happen, we chose to keep the focus on Alabama and the voters of that state."²² Hayden directly attributes Highway 31's advertising to Senate Majority PAC. In particular, his admission connects SMP to Highway 31's defamatory shopping-mall ad.²³ Highway 31 was the mechanism "to keep the focus on Alabama" and to hide SMP's control of the defamatory campaign against Judge Moore. As the Associated Press reported two weeks after the election:

Chris Hayden, spokesman for the Senate Majority PAC, said Tuesday [Dec. 26] that the group was the primary backer of the PAC called Highway 31, which spent \$6 million on hard-hitting advertising, mailings and other efforts to help defeat Republican Roy Moore.

....

"Yes, SMP was the contributor to Highway 31. There were a few small donations when Highway 31 became public, but it was predominantly funded by SMP," Hayden wrote in an email.

....

²¹ Gabriel Debenedetti, *Secret super PAC backing Jones in Alabama exposed*, Politico.com (Dec. 11, 2017). Politico misnamed Priorities USA as Priorities USA Action. See note 13.

²² Ashley Balcerzak, *How Democrats use 'dark money' — and win elections: Alabama's special election is a case study in liberals' furtive affair with secret cash*, PublicIntegrity.org (Feb. 20, 2018).

²³ When the *Washington Post* published its allegations about Judge Moore, Senate Majority PAC posted a link to the article on its Facebook page and added the comment: "We all knew Roy Moore was bad, now we know he's even worse." <https://www.facebook.com/majoritypac> (Nov. 13, 2017).

Hayden said the Senate Majority PAC implemented a comprehensive program that included: \$1.5 million on digital advertising in partnership with Priorities USA; \$2 million on television and radio; \$2 million on a voter turnout operation in partnership with BlackPAC; \$700,000 on direct mailings.²⁴

53. The Highway 31 media and direct-mail spending that Hayden attributes to SMP amounts to \$4.2 million, almost identical to the \$4.3 million in expenditures Highway 31 reported to the FEC. Of that amount, Bully Pulpit received \$1.4 million for placing online advertising and for media production costs, and Waterfront Strategies received \$2.25 million for media buys, largely TV and radio. *See* Exhibit I-2 (Expenditures by Highway 31). Bully Pulpit placed the “sexual predator” ad that targeted Alabama voters on digital media; Waterfront Strategies contracted with Alabama TV stations to run the shopping-mall ad.

B. SMP and Priorities USA take responsibility for Jones’s victory.

54. On election night, J.B. Poersch, the president of SMP, exulted that Jones’s win was “a great victory for the state of Alabama.”²⁵ He disingenuously stated, contradicting his communications director, that “this wasn’t all about Roy Moore and sexual assault,”²⁶ but it was his organization in partnership with Priorities USA that created, cynically used, and then discarded a front organization, Highway 31, that spent millions of dollars to make that exact point to the voters of Alabama. Ten days after the formation of Highway 31, Poersch, making a masked allusion to the allegations against

²⁴ Kim Chandler, *Senate Majority PAC backed Jones’ winning Alabama campaign* (AL.com, Dec. 27, 2017).

²⁵ *Id.*

²⁶ Alex Roarty, *Democrats predict a 2018 wave election*, McClatchyDC.com (Dec. 13, 2017).

Judge Moore, had stated: “Simply, Doug Jones is the only person in this race fit to serve in the Senate.”²⁷

55. In his election-night statement Poersch said: “Senate Majority PAC implemented a comprehensive program to elect Doug Jones totaling over \$6 million.”²⁸ So eager was Poersch to take credit for the Jones’ win that he did not even mention his puppet organization, Highway 31, through whom the national Democratic Party PAC money was funneled. Highway 31 clearly was no more than a fool-the-voters mechanism created and deployed by SMP and Priorities USA. Once the ruse succeeded, the disguise came off. Poersch’s statement continued: “Our digital campaign with Priorities USA, *which we began planning in October*, targeted about 1.4 million Alabama voters on YouTube, Facebook, Instagram and Pandora as well as banner ads, premium video and Google search.”²⁹ Thus, SMP’s election planning was well underway even before it brought Highway 31 into existence. Poersch’s Senate Majority PAC worked hand in glove with Priorities USA to design and implement the master plan to defeat Judge Moore in which the creation of Highway 31 was an integral element.

56. On election night after the returns came in, Priorities Chairman Guy Cecil lauded his partnership with Senate Majority PAC “to run a \$1.5 million digital campaign focused on persuading and mobilizing Alabama’s voters” He retweeted a statement by Executive Director Patrick McHugh that Priorities “was proud to partner with @MajorityPAC to design & implement a \$1.5 million digital program that reached over

²⁷ Lisa Hagen, *Dem PAC bullish on Senate chances*, TheHill.com (Nov. 16, 2017).

²⁸ *Senate Majority PAC Statement on Alabama Senate Race*, SenateMajority.com (Dec. 12, 2017)

²⁹ *Id.* (emphasis added).

1.4 million voters to elect @GDouglasJones.” Cecil added: “Terrific work in Alabama by the smart team at @Majority PAC.” Months later McHugh reiterated Priorities’ significant involvement in the Alabama race.

In the Alabama Senate Special—where we played—we produced over 200 pieces of creative during that race. And so it takes a lot of effort, it takes a lot of time, it takes a lot of our resources, to be able to produce that much content.³⁰

Again, no mention of Highway 31 which was merely a useful mask to keep voters in the dark as to the source of the anti-Moore funding.

CAUSES OF ACTION

COUNT ONE: DEFAMATION

57. Plaintiff repeats and re-alleges all preceding paragraphs as if fully set forth herein.

58. **Shopping-mall ad: SMP and Waterfront Strategies.** Defendant SMP through its vendor Waterfront Strategies designed, purchased, and disseminated the false and defamatory shopping-mall ad detailed in ¶¶ 13-30. Highway 31 was the short-lived instrumentality that SMP employed to hide from Alabama voters its controlling role in a defamatory attack ad campaign against Judge Moore. The shopping mall ad contained quotations which were deceptively juxtaposed to create a false impression that Judge Moore solicited sex from young girls at the Gadsden mall. The ad also falsely claimed that Judge Moore was banned from the Gadsden mall. SMP and its vendor Waterfront Strategies deliberately and intentionally closed their eyes to evidence that Judge Moore

³⁰ The Bill Press Show (March 29, 2018), <https://www.youtube.com/watch?v=gZzgdNR6JnI> (1:39:55-1:40:12).

was not banned from the Gadsden Mall, evidence that was available in the online media reporting about Judge Moore that they had scrutinized to find the quotations they employed in the ad. **Actual malice.** SMP and Waterfront Strategies obviously knowingly misrepresented the quotations from the AL. com and *New Yorker* articles of November 13. They had the articles before them from which they extracted the four quotations and could tell that not one of them supported the proposition that Judge Moore “was actually banned from the Gadsden mall ... for soliciting sex from young girls.” The deceitful construction of the shopping-mall ad was not innocent or negligent misrepresentation but a deliberate misrepresentation of the patent meaning of those articles to achieve the end of defaming Judge Moore in the eyes of the voting public. The choice of quotations to support the statement that Judge Moore solicited sex from young girls at the mall was at a minimum undertaken with a “high degree of awareness of their probable falsity” as support for that proposition. *Garrison v. Louisiana*, 379 U.S. 64, 74 (1964).

59. **Child-predator ad: Priorities USA and Bully Pulpit.** Priorities USA is responsible for the “child predator” ad that targeted Alabama voters on digital media. Priorities produced that ad in collaboration with SMP and disseminated the ad through its vendor Bully Pulpit. Priorities masked its role in the defamatory campaign against Judge Moore by funneling funds through Highway 31 rather than directly paying Bully Pulpit. The refusal to remove the ad, even after being informed of its misleading nature by the Alabama Secretary of State, is direct evidence of Priorities’ propensity to employ deception in its political advertising. ¶¶ 31-38, *supra*. **Actual malice.** The use of highly inflammatory language, typically applied to convicted sex offenders, shows the

defendants’ deliberate choice to defame Judge Moore regardless of the lack of supporting evidence.

