

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

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ROBERT PATRICK LEWIS,	:	
PHILIP A. LUELSDORFF,	:	
1AP, INC.	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Case No. _____
	:	
	:	COMPLAINT
SETH ABRAMSON	:	
	:	
Defendant.	:	JURY TRIAL DEMANDED
-----X	:	

Plaintiffs, Robert Patrick Lewis (“Lewis”), Philip A. Luelsdorff (“Luelsdorff”) and 1AP, Inc. (“1AP”), by counsel, pursuant to Rule 3 of the Federal Rules of Civil Procedure (the “Rules”), file the following Complaint against Defendant, Seth Abramson (“Abramson”).

Plaintiffs seek (a) compensatory and enhanced compensatory damages in the sum of **\$25,000,000.00**, (b) prejudgment interest on the principal sum awarded by the Jury from January 6, 2021 to the date Judgment is entered at the annual rate of 2.0% pursuant to New Hampshire R.S.A. § 336.1, and (c) court costs – arising out of the Defendant’s defamation, defamation by implication, false light invasion of privacy and conspiracy.

I. STATEMENT OF MATERIAL FACTS

1. Lewis is a decorated United States Army Green Beret, who received a Bronze Star and Purple Heart in the service of his Country. He possessed a TS-SCI security clearance and received an Honorable Discharge. In 2020, Lewis founded 1AP to provide pro bono security and protective services at grassroots events. Lewis created

1AP to ensure that every American can freely associate, freely gather and freely speak on matters of public concern to them without threat or fear of intimidation, retribution, bodily harm or death. [<https://lapraetorian.com/>]. Luelsdorff is a former United States Army Ranger (Battalion), with a TS security clearance. After a successful military career, he too received an Honorable Discharge. Lewis, Luelsdorff and 1AP (the “Plaintiffs”) are private individuals. In May 2021, 1AP was engaged to provide security at an event in Dallas, Texas. The speakers included Lieutenant General (Retired) Michael T. Flynn (“General Flynn”) and then Texas Republican Party Chairman and U.S. Army Lieutenant Colonel (Retired) Allen B. West. The event was also attended by a large number of people who identified as “QAnon”¹ adherents. As such, the event

¹ According to the Federal Bureau of Investigation (“FBI”) and the Department of Homeland Security (“DHS”), “QAnon” is a “domestic violence extremist” (“DVE”) group and a “domestic terrorism threat”. In a special report aired in late January 2021, CNN called QAnon a “deranged conspiracy cult”. CNN stated that some of “Q’s conspiracy claims” were “actually based on age-old racist and anti-Semitic beliefs”. CNN asserted that QAnon, like the Nazis, promoted “ancient and dark biases and bigotry in World history”. CNN stated that QAnon supporters were detached from “reality” and had an utter “disregard” for the facts. CNN alleged that QAnon followers were mentally ill and crazy. CNN concluded that it was “abundantly clear” that QAnon was a “dangerous and violent movement”, a movement that has become “insurrectionist”. [<https://transcripts.cnn.com/show/csr/date/2021-01-30/segment/01>]. The *Wall Street Journal* concluded that QAnon is a “far right-wing, loosely organized network and community of believers who embrace a range of unsubstantiated beliefs. These views center on the idea that a cabal of Satan-worshipping pedophiles—mainly consisting of what they see as elitist Democrats, politicians, journalists, entertainment moguls and other institutional figures—have long controlled much of the so-called deep state government, which they say sought to undermine [President] Trump, mostly with aid of media and entertainment outlets.” The *Wall Street Journal* claimed that adherents of QAnon were among the “most prominent members of the mob” who stormed the United States Capitol on January 6, 2021. [https://www.wsj.com/articles/what-is-qanon-what-we-know-about-the-conspiracy-theory-11597694801?mod=article_inline]. In October 2020, Congress condemned “QAnon”. [<https://www.congress.gov/116/bills/hres/1094/BILLS-116hres1094ih.pdf>]. Plaintiffs are not QAnon followers. See *Flynn v. CNN*, 2021 WL 5964129, at * 4 (S.D.N.Y. Dec. 16, 2021) (“[F]alsely implying a connection to a violent extremist group [like QAnon] can be defamatory.”)].

attracted several main stream media reporters, like Will Sommer of the *Daily Beast* (“Sommer”), who were there solely to publish calumniations about the event and QAnon. When event organizers discovered Sommer was in attendance and that he was live-tweeting disparaging remarks to his 160,000+ social media followers, they asked 1AP to remove him. 1AP complied. Shortly thereafter, Lewis began to receive messages from his ex-wife that shady journalists were reaching out to her and her divorce attorney to, in her words, “dig up dirt” on Lewis. Lewis also began receiving the same messages from colleagues in the security industry and others. On June 2, 2021, *Daily Beast* published an initial attack. [<https://www.thedailybeast.com/how-a-case-of-mistaken-identity-got-me-kicked-out-of-qanon-headquarters>]. A second false and disparaging article, written by Sommer, quickly followed on June 10, 2021. [<https://www.thedailybeast.com/1st-amendment-praetorian-the-far-right-paramilitary-wannabes-feeding-mike-flynn-conspiracy-machine>] (“*The Far-Right Paramilitary Wannabes Feeding Mike Flynn’s Conspiracy Machine* – ... [Lewis instigated and incited the] paranoia and conspiracy-mongering of late 2020 ... Lewis [was] part of the retinue of right-wing activist Ali Alexander ... By [January 6, 2021] Lewis was spreading conspiracy theories”)].²

2. Abramson, a practising attorney, seized on Sommer’s false narratives and implications, and in June 2021 began to publish egregious statements about Plaintiffs, including the following:

² Sommer’s article was immediately understood to convey a defamatory meaning. [<https://twitter.com/VickerySec/status/1403017817587212295>] (“If you read one article today, make it this article. ‘1st Amendment Praetorians’ (1AP) are as entrenched in the insurrection and dangerous as the Oath Keepers. 1AP is a name everyone needs to dig into hard and expose to public attention with a strong spotlight.”)].

