VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF FAIRFAX

KASHYAP P. PATEL)
)
    Plaintiff,)
)
v.)
)   Case No. **2020 20690**
)
)
CABLE NEWS NETWORK, INC.)   **TRIAL BY JURY**
BARBARA STARR)   **IS DEMANDED**
ZACHARY COHEN)
ALEX MARQUARDT)
RYAN BROWNE)
)
-and-)
)
NICOLE GAOUETTE)
)
    Defendants.)
)

COMPLAINT

Plaintiff, Kashyap P. Patel ("Plaintiff" or "Kash"), by counsel, files the following Complaint against defendants, Cable News Network, Inc. ("CNN"), Barbara Starr ("Starr"), Zachary Cohen ("Cohen"), Alex Marquardt ("Marquardt"), Ryan Browne ("Browne") and Nicole Gaouette ("Gaouette"), jointly and severally.

Plaintiff seeks (a) compensatory damages and punitive damages in an amount not less than **$50,000,000.00,** (b) prejudgment interest on the principal sum awarded by the Jury from November 24, 2020 to the date of Judgment at the rate of six percent (6%) per year pursuant to § 8.01-382 of the Virginia Code (1950), as amended (the "Code"), and (c) court costs – arising out of Defendants' defamation.

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I. __INTRODUCTION__

1.   "Every false and unauthorized imputation, spoken, written, or printed which imputes to a business or professional man conduct which tends to injure him in his business or profession is libelous and actionable without allegation or proof of special damages. Hence, words and statements which charge an attorney at law with unethical or unprofessional conduct and which tend to injure or disgrace him in his profession are actionable *per se*." *Carwile v. Richmond Newspapers*, 196 Va. 1, 8, 82 S.E.2d 588 (1954) (cited in *Fleming v. Moore*, 221 Va. 884, 890, 275 S.E.2d 632 (1981) ("because an attorney is required to adhere to the disciplinary rules, charging an attorney with unethical conduct is defamatory *per se*")); *id. Foreman v. Griffith*, 81 Fed.Appx. 432, 433 (4th Cir. 2003) ("The primary accusation against Foreman [a Deputy City Attorney] in the Report was that he engaged in unethical favoritism of Tidewater Towing, Inc. at the City's expense and to enrich himself. Foreman alleges that the accusation is false and damaged his professional reputation."); *Baxter v. Belisle*, 2019 WL 2146596, at * 18 (E.D. Va. 2019) ("because Baxter's statement may impute to Frances, an attorney, the commission of a crime, it meets defamatory meaning as defamation *per se*"); *Cretalla v. Kuzminski*, 640 F.Supp.2d 741, 747 (E.D. Va. 2009) (statement "questioning Plaintiff's ethical conduct as a practicing attorney, accusing him of the criminal act of extortion, and stating that Plaintiff had been discharged from his employment with a law firm as a result of such conduct"); *Tronfeld v. Nationwide Mutual Insurance Company*, 272 Va. 709, 713, 636 S.E.2d 447 (2006) (insurance adjuster's statements that attorney "just takes people's money" and clients received less for their claims because of attorney's services were actionable); *Donner v. Rubin*, 2008 WL 8201377, at * 6 (Chesapeake Cir. 2008)

(defendant's letter falsely accused the plaintiff, a lawyer, of "unethical and unprofessional conduct", various "frivolous actions", and suggested that "plaintiff could be subjected to disciplinary proceedings by the State Bar"); *compare Goulmamine v. CVS Pharmacy, Inc.*, 138 F.Supp.3d 652, 659 (E.D. Va. 2015) (stating that a physician has committed misconduct worthy of losing his license to practice medicine or dispense controlled substances is sufficiently similar to suggesting an attorney has committed conduct worthy of disbarment); *Echtenkamp v. Loudoun County Public Schools*, 263 F.Supp.2d 1043, 1064 (E.D. Va. 2003) (statements that "could be construed to either imply or to state directly that plaintiff lacks integrity or is unfit for her profession" were actionable).