60. **Unqualified sexual-crime accusations: Guy Cecil.** Priorities Chairman Guy Cecil, apart from his role in directing the funding of the “sexual predator” ad, personally defamed Judge Moore by directly accusing him of sexual crimes on his personal Twitter account and in a Priorities press release disseminated to all media. ¶¶ 40-41, *supra*. In those public statements, Cecil described Judge Moore as “a child molester,” “a sexually assaulting pedophile,” “someone who has sexually assaulted young women,” and “a child predator...who stalked young girls and assaulted them.” Cecil’s published statements were assertions of fact, not mere nonactionable opinion. Those statements, which are per se libelous, presented unproven allegations as fact even though Cecil had no way of verifying their truth or falsity. **Actual malice.** Because he had no way of verifying the truth or falsity of his assertions about Judge Moore, which had appeared in the press as allegations surfacing for the first time 40 years after the supposed events occurred, Cecil obviously had to have entertained doubts as to their truthfulness. Yet with reckless disregard for the truth he asserted as fact allegations that he could in no way substantiate.

61. **Actual malice: the deliberate lie.** Further evidence of the methodology of SMP and Priorities to employ deception as a political tactic is their deliberate structuring of donations to Highway 31 so as to conceal their identities from Alabama voters until after the election. ¶¶ 44-53, *supra*. Their post-election statements taking credit for Judge Moore’s loss are additional evidence that they were the puppet masters behind Highway

31. ¶¶ 54-57, *supra*. These tactics are evidence that SMP and Priorities did not accidentally or negligently engage in deception but that the use of the calculated lie was the heart of their electoral strategy.

62. **Actual malice: consciously crafting and deploying lies about Judge Moore.** SMP President J.B. Poersch’s statement that “[w]e do what we need to in order to win” is evidence of a state of mind that is willing to sacrifice truth to expediency. SMP’s defamation of Judge Moore, therefore, did not arise from a simple failure to investigate the facts but was instead the product of a deliberate intent to cause harm to Judge Moore’s Senate campaign by any means, however dishonest, that would accomplish that end. Instead of acting in good faith to determine the truth of the statements in the shopping mall ad, SMP deliberately twisted quotations to create the defamatory effect it sought. The shopping mall ad contained no statements favorable to Judge Moore that might mitigate a reasonable inference of actual malice. To the contrary, the ad is a single-minded laser-focused assault on Judge Moore’s character that in no way pretends to be balanced reporting. The same is true of Priorities’ “sexual predator” ad and Guy Cecil’s defamatory statements.

63. Because Defendants’ accusations of sexual misconduct against Judge Moore are actionable per se, damages are presumed.

64. As a proximate result of the intentional and reckless acts of the Defendants in defaming Judge Moore, he has suffered disgrace, shame, ridicule, and contempt. His personal and professional reputations were damaged. He suffered economic loss including sharply curtailed speaking opportunities, and diminished ability

to market and publicize his works. Judge Moore also suffered grievous emotional pain and suffering as the result of Defendants' defamatory attacks against him.

COUNT TWO: DEFAMATION BY IMPLICATION

65. Plaintiff repeats and re-alleges all preceding paragraphs as if fully set forth herein.

66. Defendant SMP funded and published, or facilitated and directed the publication of, false and defamatory statements about Judge Moore in the shopping-mall ad described above with intentional or reckless disregard as to their veracity. SMP and its agents artfully and deceptively arranged quotations in the shopping-mall ad to convey the implication that Judge Moore had solicited sex from young girls at the Gadsden Mall, including one that was 14 years old. The ad also falsely implied that current and former residents of Gadsden knew of or had heard of this behavior when in fact none of them had ever made such a statement. **Actual malice.** SMP intentionally sought to convey in the shopping-mall ad the false implication that Judge Moore had solicited sex from young girls at the Gadsden Mall. The very articles, however, from which it extracted supporting quotes for the ad, directly refute the false implication it sought to convey by deceptively juxtaposing those quotes. *See* ¶¶ 13-30, *supra*. SMP deliberately tore the quotes out of context to create a false and defamatory implication. SMP had direct knowledge of the wrongfulness of its actions because the very articles from which it extracted the quotations to create the misleading ad bear witness to its deception.

67. As a proximate result of its intentional and reckless acts in defaming Judge Moore by implication, SMP is liable in damages as detailed in ¶¶ 58 & 61-64, *supra*.

COUNT THREE: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

68. Plaintiff repeats and re-alleges all preceding paragraphs as if fully set forth herein.

69. Defendants intentionally produced, funded and disseminated false and defamatory election ads to cause damage to the reputation and character of Judge Moore. Those acts were done with the intent of causing extreme emotional distress and were a proximate cause of the damage Judge Moore suffered from their conduct. Defendants' actions, which caused mental anguish and severe psychological and emotional distress to Judge Moore, were outrageous and utterly intolerable in a civilized society.

RELIEF REQUESTED

70. Judge Moore demands judgment against each Defendant, individually and acting in concert as joint tortfeasors, for compensatory damages and punitive damages in excess of \$75,000 arising from damage to his reputation and from pain and suffering in the form of mental anguish and emotional distress attributable to their actions. Judge Moore requests interest from the date of the injury plus the costs of this action and such other and further relief as the Court may deem just and proper.

PLAINTIFF REQUESTS A TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

Respectfully submitted this 15th day of November, 2019.

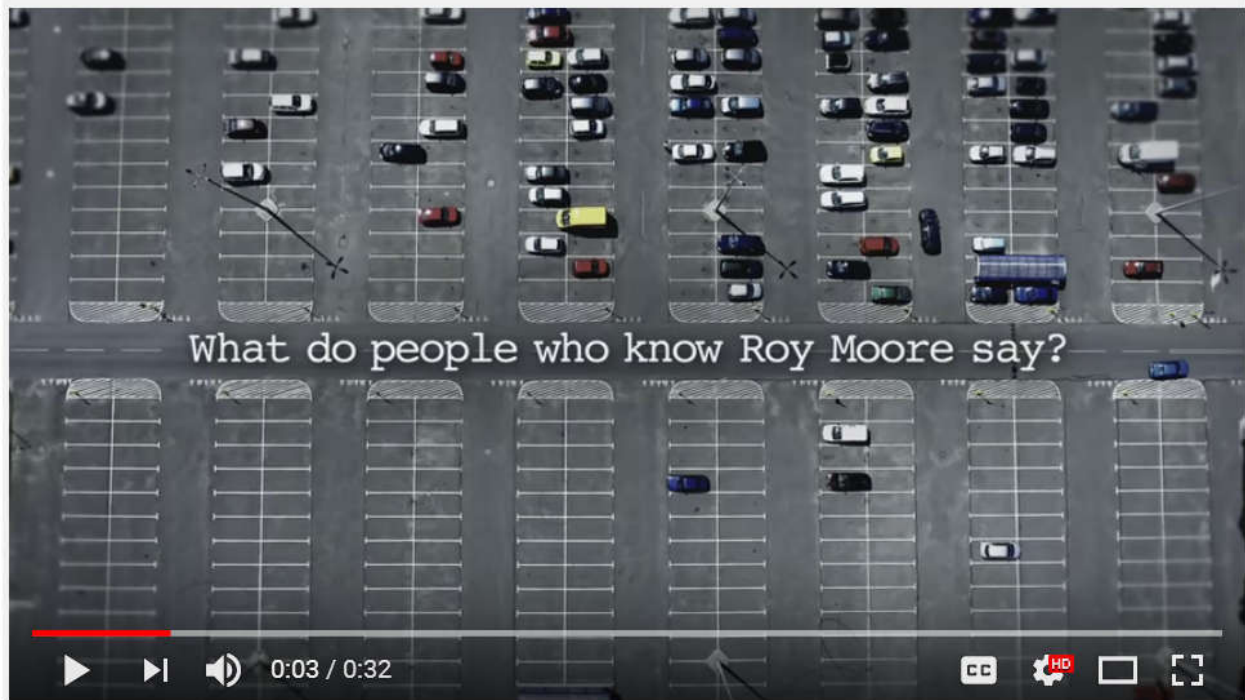
/s/ Melissa L. Isaak
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Of Counsel

