

Exhibit 5

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

ROY S. MOORE,

Plaintiff,

v.

GUY CECIL; PRIORITIES USA;
SENATE MAJORITY PAC (SMP);
BULLY PULPIT INTERACTIVE
LLC; and WATERFRONT
STRATEGIES,

Defendants.

Civil Action

Case No. 4:19-cv-01855-CLM

AFFIDAVIT OF DEFENDANT GUY CECIL

1. My name is Guy Cecil. I have been named as a Defendant in the above-captioned matter. I am above the age of majority and am competent to testify to the matters stated herein.

2. I am not a resident of Alabama.

3. Alabama is not my domicile.

4. I have never solicited business or otherwise engaged in any persistent course of conduct within the State of Alabama.

5. I have never been registered or qualified to do business in the State of Alabama, and I have never maintained a registered agent for service of process in the State of Alabama.

6. I have never consented to personal jurisdiction in any courts in the State

of Alabama, and I have never been a litigant in a court in the State of Alabama.

7. I have not received any financial or other benefits, privileges, subsidies, incentives, compensation, or protection from the government of the State of Alabama.

8. I have never had any personal offices or facilities of any kind located within the State of Alabama, and I have never personally performed any services in the State of Alabama.

9. I have never had any employees within the State of Alabama.

10. I have never had any interest in, have never used, and have never owned any real estate, personal property, or other assets, including any product or parts inventory, located in the State of Alabama.

11. I have never had any bank accounts located within the State of Alabama, I have never borrowed any money from any bank located within the State of Alabama, and I have never applied for or guaranteed any loan from any bank located within the State of Alabama.

12. I have never paid any taxes or fees in the State of Alabama.

13. I was not physically present in Alabama when the statements attributed to me in the Complaint were made.

14. At the time the statements attributed to me in the Complaint were made, Ward Baker was a Republican strategist based out of Tennessee who focused on

national party politics.

15. At the time the statements attributed to me in the Complaint were made, Kellyanne Conway was a counselor to President Donald Trump, and to the best of my knowledge did not reside in or work out of Alabama.

16. At the time the statements attributed to me in the Complaint were made, Ronna McDaniel was the chair of the Republican National Committee, and to the best of my knowledge did not reside in or work out of Alabama.

17. “@GOP” is the Twitter account of the Republican National Committee, which is based in Washington, D.C.

18. *Politico* is a news media company based in Virginia that covers national and international politics.

According to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on January 10, 2020.


Guy Cecil