2.   On November 24, 2020 and December 4, 2020, CNN published online articles written by Starr, Cohen, Marquardt, Browne and Gaouette (the "Articles"). [https://www.cnn.com/2020/11/24/politics/kash-patel-pentagon-transition/index.html; https://www.cnn.com/2020/12/04/politics/pentagon-biden-transition-intelligence/index.html]. The Articles contain a series of false and defamatory statements of or concerning Kash:

No.	Defamatory Statement	Published By	Published To	Date
1	**"Trump loyalist connected to Biden conspiracy theories is leading Pentagon transition"**	CNN Starr Cohen	www.cnn.com	11/24/2020
2	"Kash Patel, a Trump loyalist, … was connected to efforts to spread conspiracy theories about Joe Biden"	CNN Starr Cohen Erin Burnett Outfront	www.cnn.com CNN	11/24/2020

No.	Defamatory Statement	Published By	Published To	Date
3	"The House impeachment inquiry uncovered evidence connecting Patel, who was then working as an aide to [Congressman Devin] Nunes, to the diplomatic back channel led by Trump attorney Rudy Giuliani, and the efforts to spread conspiracy theories about Joe Biden and coerce Ukraine into announcing an investigation of the former vice president"	CNN Starr Cohen	www.cnn.com	11/24/2020
4	Kash "has also worked to discredit Special Counsel Robert Mueller's probe into Russian interference in the 2016 presidential election"	CNN Starr Cohen Erin Burnett Outfront	www.cnn.com CNN	11/24/2020
5	"Trump loyalist connected to Biden conspiracy theories is leading the Pentagon transition to the Biden-Harris administration"	CNN	@CNNPolitics	11/25/2020
6	**"Pentagon blocked Biden's intelligence transition team from meeting with agencies"**	CNN Marquardt Browne Gaouette	www.cnn.com @CNNPolitics	12/05/2020
7	The "Defense Department transition office, … is led by a Trump loyalist connected to efforts to spread conspiracy theories about the President-elect"	CNN Marquardt Browne Gaouette	www.cnn.com @CNNPolitics	12/05/2020
8	"'That's a big FU from Defense to the incoming intelligence community transition team,' the former official said"	CNN Marquardt Browne Gaouette	www.cnn.com @CNNPolitics	12/05/2020

(each a "Defamatory Statement", and collectively, the "Defamatory Statements").

3.   Publication of the Defamatory Statements is part of a general pattern of retaliation and discrimination against Kash[1] and a larger conspiracy undertaken between 2018 and the present to discredit Kash through the publication of false statements and the promotion of unfounded left-wing political narratives. In 2017 and 2018, in his role as counsel for then-Chairman of the House Permanent Select Committee on Intelligence, Congressman Devin G. Nunes, Kash uncovered many inconvenient facts undermining the fake political narrative about "collusion" between members of the Trump campaign and "Russians", and exposing the Department of Justice ("DOJ") and Federal Bureau of Investigation ("FBI") abuse of the Foreign Intelligence Surveillance Act ("FISA") and use of the "Steele dossier" to defraud the Foreign Intelligence Surveillance Court ("FISC"). CNN attacked Kash and published defamatory falsehoods about him because CNN was deeply invested in promoting the Russia collusion hoax and the fraudulent "dossier" manufactured by Fusion GPS for the Hillary Clinton campaign and the Democratic National Committee ("DNC"). Kash debunked CNN's reporting. CNN published hundreds of articles that asserted and implied that collusion was real. [*See e.g.,* https://www.washingtonpost.com/opinions/why-did-obama-dawdle-on-russias-hacking/2017/01/12/75f878a0-d90c-11e6-9a36-1d296534b31e_story.html]. CNN was the first to report (on January 10, 2017) that the salacious "dossier" had been briefed to Presidents Obama and Trump. [https://www.cnn.com/2017/01/10/politics/donald-trump-intelligence-report-russia/index.html]. CNN repeatedly defended the veracity of the

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[1]   As Ambassador Richard Grenell observed, "CNN's @barbarastarrcnn and @ZcohenCNN gratuitously attack the first person of color to be Chief of Staff at the Pentagon. It's a mission for them. Why are they so threatened by Kash Patel? He's a patriot that doesn't look like them – their continuous attacks are not journalism." [https://twitter.com/RichardGrenell/status/1331651795555287041].

"dossier" and represented to the American public that the "intelligence" memoranda in the "dossier" were real and had been "corroborated" by the "intel community". https://www.washingtonpost.com/opinions/2020/01/03/dear-cnn-what-parts-steele-dossier-were-corroborated/]. CNN stood behind the "dossier" even after it was eviscerated by Inspector General Horowitz's report. CNN held a grudge against Kash for proving and revealing that the "dossier" was really opposition research manufactured by Fusion GPS and funded by the Democrats. CNN's latest brutal attack on Kash's reputation in the Articles is a continuation of past smear campaigns to discredit Kash (and Nunes).