EXHIBIT A





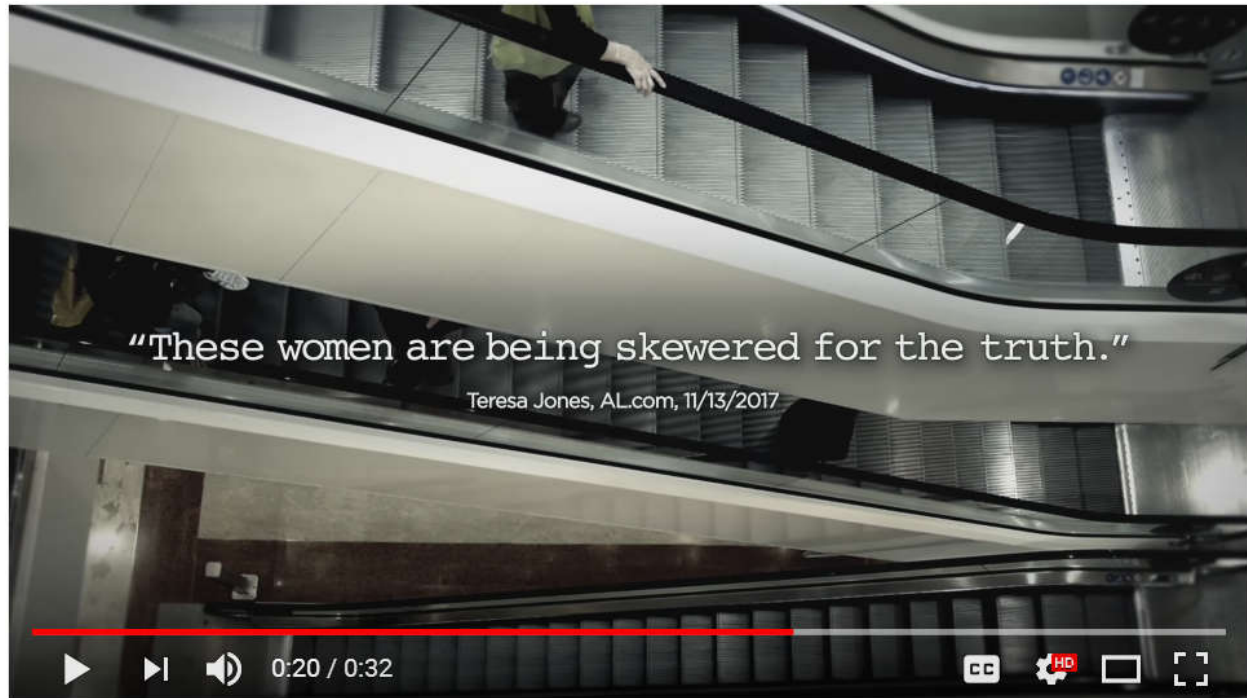


EXHIBIT B



al.com/news/index.ssf/2017/11/gadsden_residents_say_moores_b.html

November 13, 2017

Gadsden locals say Moore's predatory behavior at mall, restaurants not a secret

Updated Mar 9, 2018; Posted Nov 13, 2017

77.3k shares

avollers@al.com

Roy Moore's penchant for flirting with teen girls was "common knowledge" and "not a big secret" around Gadsden, according to some area residents.

The Senate candidate has denied any wrongdoing in the wake of a report from The Washington Post in which four women accused Moore of inappropriate advances - and in one instance, a sexual encounter - toward them when they were teens and he was in his early 30s.

One of the four women claims she was 14 at the time, making her the only one whose claim would represent a legal violation. Moore has said he never met her. A fifth woman came forward this afternoon.

Moore and other Republican leaders have questioned why it took so long for his accusers, now in their 50s, to come forward publicly.

And yet people who lived in Etowah County during that time have said Moore's flirting with and dating much younger women and girls was no secret.

"These stories have been going around this town for 30 years," said Blake Usry, who grew up in the area and lives in Gadsden. "Nobody could believe they hadn't come out yet."

Usry, a traveling nurse, said he knew some girls that Moore tried to flirt with.

"It's not a big secret in this town about Roy Moore," he said. "That's why it's sort of frustrating to watch" the public disbelieve the women who have come forward, he said.

The Mall

Colleagues and others who knew Moore told the Washington Post that he often walked alone around the Gadsden Mall.

The mall opened to great fanfare in 1974, anchored by department stores like Pizitz, Belk Hudson and Sears. It had a movie theater, lounge, drug store and restaurants including Morrison's Cafeteria.

It soon became a popular local hangout, especially for teenagers.

Wendy Miller told The Post that she was 14 and working as Santa's helper at the Gadsden Mall in 1977 when Moore first spoke with her and told her she looked pretty. Two years later, when she was 16, he asked her out on dates, although her mother wouldn't let her go.

Usry, who was a teenager at the time, remembers seeing Moore at the mall often.

"He would go and flirt with all the young girls," he said. "It'd seem like every Friday or Saturday night (you'd see him) walking around the mall, like the kids did."

Jason Nelms, who now lives in Tennessee but grew up in nearby Southside, was a regular at the mall when he was a teenager.

He recalled being told by a mall employee that they kept watch for an older guy who was known to pick up younger girls.

Nelms said he was told later by a concession worker at the mall that it was Roy Moore.

Greg Legat worked at the Record Bar, a music store near Sears in the mall, from 1981-1985. The store was just down from the back entrance of the mall, near the three-screen Mall Theatre. It was a popular place for parents dropping off their teens in the evenings and on weekends.

Legat, now 59, said an off-duty Gadsden police officer named J.D. Thomas told him about various people he should look out for when he was working. This was around 1981, and Thomas worked security at the mall.

One of the people was a pickpocket, he said, while another was someone prone to pick fights.

One was Roy Moore.

"I asked him, 'What did he do?'" Legat recalled. "He said, 'If you see him, let me know. I'll take care of it.'"

'Common knowledge'

Five other current and former Etowah County residents also spoke to AL.com with similar accounts.

"Him liking and dating young girls was never a secret in Gadsden when we were all in high school," said Sheryl Porter. "In our neighborhoods up by Noccalula Falls we heard it all the time. Even people at the courthouse know it was a well-known secret.

"It's just sad how these girls (who accused Moore) are getting hammered and called liars, especially Leigh (Corfman)."

On Monday, Beverly Young Nelson became the fifth accuser to come forward against Moore. During a press conference, she said she was a 16-year-old waitress at the Old Hickory House restaurant in Gadsden when Moore sexually assaulted her in his car. He was in his early 30s at the time, she said, and the deputy district attorney of Etowah County.

Another former waitress, Victoria Beverstock, told AL.com today that she was 20 years old and working at The Poor House restaurant in 1992 when Moore came in a few times a week to eat and do paperwork.

She said he made her and the other waitresses uncomfortable by staring at them and flirting.

"He watched us girls quite openly," said Beverstock. "His eyes crawled over our shirts and our backsides. He was so open about it that I would try and handle his order as quickly as possible.

"When you didn't smile and flirt back with him, give him an opening, he became rude and demanding," she said.

Teresa Jones, who said she worked at the Etowah County District Attorney's Office with Moore, took to Twitter on Friday to say it was "common knowledge" that he pursued teenage girls.

"As a Deputy DA in Gadsden when Roy Moore was there, it was common knowledge about Roy's propensity for teenage girls," she tweeted. "I'm appalled that these women are being skewered for the truth."

She later told CNN that Moore often went to local high school events and other hangouts: "It was common knowledge that Roy dated high school girls, everyone we knew thought it was weird...We wondered why someone his age would hang out at high school football games and the mall."

Tony Hathcock is a photographer in Gadsden who told CBS News that he's known Corfman well for five years and believes her. They are both very conservative Republican voters, he said, and both voted for Trump. He said she had nothing to gain from speaking out, but felt safe speaking out now because her children are now adults.

He said that growing up in Gadsden, he'd heard rumors about Moore. Last week, he posted on Facebook a defense of Corfman. He said that even as a middle-schooler in Gadsden he'd heard stories from people he knew about Moore's behavior making them uncomfortable.

Updated on 11/13/2017 at 7:57 p.m. to include additional quotes from Jason Nelms and Greg Legat. **Additional reporting William Thornton (wthornton@AL.com).*

EXHIBIT C

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www.attorneywilliamgill.com

December 5, 2017

Robert Totsch
General Manager
WPMI 15
661 Azalea Road
Mobile, AL 36609

VIA EMAIL AND FACSIMILE
rtotsch@sbgvtv.com-251-602-1547

Re: False Campaign Advertisement
My Client: Chief Justice Roy Moore and the Roy Moore for U.S. Senate Campaign

Dear Mr. Totsch:

This law firm represents the Judge Roy Moore for U.S. Senate campaign. We have been informed that your station is airing false and defamatory attack ads against Judge Moore paid for by the Highway 31 political action committee in order to help the Doug Jones campaign.

1. Specifically, the ad entitled "Shopping Mall," which began airing on or around November 28, 2017, begins with the misleading question, "What do people who know Roy Moore say?" Although the ad shows five quotations, only one of the people quoted – Teresa Jones, a coworker from 40 years ago – stated that they knew Roy Moore. And even what Jones claimed was nothing but a figment of the rumor mill. The truth is that the people quoted in the ad were alleging hearsay and third-hand gossip and do not "know Roy Moore" at all.

2. Next, the ad states a novel accusation that "Moore was actually banned from the Gadsden Mall ... for soliciting sex from young girls." This is doubly false. The truth is that Judge Moore was never banned from any mall for any reason, as confirmed by the then-manager of the Gadsden Mall. Furthermore, the truth is that Moore never solicited sex from young girls at the Gadsden Mall and no such false accusation has been alleged by anyone.

3. Continuing the falsity, the very next statement is that "One he [Moore] approached 'was 14 and working as Santa's helper,'" citing to an AL.com

article of November 13, 2017. This statement implies Moore "approached" a girl of 14 for sex. The truth is that Wendy Miller, the woman cited in the AL.com article, never alleged that Moore solicited her for sex at the mall or anywhere else.

The facts make clear that the allegations in these attack ads are patently false and known by Highway 31 political action committee to be false. As the Alabama Court of Civil Appeals held in *Faye Gary v. Richard Crouch*, 923 So. 2d 1130 (Ala. Civ. App. 2005)(affirming summary judgment for Gadsden police chief sued for defamation by former Gadsden police officer Faye Gary for poor performance), defamation is shown when "a false statement was made "with knowledge that it was false or with reckless disregard of whether it was false or not."" (Quoting *Harte-Hanks Communications, Inc. v. Connaughton*, 491 U.S. 657, 659 (1989) (quoting in turn *New York Times v. Sullivan*, 376 U.S. 254, 279-80 (1964))). Not only does the Highway 31 ad rehash gossip and rumor that has been entirely debunked, but it maliciously floats new, outrageous, and patently unsubstantiated allegations against Judge Moore.

We are hereby making demand that your television station cease airing these false attack ads immediately and refrain from airing them on any future date. Under Alabama law, you can be held liable for the substantial damages caused by these false and defamatory ads. Failure to comply with this request may result in immediate legal action.

Please notify me at attorney.williamgill@knology.net as soon as the ad has been taken down. And please feel free to contact me with any questions or concerns pertaining to this demand.

Sincerely,



G. WILLIAM GILL

GWG/ddf

xc: Judge Roy Moore

Bill Armistead, Campaign Chairman

Ad	Research Backup
<p>V/O: What do people who know Roy Moore say?</p> <p>TEXT: What do people who know Roy Moore say?</p>	
<p>V/O: Roy "Moore was actually banned from the Gadsden Mall...for soliciting sex from young girls."</p> <p>TEXT: "Moore was actually banned from the Gadsden Mall...for soliciting sex from young girls."</p> <p>CITE: New American Journal, 11/12/17</p>	<p>New American Journal: "Moore Was Actually Banned From The Gadsden Mall...For Soliciting Sex From Young Girls." "Sources tell me Moore was actually banned from the Gadsden Mall and the YMCA for his inappropriate behavior of soliciting sex from young girls." [New American Journal, <u>11/12/17</u>]</p> <p>ABC News: Alabama Woman Said Moore Was Banned From Gadsden Mall After Repeated Unwanted Advances. "An Alabama woman who has accused Republican U.S. Senate candidate Roy Moore of sexually harassing her in the late 1970s said he was banned from the mall where she worked after she complained about his repeated, unwanted advances toward her. 'I went to my manager and talked to him about it and asked him, basically, what could be done,' Becky Gray told ABC News late Wednesday night. 'Later on, he...came back through my department and told me that [Moore] had been banned from the mall.'" [ABC News, <u>11/16/17</u>]</p> <p>New Yorker: "Moore Had Been Banned From The Mall Because He Repeatedly Badgered Teen-Age Girls." "This past weekend, I spoke or messaged with more than a dozen people—including a major political figure in the state—who told me that they had heard, over the years, that Moore had been banned from the mall because he repeatedly badgered teen-age girls. Some say that they heard this at the time, others in the years since. These people include five members of the local legal community, two cops who worked in the town, several people who hung out at the mall in the early eighties, and a number of former mall employees." [New Yorker, <u>11/13/17</u>]</p> <p>Retired Alabama Police Officer: "We Were Advised That He Was Being Suspended From The Mall." "A retired Alabama police officer said police were told in the 1970s to make sure now-GOP Senate candidate Roy Moore stayed away from high school cheerleaders. Former Gadsden police officer Faye Gary told MSNBC that the 'rumor mill was that he liked young girls.' 'We were advised that he was being suspended from the mall because he would hang around the young girls that worked in the stores and, you know, really got into a place of where they say he was harassing,' former Gadsden police officer Faye Gary told MSNBC on Tuesday." [The Hill, <u>11/22/17</u>]</p> <p>AL.com: Mall Employees Warned About Moore, Who "Often Walked Alone Around The Gadsden Mall." "Colleagues and others who knew Moore told the Washington Post that he often walked alone around the Gadsden Mall...Jason Nelms, who now</p>

	<p>lives in Tennessee but grew up in nearby Southside, was a regular at the mall when he was a teenager. He recalled being told by a mall employee that they kept watch for an older guy who was known to pick up younger girls. Nelms said he was told later by a concession worker at the mall that it was Roy Moore." [AL.com, 11/13/17]</p> <ul style="list-style-type: none"> • AL.com: Mall Security Guard Told Mall Employee To Alert Security If Moore Was Seen. "Legat, now 59, said an off-duty Gadsden police officer named J.D. Thomas told him about various people he should look out for when he was working. This was around 1981, and Thomas worked security at the mall. One of the people was a pickpocket, he said, while another was someone prone to pick fights. One was Roy Moore. 'I asked him, 'What did he do?' Legat recalled. 'He said, 'If you see him, let me know. I'll take care of it.'" [AL.com, 11/13/17]
<p>V/O: One he approached "was 14 and working as Santa's helper."</p> <p>TEXT: One he approached "was 14 and working as Santa's helper."</p> <p>CITE: AL.com, 11/13/17</p>	<p>AL.Com: Moore Flirted With Girl At Mall Who "Was 14 And Working As Santa's Helper." "Colleagues and others who knew Moore told the Washington Post that the often walked alone around the Gadsden Mall...Wendy Miller told The Post that she was 14 and working as Santa's helper at the Gadsden Mall in 1977 when Moore first spoke with her and told her she looked pretty." [AL.com, 11/13/17]</p> <ul style="list-style-type: none"> • Girl Was Approached By Moore At Age 14, Asked Out On Dates At Age 16. "Wendy Miller says she was 14 and working as a Santa's helper at the Gadsden Mall when Moore first approached her, and 16 when he asked her on dates, which her mother forbade." [Washington Post, 11/09/17]
<p>V/O: "These stories have been going around this town for 30 years."</p> <p>TEXT: "These stories have been going around this town for 30 years."</p> <p>CITE: Blake Usry, AL.com, 11/13/17</p>	<p>Blake Usry In AL.Com: "These Stories [On Moore] Have Been Going Around This Town For 30 Years. "And yet people who lived in Etowah County during that time have said Moore's flirting with and dating much younger women and girls was no secret. 'These stories have been going around this town for 30 years,' said Blake Usry, who grew up in the area and lives in Gadsden." [AL.com, 11/13/17]</p>
<p>V/O: "These women are being skewered for the truth."</p> <p>TEXT: "These women are being skewered for the truth."</p>	<p>Teresa Jones In AL.Com: "These Women [Moore's Victims] Are Being Skewered For The Truth." "Teresa Jones, who said she worked at the Etowah County District Attorney's Office with Moore, took to Twitter on Friday to say it was "common knowledge" that he pursued teenage girls. 'As a Deputy DA in Gadsden when Roy Moore was there, it was common knowledge about Roy's propensity</p>