4.   Each Defamatory Statement is of or concerning Kash. The millions who read the Defamatory Statements clearly understood them to be referring to Kash and clearly understood them to convey a defamatory meaning, including that Kash spread disinformation and engaged in dishonest, deceptive, unethical and improper conduct. [*See, e.g.,* https://twitter.com/joncoopertweets/status/1331394077653397510 ("Kash Patel, a Trump loyalist who was connected to efforts to spread conspiracy theories about Joe Biden").

5.   The Defendants fabricated the Defamatory Statements and knew, therefore, that the statements were false. They knew that Kash was not the source of a single conspiracy theory[2] and had no connection to *any* conspiracy theory about Biden.

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[2]   A "conspiracy theory" is an attempt to explain harmful or tragic events as the result of actions of a small, powerful group. Such explanations reject the accepted narrative surrounding those events, and are based hypothesized and unproven theories. [*See* https://www.britannica.com/topic/conspiracy-theory]. A "conspiracy theorist" is a person who is paranoid, delusional, crazy, brain-washed and woefully ignorant of the true facts. The term "conspiracy theorist" is well-known to be contemptuous. [https://www.urbandictionary.com/define.php?term=Conspiracy%20Theorists].

Indeed, Defendants provide no evidence or example of any stories spread by Kash about Biden because there are none. CNN reported on the Democrats' impeachment inquiry and read the Democrats' report, and knew, therefore, that no evidence was uncovered connecting Kash (who, contrary to Defendants' representations, was **not** working as an aide to Congressman Nunes in 2019 during the impeachment inquiry), "to the diplomatic back channel led by Trump attorney Rudy Giuliani, and the efforts to spread conspiracy theories about Joe Biden and coerce Ukraine into announcing an investigation of the former vice president". Indeed, Defendants knew that Kash had specifically denied being a "back channel" to President Trump on Ukraine. [https://www.cbsnews.com/news/kash-patel-white-house-staffer-denies-he-was-back-channel-to-trump-on-ukraine/]. From prior reporting, CNN also knew that Kash did nothing to "discredit" Special Counsel Robert Mueller's probe into Russian interference in the 2016 presidential election. CNN knew that Kash was involved in the investigation of DOJ and FBI efforts to cover-up use of the fraudulent "Steele dossier" to spy on Trump associates both before the 2016 Presidential Election and during the transition period in 2017. CNN knew that Kash was instrumental in drafting the "Nunes Memo" that exposed the FISA/FISC abuse and corruption at the DOJ and FBI. [https://www.cnn.com/2019/02/01/politics/nunes-memo-author-nsc/index.html; https://www.theatlantic.com/politics/archive/2018/01/the-men-behind-the-nunes-memo/551825/]. CNN had no factual basis for accusing Kash of obstructing, interfering with, impeding or otherwise even attempting to discredit the Special Counsel "investigation" or blocking President-elect Joe Biden's intelligence transition team from meeting with any intelligence agencies. Defendants' Defamatory Statements are absolutely false. [https://townhall.com/tipsheet/cortneyobrien/2020/11/25/cnn-kash-patel-

n2580672?2516]. The timing of Defendants' publications demonstrates that they intended to injure Kash.

6. In this action, Kash seeks presumed damages, actual damages, special damages and punitive damages as a result of Defendants' statements and actions. In addition, Kash seeks a permanent injunction prohibiting Defendants from repeating the defamatory speech.

II. PARTIES

7. Kash currently serves as the Chief of Staff to Acting Secretary of Defense Christopher Miller. Kash is responsible for leading the Secretary's mission at the Department, including his executive staff, and providing counsel to the Secretary on all matters concerning the Department's operations. Previously, Kash served as the Deputy Assistant to the President and Senior Director for Counterterrorism ("CT") at the National Security Council ("NSC"). In that capacity, Kash oversaw the execution of several of the President's top priorities, including eliminating ISIS and Al-Qa'ida leadership such as al-Baghdadi and Qasem al-Rimi, and the safe repatriation of numerous American hostages. Kash also served as Principal Deputy to the Acting Director of National Intelligence, where he oversaw the operations of all 17 intelligence community agencies and provided the President's Daily Briefing. Before joining the NSC, Kash served as the National Security Advisor and Senior Counsel for the House Permanent Select Committee on Intelligence (HPSCI), where he spearheaded the investigation into the Russian active measures campaign to influence the 2016 presidential election. Kash also lead a top-priority investigation into FISA abuse and created an investigative plan that led to national disclosure of infamous Steele dossier funding by the Hillary Clinton