<p>CITE: Teresa Jones, AL.com, 11/13/17</p>	<p>for teenage girls,' she tweeted. 'I'm appalled that these women are being skewered for the truth.'" [AL.com, <u>11/13/17</u>]</p>
<p>V/O: And a Gadsden police officer? "I actually voted for Moore...But I'm basically disgusted now."</p> <p>TEXT: Gadsden Police Officer: "I actually voted for Moore...But I'm basically disgusted now."</p> <p>CITE: Gadsden Police Officer, TNY.com, 11/13/17</p>	<p>Gadsden Police Officer: "I Actually Voted For Moore...But I'm Basically Disgusted Now." "Gadsden's current law-enforcement community could not confirm the existence of a mall ban on Moore. But two officers I spoke to this weekend, both of whom asked to remain unnamed, told me that they had long heard stories about Moore and the mall...The second officer went further. 'A friend of mine told me he was banned from there,' he said. He added, 'I actually voted for Moore. I liked him at one time. But I'm basically disgusted now.'" [The New Yorker, <u>11/13/17</u>]</p>

Christopher Delaporte

From: Robert Totsch
Sent: Tuesday, December 05, 2017 6:33 PM
To: assistant.williamgill@knology.net; Christopher Delaporte; JC Lowe; Raymond Wilson; Brandi Crawford
Subject: Re: Cease and Desist demand on behalf of Judge Roy Moore Campaign

Mr Gill

According to our legal counsel we will continue running the add and the response will be placed in our public file

Please let me know if you have any additional questions

Thank you
Robert Totsch
GM/Market Manager
Sinclair Broadcasting
WEAR/WPMI/WFGX/WJTC
WEAR.com/Local15TV.com

On Dec 5, 2017, at 4:47 PM, "assistant.williamgill@knology.net" <assistant.williamgill@knology.net> wrote:

Dear Sir/Madam:

Please see attached letter from Attorney William Gill on behalf of the Judge Roy Moore for U. S . Senate Campaign.

*Denise Farris
Assistant to
Attorney G. William Gill
Attorney and Counselor at Law
8 Commerce Street, Suite 1110
Montgomery, AL 36104*

*(334)834-7606 (P)
(334)834-3335(F)*

Note: This e-mail and any attachments constitute confidential and privileged communication and information. If you are not the intended recipient, please notify this sender immediately by return e-mail and permanently delete any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and illegal.

www.attorneywilliamgill.com

<wpmi cease and desist 12-5-17.pdf>

EXHIBIT D

al.com/news/index.ssf/2017/11/roy_moore_campaign_disputes_re.html

November 20, 2017

Roy Moore campaign disputes reports he was banned from mall

Updated Nov 20, 2017; Posted Nov 20, 2017

By [Paul Gattis](#)

pgattis@al.com

The Roy Moore campaign on Monday issued a statement in an effort to refute at least one national report that the Alabama Republican Senate nominee had at one time been banned from the Gadsden Mall.

The statement quoted what the campaign described as three former mall employees attesting that Moore had not been banned.

The New Yorker reported on Nov. 13 that Moore had been banned from the indoor shopping center in the town that's the seat of his home county of Etowah.

"We are intent upon bringing out the truth, when no one in the press or in D.C. seems to care," Moore campaign strategist Brett Doster said. "The quotes from these three people who would have personal knowledge of the mall's security protocol completely counter everything alleged by the liberal media and the Moore Campaign's political enemies. Roy Moore is an honorable man, and his character is being affirmed by those who know him best."

AL.com did not report that Moore had been banned from the mall but has reported that he spent time in the mall while working as a prosecutor in Gadsden.

Gadsden locals say Moore's behavior at mall, restaurants not a secret

"These stories have been going around this town for 30 years."

Moore's activities in the mall have come under scrutiny after The Washington Post that Moore interacted with two teen girls at the mall when he was in his 30s. The Post

later published another account when two other then-teen girls said they had interactions with Moore at the mall.

Moore has repeatedly denied any allegations of wrongdoing.

The three statements from former mall employees quoted in the Moore press release:

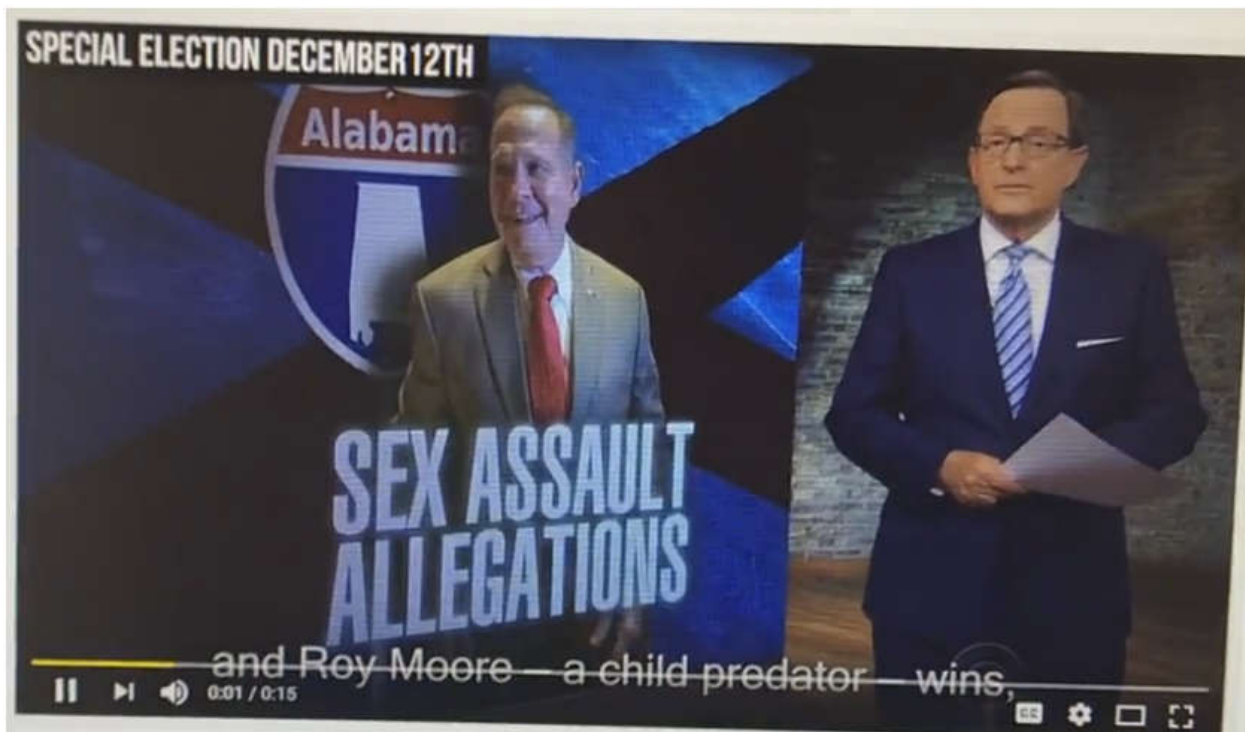
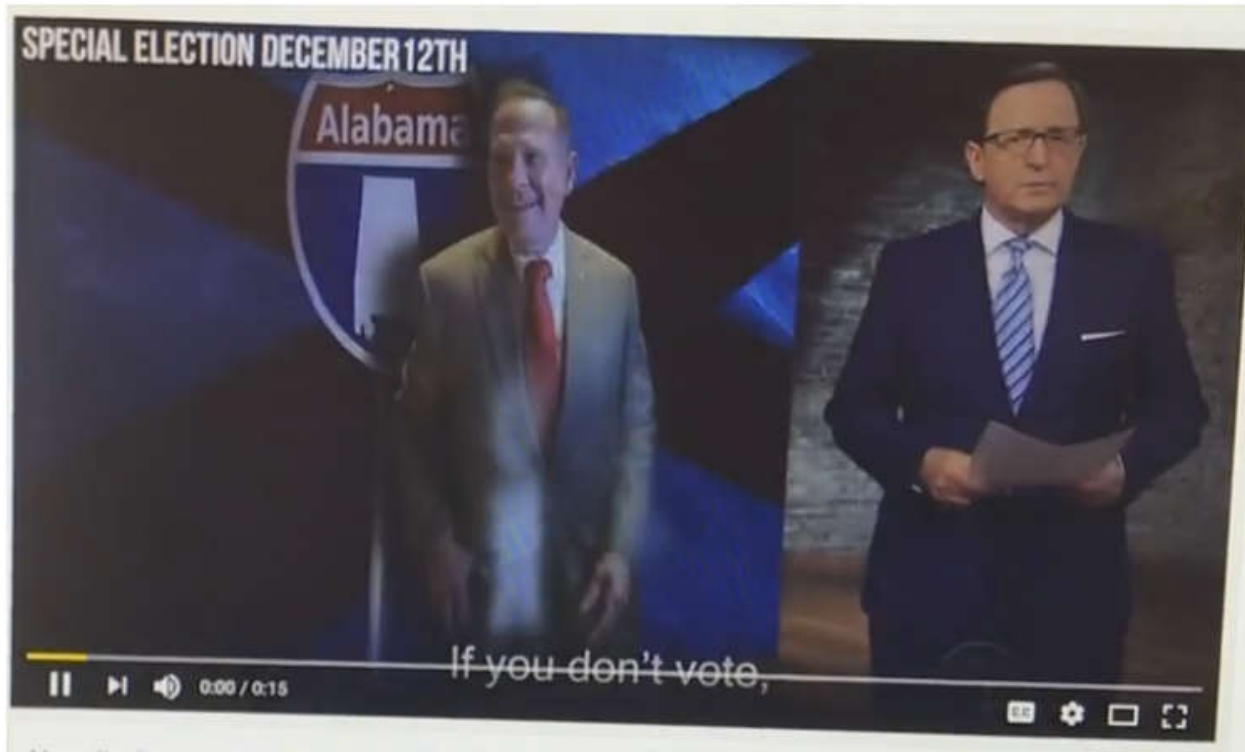
"In my 26 years working at Gadsden Mall, I never heard anything about Roy Moore being banned from the mall or any other mention of issues concerning him. As the Operations Manager overseeing Mall Security, I would have been aware of something like that." - Johnny Adams, employed by the Gadsden Mall for 26 years and was the Operations Manager for 14 years, overseeing mall security.