campaign and the Democratic National Committee ("DNC"). As staff counsel, Kash was responsible for identifying, locating, and successfully acquiring hundreds of thousands of documents from across the IC and private sectors to further the investigations. He conducted over 70 interviews of former/current high-ranking (including cabinet-level) government officials and private citizens. He led the Committee's investigation and discovered abuses of power by high-ranking officials within the Federal Bureau of Investigation (FBI) and DOJ. He also formulated strategy to hold individuals accountable for violations of law and policy. Concurrently, he oversaw sensitive programs for the Intelligence Community and U.S. Special Operations Forces and worked to enact legislation to fully fund the multi-billion dollar budgets supporting intelligence and counterterrorism operations worldwide. Kash joined HPSCI following his tenure as a terrorism prosecutor at the Department of Justice (DOJ), where he led investigations spanning multiple theaters of conflict and oversaw the successful prosecution of criminals aligned with Al-Qa'ida, ISIS, and other terror groups. Kash also served as the DOJ Liaison Officer to Joint Special Operations Command (JSOC), working with our nation's most prestigious counterterrorism units to conduct collaborative global targeting operations against high value terrorism targets. Kash began his legal career as a public defender, trying scores of complex cases ranging from murder, to narco-trafficking, to complex financial crimes in jury trials in state and federal courts. He completed his undergraduate studies at the University of Richmond before returning to New York to earn his law degree, along with a Certificate in International Law from University College London Faculty of Laws in the United Kingdom. Kash is a citizen of the District of Columbia. The qualities disparaged by Defendants – Kash's honesty,

veracity, integrity, ethics and performance as an advisor and attorney for HPSCI, a member of the President's National Security Council (NSC),[3] and Chief of Staff for Acting Secretary of Defense Miller – are peculiarly valuable to Kash and are absolutely necessary in the practice and profession of any lawyer and senior policy advisor. The Defendants intentionally published false statements in order to undermine Kash's credibility and impair his ability to serve the United States of America and Acting Secretary of Defense Miller.

8.   Defendant, CNN, is a Delaware corporation, headquartered in Georgia. CNN is a division of WarnerMedia. WarnerMedia is an operating segment of AT&T, Inc. CNN is part of WarnerMedia's "Turner" business unit. The Turner business unit operates television networks and related properties that offer branded news, entertainment, sports and kids multiplatform content for· consumers in Virginia and around the world. Turner's digital properties include the CNN digital network, www.cnn.com. According to AT&T, the CNN digital network is "the leading digital news destination, based on the number of average monthly domestic multi-platform unique visitors and videostarts for the year ended December 31, 2018." CNN's digital platforms deliver news 24 hours a day, seven days a week, from almost 4,000 journalists in every corner of the globe. In addition to its massive digital footprint, CNN employs multiple social media accounts as a means to publish its statements in Virginia and worldwide. As of November 24, 2020, @CNNPolitics had over 3,800,000 followers. In

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[3]   The NSC is the President's principal forum for considering national security and foreign policy matters with his senior national security advisors and cabinet officials. Since its inception under President Truman, the Council's function has been to advise and assist the President on national security and foreign policies. The Council also serves as the President's principal arm for coordinating these policies among various government agencies. [https://www.whitehouse.gov/nsc/].

addition to its massive digital and social media presence in Virginia, CNN broadcasts live every day to businesses and households across the Commonwealth. CNN is at home in Virginia.

9. Defendants, Starr, Cohen, Marquardt, Browne and Gaouette, are all employees of CNN. They are citizens of Virginia or the District of Columbia.

III. JURISDICTION AND VENUE

10. The Circuit Court for the County of Fairfax has jurisdiction of this matter pursuant to § 17.1-513 of the Virginia Code (1950), as amended.

11. The Defendants are subject to personal jurisdiction in Virginia pursuant to Virginia's long-arm statute, § 8.01-328.1(A)(1), (A)(3) and (A)(4) of the Code, as well as the Due Process Clause of the United States Constitution. The Defendants are subject to general personal jurisdiction and specific personal jurisdiction in Virginia. They each have minimum contacts with Virginia such that the exercise of personal jurisdiction over them comports with traditional notions of fair play and substantial justice and is consistent with the Due Process Clause of the United States Constitution.