"As an employee of the Gadsden Mall for Morrison's Cafeteria Corporation from the late 1970's through the mid-2000's, I would like to put forth a statement in regards to the allegations against Judge Roy Moore. During my time at the Gadsden Mall, I formed many lifelong relationships including one with Barnes Boyle and his wife, Brenda. Barnes Boyle was manager of the Gadsden Mall and Brenda was my manager at Morrison's Cafeteria for many years. Because of this relationship, I was abreast on the latest situations that happened throughout the Gadsden Mall during that time period. There was a prominent man of Etowah County, whom is now deceased that was banned for reasons such as the allegations against Judge Moore. However, due to respect for the family, I decline to reveal his name. Despite allegations against other patrons of the mall, I never heard of Roy Moore's name come in conversation with any such misconduct against women or a supposed banning from the Gadsden Mall." - Johnnie V. Sanders, employee of Gadsden Mall from late 70's to mid-2000's.

"We did have written reports and things. To my knowledge, he {Moore} was not banned from the mall." - Barnes Boyle, Former Manager of the Gadsden Mall (1981-1986).

Said Doster in the statement, "The people of Alabama are tired of false accusations and one-sided reporting from the liberal media. "Truth matters or it doesn't and the Moore campaign will deliver the truth about the character of Judge Roy Moore to affirm what the people of Alabama are already convinced of."

EXHIBIT E







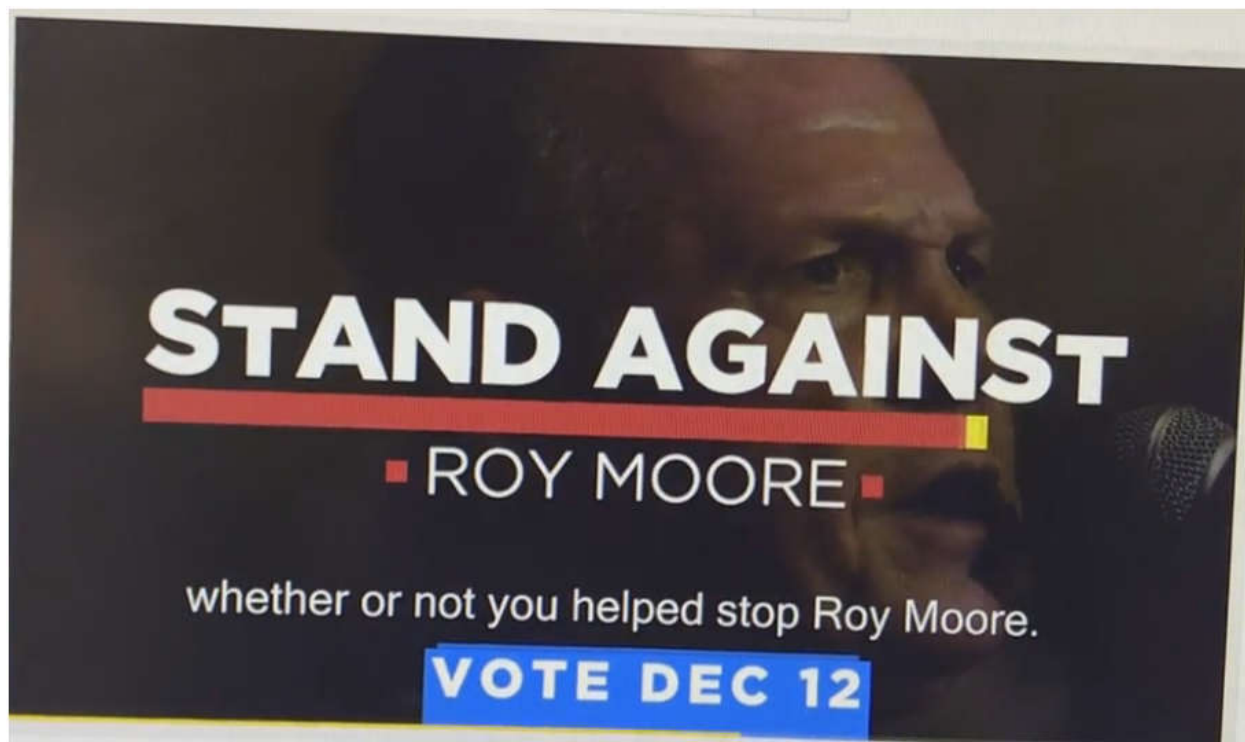


EXHIBIT F



Exhibit F-1

Alabama Secretary of State



Secretary of State John H. Merrill Provides Clarification on Inaccurate Information in Highway 31 Now Ad

[Home](#) > [Newsroom](#) > Secretary of State John H. Merrill Provides Clarification on Inaccurate Information in Highway 31 Now Ad

FOR IMMEDIATE RELEASE

December 5, 2017 - MONTGOMERY - In the Alabama Secretary of State Office's continued efforts to empower and encourage all Alabama residents to participate in the electoral process, one issue our office must work toward is the reconciliation of any instance whereby voter confusion is presented.

Reports from several sources indicate a targeted effort to misinform and confuse voters regarding whether an individuals' voting record would be available to the public. No individual voting record is made available to anyone at anytime, including the voter who cast the ballot.

When voters cast a ballot the State of Alabama's voter registration system is updated to document the election that a voter participated in but no record is ever made documenting the candidate for whom the ballot was cast.

In the Alabama Primary and Primary Run-off Elections a record is made which would indicate whether a voter had voted in either the Democrat or Republican party race but the name of the candidate for whom the voter cast their ballot is never recorded.