12. Venue is proper in the Fairfax Circuit Court pursuant to §§ 8.01-262(1), (3-4) and 8.01-263(2) of the Code.

13. The Defamatory Statements have been republished millions of times in Virginia, including by CNN and its agents, by Politico and its agents in Arlington, and by many others, *e.g.*:

https://twitter.com/RamCNN/status/1331297558111670272;

https://twitter.com/gelles/status/1331296632604913665;

https://twitter.com/vplus/status/1331293699930730501;

https://www.politico.com/news/2020/11/24/kash-patel-pentagon-transition-440293;

https://thehill.com/policy/defense/527447-ex-nunes-aide-linked-to-biden-conspiracy-theories-will-lead-pentagon#.X73AmQ2JCSc.twitter;

https://news.yahoo.com/kash-patel-biden-conspiracy-theorist-064353221.html;

https://talkingpointsmemo.com/news/cnn-former-nunes-aide-who-boosted-ukraine-conspiracy-theories-to-lead-dod-transition.

COUNT I – DEFAMATION

14.   Plaintiff restates paragraphs 1 through 13 of this Complaint, and incorporates them herein by reference.

15.   The Defendants made, endorsed, published and republished numerous false factual statements of or concerning Plaintiff. These statements are detailed verbatim above in paragraph 2.

16.   Defendants published the false statements without privilege of any kind.

17.   Defendants' false statements constitute defamation. The statements hold Kash up to scorn and ridicule. The statements accuse and impute an unfitness to perform the duties of an office or employment for profit, or the want of integrity in the discharge of the duties of such office or employment, including disinformation, dishonesty, deception, lack of candor and lack of ethics. Defendants' false statements impaired, hurt, and prejudiced Kash in his profession, impugned and disparaged his reputation as a trustworthy, intelligent, and competent advisor and attorney, exposed him to the hazard of losing his job, and rendered him unfit or less fit to fulfill the duties of Chief of Staff to the Acting Secretary of Defense of the United States of America.

18.   By publishing the Defamatory Statements on the Internet and by tweeting the Defamatory Statements, Defendants knew or should have known that the Defamatory

Statements would be republished over and over by third-parties to Kash's detriment. Indeed, there have been millions of republications to date. Republication by both CNN subscribers and viewers and by Twitter users was the natural and probable consequence of Defendants' actions and was actually and/or presumptively authorized and intended by the Defendants. In addition to their original publications online, Defendants are liable for the republications of the Defamatory Statements by third-parties under the doctrine (the "republication rule") announced by the Supreme Court of Virginia in *Weaver v. Home Beneficial Co.*, 199 Va. 196, 200, 98 S.E.2d 687 (1957) ("where the words declared on are slanderous per se their repetition by others is the natural and probable result of the original slander."); *see id. Reuber v. Good Chemical News, Inc.*, 925 F.2d 703, 712 (4th Cir. 1991) ("one who repeats a defamatory statement is as liable as the original defamer."), *cert. denied*, 111 S. Ct. 2814 (1991) (citing *Lee v. Dong-A Ilbo*, 849 F.2d 876, 878 (4th Cir. 1988)); *Liberty Lobby, Inc. v. Dow Jones & Co., Inc.*, 838 F.2d 1287, 1298-1299 (D.C. Cir. 1988) ("The common law of libel has long held that one who republishes a defamatory statement 'adopts' it as his own, and is liable in equal measure to the original defamer") (citing W. Keeton, D. Dobbs, R. Keeton & D. Owen, *Prosser and Keeton on the Law of Torts* 799 (5th ed. 1984) ("Every repetition of the defamation is a publication in itself, even though the repeater states the source ... or makes clear that he himself does not believe the imputation.") (footnotes omitted), *cert. denied*, 488 U.S. 825 (1988); *Cianci v. New Times Publ'g Co.*, 639 F.2d 54, 60-61 (2nd Cir. 1980) (discussing the "black-letter rule that one who republishes a libel is subject to liability just as if he had published it originally, even though he attributes the libelous statement to the original

publisher, and even though he expressly disavows the truth of the statement.") (quotation marks and citation omitted).

19.   Defendants lacked reasonable grounds for any belief in the truth of their statements, and acted negligently in ignoring prior reporting and failing to determine the true facts. Defendants' false statements harmed Kash and his reputation.

20.   Defendants published the Defamatory Statements with knowledge that they were false or with reckless disregard for whether they were false. Defendants acted with actual malice and reckless disregard for the truth for the following reasons:

a.   Defendants manufactured the Defamatory Statements out of whole cloth. It is reasonable to infer that they knew their statements were false.

b.   Defendants ignored CNN's prior reporting and reliable information that contradicted their libelous assertions, and published the Defamatory Statements anyway.

c.   Defendants abandoned all journalistic integrity and violated their own code of ethics in order to further the false narratives about Kash. CNN failed to source its statements, relying, in one instance, on the "House impeachment inquiry". Any source for CNN's reporting could not possibly have had first-hand knowledge of events that never happened. *Celle v. Filipino Reporter Enterprises, Inc.*, 209 F.3d 163, 190 (2nd Cir. 2000) (a source's lack of first-hand knowledge "suggested a reasonable basis for defendants to question the accuracy and reliability of the information he provided.").