Additionally, in Alabama, voters do not provide political party affiliation when they

register to vote because the state does not track that information.

A link to a recorded copy of the ad as reported to the Secretary of State's Office is available below.

<https://tinyurl.com/y7obeyzs>

We have communicated with the individual(s) that created the video and have expressed to them the misinterpretations presented in this political commercial. Monday, the PAC responded to the Office and indicated they would not amend nor take out any of the information in the ad.

Alabama Directory - Online Services - Alabama.gov - Statements & Policies - Feeds - Contact Us

P.O. Box 5616 Montgomery, AL 36103-5616 - Phone: (334) 242-7200 -
Fax: (334) 242-4993



Exhibit F-2

Alabama Secretary of State



Secretary of State Works with Google to Remove Misleading Highway 31 Advertisement From the Internet

[Home](#) > [Newsroom](#) > Secretary of State Works with Google to Remove Misleading Highway 31 Advertisement From the Internet

FOR IMMEDIATE RELEASE

December 6, 2017 - MONTGOMERY - Recent reports to the Alabama Secretary of State's Office indicated the existence of an ad that was targeting Alabamians with incorrect or inaccurate information intent on confusing voters. The ad made claims that the candidate a voter casts their ballot for would be made public and would be shared with members of their community.

This ad was reported to be on YouTube among other digital platforms. Once the ad was reported Secretary Merrill instructed his team to work quickly to ensure Alabamians were not confused or dissuaded from participating in our democratic process due to misinformation or fear of retribution for how they chose to cast their ballot.

Secretary Merrill's team contacted the Media and Advertising team at Google (YouTube's parent company) and through several intense discussions and many references to Alabama State Law the team at Google felt the ad should be "disapproved" and that it was in violation of the AdWords advertising policies.

The ad has been removed by Google and was done so at the request of the Alabama

Secretary of State's Office.

Secretary Merrill expressed appreciation that the company was willing to listen and understood the gravity of the voting process and how delicate it can be.

A copy of the original release (12/5/2017) is available below:

In the Alabama Secretary of State Office's continued efforts to empower and encourage all Alabama residents to participate in the electoral process, one issue our office must work toward is the reconciliation of any instance whereby voter confusion is presented.

Reports from several sources indicate a targeted effort to misinform and confuse voters regarding whether an individuals' voting record would be available to the public. No individual voting record is made available to anyone at anytime, including the voter who cast the ballot.

When voters cast a ballot the State of Alabama's voter registration system is updated to document the election that a voter participated in but no record is ever made documenting the candidate for whom the ballot was cast.

In the Alabama Primary and Primary Run-off Elections a record is made which would indicate whether a voter had voted in either the Democrat or Republican party race but the name of the candidate for whom the voter cast their ballot is never recorded.

Additionally, in Alabama, voters do not provide political party affiliation when they register to vote because the state does not track that information.

A link to a recorded copy of the ad as reported to the Secretary of State's Office is available below.

<https://tinyurl.com/y7obeyzs>

Alabama Directory - Online Services - Alabama.gov - Statements &
Policies - Feeds - Contact Us

P.O. Box 5616 Montgomery, AL 36103-5616 - Phone: (334) 242-7200 -
Fax: (334) 242-4993

EXHIBIT G

Anti-Moore ad 'inaccurate,' misleading, Secretary of State says



montgomeryadvertiser.com/story/news/politics/2017/12/05/anti-moore-voting-record-ad/924554001

Melissa Brown, Montgomery Advertiser Published 4:52 p.m. CT Dec. 5, 2017 | Updated 7:24 p.m. CT Dec. 5, 2017

The race in Alabama is proving to be flush with cash ... at least on the Democrats' side. Wochit

(Photo: Brynn Anderson, AP)

An anti-Roy Moore ad is misinforming Alabama voters about their anonymity in the voting booth, Secretary of State John Merrill says.

Merrill's office on Tuesday released a statement on an ad representing a "targeted effort to misinform and confuse voters."

The ad spot features a voiceover and a "Stand Against Roy Moore" graphic. The ad is financed by political action committee Highway 31, a pro-Doug Jones PAC, and is unaffiliated with either campaign.

"Your vote is public record, and your community will know whether or not you helped stop Roy Moore," the online ad says.

"No individual voting record is made available to anyone at anytime, including the voter who cast the ballot," said the Secretary of State's statement. "When voters cast a ballot the State of Alabama's voter registration system is updated to document the election that a voter participated in but no record is ever made documenting the candidate for whom the ballot was cast."

When asked if Highway 31 has any plans to alter or change the language in the ad following Merrill's statement, a spokesperson provided this emailed statement to the Advertiser.

"The Secretary of State is distorting the intent of the ad," a Highway 31 spokesperson said in an emailed statement. "Whether or not someone votes is public knowledge. The ad is not improper. Standing up and voting against Roy Moore on Dec. 12 is critically important to the future of our state and we are going to make sure all Alabamians know that."

On Dec. 1, *Montgomery Advertiser* attorneys sent Highway 31 a cease-and-desist letter regarding a direct mail advertisement featuring the Advertiser's name in a mock masthead design at the top of the advertisement.

Several people who received the ad were led to believe the *Advertiser* produced it.

"The use of our name was unnecessary and misleading," *Montgomery Advertiser* Executive Editor Bro Krift said.

The ad quotes four news interviews from the *Los Angeles Times*, *New York Times*, *Washington Examiner* and Sean Hannity's Fox News show. All quotes include the date of the original interview or footnoted citations at the bottom of the ad.

The *Montgomery Advertiser* header, which includes the headline "Woman alleges Moore attack," is not dated or cited. The same headline led the Tuesday, Nov. 14 edition of the *Montgomery Advertiser*.

"Your actions are intentionally confusing members of the public concerning the source of the ad, as well as concerning who owns the newspaper," attorney J. Evans Bailey writes in the Dec. 1 letter. "Indeed, while the 'Montgomery Advertiser' appears at the top of the advertisement in large bold font, the names of other publications, cited as sources for other contentions in the ad, appear in footnotes, in small print, at the bottom of the ad. There are no similar footnoted citations referencing 'The Montgomery Advertiser.' This leaves the impression that 'The Montgomery Advertiser' produced the ad and then cited other publications as sources."

Highway 31 has not yet returned request for comment regarding the direct mail ad.

Adam Muhlendorf, a Montgomery-based political strategist, and Birmingham attorney Edward Still are leading the PAC, according to a Dec. 1 *Washington Post* report.

The *Post* reports Highway 31 is "legally evading Federal Election Commission disclosure rules" to hide the identities of its donors.

The PAC has spent some \$2 million to date on television, digital and direct mail ads but did not accept donations before Nov. 22, the FEC deadline for pre-election donor reports. Final expense reports are due by Jan. 21.

EXHIBIT H



Guy Cecil @guycecil · 6 Dec 2017



It must be a sad life when you sit around thinking of twitter fights to start. Also, a Republican pedophile is running in Alabama, so, you know, there might be more important things to focus on.

Ward Baker @WardBaker

In case anyone was wondering how the DSCC lost the majority in '14 and didn't take it in 16. Maybe look at the kind of recruits @guycecil calls "game changers":

a) Michelle Nunn...



↻ 1

♥ 31



Guy Cecil @guycecil · 6 Dec 2017



Breaking: Woman who supports a sexually assaulting pedophile attempts to get the upper hand. Fails miserably.

Kellyanne Conway ✓ @KellyannePolls

My friend @chriscuomo this morning: @SenFranken "took a stupid photo"

30+ Democratic Senators tonight: @SenFranken "should resign"
twitter.com/AP/status/9385...

💬 1

↻ 9

♥ 32



Guy Cecil @guycecil · 12 Dec 2017



To the @GOP, we will never forget you chose to support a child predator and we will hold you and every Republican associated with you accountable.

💬 1

↻ 20

♥ 89





Guy Cecil @guycecil · 12 Dec 2017



The woman who supported a predator who stalked young girls and assaulted them wants to talk about accountability. Got it.

Ronna McDaniel  @GOPChairwoman

This election has always been about the people of Alabama. Doug Jones now answers to Alabamians, who overwhelmingly support President Trump's conservative agenda, not Schumer & Democrat party bosses who prioritize obstruction over tax cuts & economic revival for Americans.



5



65



171





Exhibit H-2

December 12, 2017 | Press Release

Priorities USA Congratulates Senator-elect Doug Jones

FOR IMMEDIATE RELEASE

December 12, 2017

Priorities USA Congratulates Senator-elect Doug Jones

Washington, DC — Priorities USA Chairman Guy Cecil released the following statement congratulating Doug Jones on his victory in the Alabama special election for US Senate:

“Doug Jones has spent decades fighting for Alabamians and will now have the opportunity to continue to do so in the United States Senate. The people of Alabama sent a message tonight by putting country and state ahead of partisan politics and all Americans will now benefit from their decision. Unfortunately, the same cannot be said for Donald Trump and national Republicans, who supported a child molester who wants an America where being gay is a criminal offense, women shouldn’t run for office, and African Americans are discriminated against at the ballot box, all in service to tax cuts for the rich. This is a stain on the Republican Party that will last forever. We will make sure of it.”

“Priorities USA was proud to stand up for Doug and against a pedophile by partnering with Senate Majority PAC to run a \$1.5 million digital campaign focused on persuading and mobilizing Alabama’s voters, particularly those in the African American community, beginning even before the news broke about allegations against Roy Moore.”



EXHIBIT I

HIGHWAY 31 CONTRIBUTIONS

Date	Contributor	Amount
11/24/2017	SMP	1,200,000.00
11/27/2017	PRIORITIES USA ACTION	785,000.00
11/29/2017	LEAGUE OF CONSERVATION VOTERS, INC.	250,000.00
11/29/2017	PRIORITIES USA ACTION	125,000.00
11/29/2017	SMP	1,500,000.00
11/30/2017	LEONARD BELL	2,000.00
12/2/2017	LEONARD BELL	3,000.00
12/4/2017	DAVID M. MAGERMAN	5,000.00
12/5/2017	SMP	400,000.00
12/6/2017	PHILLIP SINGERMEN	250.00
12/8/2017	SMP	80,000.00
12/18/2017	SMP	14,000.00
12/31/2017	ACTBLUE	1,048.00
1/4/2018	SMP	2,230.21
		4,367,528.21
	SMP	3,196,230.21
	PRIORITIES USA ACTION	910,000.00
	LEAGUE OF CONSERVATION VOTERS, INC.	250,000.00
	LEONARD BELL	5,000.00
	DAVID M. MAGERMAN	5,000.00
	ACTBLUE	1,048.00
	PHILLIP SINGERMEN	250.00
		4,367,528.21

HIGHWAY 31 EXPENDITURES

Date	Vendor	Purpose	Amount
11/8/2017	Bully Pulpit Interactive	Online Advtsg & MPC	134,866.01
11/8/2017	Denise Nelson Voiceovers	Media Production Costs	550.00
11/21/2017	Bully Pulpit Interactive	Online Advtsg & MPC	91,260.00
11/22/2017	Bully Pulpit Interactive	Online Advtsg & MPC	151,951.96
11/22/2017	ZUUR	Media Production Costs	2,160.00
11/22/2017	Denise Nelson Voiceovers	Media Production Costs	1,170.00
11/22/2017	ZUUR	Media Production Costs	3,240.00
11/22/2017	Waterfront Strategies	Media Buy	309,690.00
11/22/2017	Denise Nelson Voiceovers	Media Production Costs	1,755.00
11/22/2017	Bully Pulpit Interactive	Media Production Costs	1,690.00
11/22/2017	Putnam Partners	Media Production Costs	29,716.78
11/22/2017	Nutt Labs	Media Production Costs	2,348.00
11/22/2017	Bully Pulpit Interactive	Online Advtsg & MPC	262,729.31
11/22/2017	Bully Pulpit Interactive	Media Production Costs	2,535.00
11/22/2017	Bully Pulpit Interactive	Online Advtsg & MPC	125,000.00
11/22/2017	Nutt Labs	Media Production Costs	3,552.00
11/23/2017	Waterfront Strategies	Media Buy	99,623.00
11/23/2017	Putnam Partners	Media Production Costs	3,650.00
11/26/2017	Bully Pulpit Interactive	Online Advtsg & MPC	199,880.12
11/26/2017	Bully Pulpit Interactive	Online Advtsg & MPC	280,631.68
11/27/2017	Ourso Beychok Johnson, Inc.	Direct Mail	57,369.00
11/28/2017	Putnam Partners	Media Production Costs	21,447.28
11/28/2017	Waterfront Strategies	Media Buy	89,910.00
11/29/2017	Ourso Beychok Johnson, Inc.	Direct Mail	57,369.00
11/30/2017	ActBlue Technical Services	Credit Card Processing Fees	79.99
11/30/2017	Waterfront Strategies	Media Buy	213,927.00
11/30/2017	Waterfront Strategies	Media Buy	519,537.00
12/1/2017	Think Rubix, LLC	Strategic Consulting Services	70,000.00
12/1/2017	NGP VAN, Inc.	Database Services	300.00
12/1/2017	Civis Analytics, Inc.	Research Services	16,000.00
12/1/2017	Putnam Partners	Media Production Costs	2,603.72
12/1/2017	Waterfront Strategies	Media Buy	99,009.00
12/1/2017	Ourso Beychok Johnson, Inc.	Direct Mail	57,369.00
12/4/2017	Ourso Beychok Johnson, Inc.	Direct Mail	57,369.00
12/5/2017	Resonance Campaigns	Direct Mail	100,598.10
12/6/2017	Denise Nelson Voiceovers	Media Production Costs	270.00
12/6/2017	Waterfront Strategies	Media Buy	35,821.23
12/6/2017	Waterfront Strategies	Media Buy	24,957.00
12/6/2017	Putnam Partners	Media Production Costs	24,025.16
12/6/2017	Putnam Partners	Media Production Costs	25,599.69
12/6/2017	Bully Pulpit Interactive	Online Advtsg & MPC	153,983.00
12/6/2017	Waterfront Strategies	Media Buy	166,201.23
12/7/2017	Think Rubix, LLC	Strategic Consulting Services	30,000.00

12/7/2017	Resonance Campaigns	Direct Mail	100,598.10
12/8/2017	Waterfront Strategies	Media Buy	93,713.88
12/8/2017	Waterfront Strategies	Media Buy	374,855.50
12/9/2017	Putnam Partners	Media Production Costs	2,178.21
12/9/2017	Waterfront Strategies	Media Buy	74,648.00
12/11/2017	ActBlue Technical Services	Credit Card Processing Fees	118.50
12/11/2017	Waterfront Strategies	Media Buy	31,256.30
12/11/2017	Waterfront Strategies	Media Buy	124,951.86
12/11/2017	Bully Pulpit Interactive	Online Advts & MPC	15,000.00
12/18/2017	ActBlue Technical Services	Credit Card Processing Fees	246.83
12/18/2017	Adam S. Muhlendorf	Strategic Consulting Services	15,000.00
12/23/2017	ActBlue Technical Services	Credit Card Processing Fees	0.99
1/5/2018	Edward Still	Legal Services	2,490.00
	Unknown	Sched. B (Op. Exp.)	725.78

Total	4,367,528.21
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Waterfront Strategies	Media Buy	2,258,101.00
Bully Pulpit Interactive	Online Advts & MPC	1,419,527.08
Ourso Beychok Johnson, Inc.	Direct Mail	229,476.00
Resonance Campaigns	Direct Mail	201,196.20
Putnam Partners	Media Production Costs	109,220.84
Think Rubix, LLC	Strategic Consulting Services	100,000.00
Civis Analytics, Inc.	Research Services	16,000.00
Adam S. Muhlendorf	Strategic Consulting Services	15,000.00
Nutt Labs	Media Production Costs	5,900.00
ZUUR	Media Production Costs	5,400.00
Denise Nelson Voiceovers	Media Production Costs	3,745.00
Edward Still	Legal Services	2,490.00
ActBlue Technical Services	Credit Card Processing Fees	446.31
NGP VAN, Inc.	Database Services	300.00
Unknown	Sched. B (Op. Exp.)	725.78

Total	4,367,528.21
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