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d.   Defendants deliberately or recklessly conveyed a false message about Kash to sensationalize the "news" and for no other purpose than to defame, insult, embarrass and humiliate Kash;

e.   Defendants harbored extreme professional and personal animus, bias, spite and ill-will towards Kash as a result of Kash's revelations of CNN's corrupt business practices and deceitful misreporting. Because of this malice and desire to injure Kash, Defendants knowingly and recklessly ignored the probable falsity of the story and printed it.

21.   As a direct result of Defendants' defamation, Kash suffered presumed damages and actual damages, including, but not limited to, insult, pain, embarrassment, humiliation, anxiety, mental suffering, injury to his reputation, loss of income, diminished future earning capacity, pecuniary loss and other special damages, costs, and out-of-pocket expenses, in the sum of $50,000,000.00 or such greater amount as is determined by the Jury. As a result of Defendants' willful, wanton, and malicious conduct in the publishing of the Defamatory Statements, Kash also seeks an award of punitive damages in the maximum amount allowed by law.

COUNT II – INJUNCTION

22.   Plaintiff restates paragraphs 1 through 21 of this Complaint, and incorporates them herein by reference.

23.   Defendants, acting in concert, disseminated false and defamatory statements that caused irreparable harm to Kash. Kash is unable to repair his reputation with the persons that Defendants unilaterally contacted, especially the millions of CNN subscribers and viewers and millions more on Twitter whose identities are unknown.

24.   Monetary damages will not provide an adequate remedy for Kash because, in the event Defendants continue to defame him, he would be required to bring a succession of lawsuits to deter Defendants from continuing to defame him. Monetary damages may not effectively deter "judgment proof" or wealthy defendants.

25.   In light of the balance of the hardships between Kash and Defendants, especially CNN, a remedy in equity is warranted because Defendants remain able to express themselves in a manner that does not repeat the Defamatory Statements.

26.   The public interest would be served by an injunction narrowly tailored to prohibit repetition of the statements set forth in paragraph 2 that qualify as defamatory under Virginia law because such an injunction does not threaten to silence Defendants completely.

27.   Because Defendants have engaged in repeated acts of defamation *per se*, and the defamatory conduct at issue threatens to continue in the future, as evidenced by CNN's tweets, Defendants should be permanently restrained and enjoined from publishing the Defamatory Statements set forth in paragraph 2 to recipients in and outside Virginia by mail, wire, email, text message, encrypted or private message, or social media.

Plaintiff alleges the foregoing based upon personal knowledge, public statements of others, and records in his possession. Plaintiff believes that substantial additional evidentiary support, which is in the exclusive possession of CNN and its employees and agents, and other third-parties, will exist for the allegations and claims set forth above after a reasonable opportunity for discovery.

Plaintiff reserves his right to amend this Complaint upon discovery of additional instances of Defendants' wrongdoing.

CONCLUSION AND REQUEST FOR RELIEF

WHEREFORE, Plaintiff Kashyap P. Patel respectfully requests the Court to enter Judgment against Defendants, jointly and severally, as follows:

A.   Compensatory damages in the amount of $50,000,000.00 or such greater amount as is determined by the Jury;

B.   Punitive damages in the maximum amount allowed by law;

C.   Prejudgment interest pursuant to § 8.01-382 of the Code on the principal sum awarded by the Jury from November 24, 202o to the date Judgment is entered;

D.   Postjudgment interest at the rate of six percent (6%) per annum until paid;

E.   Injunctive relief as requested in Count II above;

F.   Costs and other recoverable amounts as allowed by law;

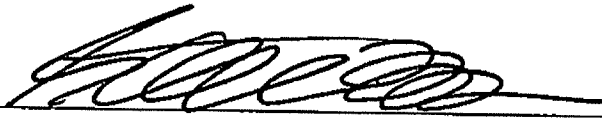G.   Such other relief as is just and proper.

TRIAL BY JURY IS DEMANDED

DATED: December 11, 2020

Signature of Counsel on Next Page

KASHYAP "KASH" PATEL

By: _____

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