<i>No.</i>	<i>Defamatory Statement</i>	<i>Published By</i>	<i>Published To</i>	<i>Date</i>
1	Lewis and IAP were among “Trump’s insurrectionists”	Abramson (Substack)	Internet	06/21/2021
2	IAP is a “militant extremist group run by Robert Patrick Lewis”. IAP’s “Director of Business Development”, Luelsdorff, was a known participant in the “Willard war room” where the parties plotted the “insurrection”	Abramson (Substack)	Internet	06/21/2021 06/30/2021
3	“in ancient Rome, the elite Praetorian Guard kept overthrowing the emperors they were assigned to protect. In DC this January, seems the ‘1 st Amendment Praetorians’ had similar ambitions” ³	@capitolhunters Abramson (Substack)	Twitter Internet	06/25/2021 06/30/2021
4	“The Holy Grail is placing dangerous far-right domestic-extremist militants inside Trump’s Willard Hotel command center on Insurrection Day. By the end of next week—based on what PROOF will publish and what others are working on—the Grail will have been both found and made public ... That said, it must be universally understood that people like Michael Flynn and Sidney Powell and Robert Patrick Lewis and Donald Trump are legitimately dangerous domestic insurgents. Everywhere they go and everywhere they speak, they expand a clear and present danger to America”	Abramson	Twitter	06/26/2021

³ @capitolhunters and Abramson juxtaposed the statement with a photograph of Lewis.

No.	Defamatory Statement	Published By	Published To	Date
5	“Insurrection Day was the work of coordination between the White House, Stop the Steal, InfoWars and the Proud Boys, with the Oath Keepers, Three Percenters, Qanoners and 1AP in support roles”	Abramson	Twitter	06/28/2021
6	“January 6 was coordinated by four entities—the White House, Stop the Steal, InfoWars, and the Proud Boys—with the ... 1st Amendment Praetorians (1AP) acting as security for top agents of Team Trump ... and all of this seditious activity centering around one location in Washington: the Willard InterContinental Hotel”	Abramson (Substack)	Internet	06/28/2021
7	“Still don’t think 1AP is scary? Read RPL’s Tweet from June 28 calling on ‘Patriots’ to ‘take back and keep this Republic’ by turning into ‘Old Testament, full wrath of God, destruction of their house and salt the earth beneath them Christians.’ Hope FBI is watching July 4 th ”	@capitolhunters	Twitter	06/29/2021
8	“The question, however—given the extremely dangerous, even seditious views held by Lewis ... —is just how close 1AP got to the command center for insurrectionist plotting on January 5, January 6, January 7, and January 8: the Willard Hotel in DC. And the answer seems to be that 1AP was anywhere and everywhere it wanted to be during Insurrection Week”	Abramson (Substack)	Internet	06/30/2021

<i>No.</i>	<i>Defamatory Statement</i>	<i>Published By</i>	<i>Published To</i>	<i>Date</i>
9	<p>“If the war room Lewis was in on January 7 wasn’t in the Willard Hotel, it means rather less to insurrection researchers—as there’s nothing particularly remarkable about 1AP setting up a war room in Maryland, Virginia, or DC, much like the Oath Keepers are known to have done by reserving a large block of rooms at a hotel in Virginia. Such an accommodation will most certainly be looked at closely by the FBI, but it may not have any significance to bringing insurrectionist kingpins to justice. By comparison, if 1AP had set up camp inside Donald Trump’s Willard Hotel war room, it would be very hard to imagine a bigger development in the insurrection investigation—as it places radical, dangerous, militant insurrectionists inside Team Trump’s Insurrection Week command center”</p>	Abramson (Substack)	Internet	06/30/2021
10	<p>“With each day, PROOF gets closer—via images, videos, and transcripts—to putting Trump at the heart of the planning for the insurrection. I hope you’ll RT this”⁴</p>	Abramson	Twitter	06/30/2021

⁴ Abramson’s tweet displayed a photograph of Luelsdorff with his face circled in orange, accompanied by the words, “1st Amendment Praetorian Leader”. **Luelsdorff was not involved in any way in any “planning for the insurrection”.**

No.	Defamatory Statement	Published By	Published To	Date
11	“If any doubt remained that 1st Amendment Praetorians were inside the nerve center of Trump’s Insurrection Day operation, the picture atop this article dispels it completely. The previously unidentified man in the white tee shirt is Phillip Luelsdorff ... Director of Business Development for [1AP]”	Abramson (Substack)	Internet	06/30/2021
12	“Close contact between Team Trump and a 1AP militant like Robert Patrick Lewis is significant because the former has positioned itself as supporting only administrative insurrection—the overturning of a democratic election via dodgy backroom political maneuvers—while the latter has routinely flirted with the idea of a paramilitary revolt. Placing these agendas in the same room underscores the ways they were synchronized”	Abramson (Substack)	Internet	06/30/2021
13	“The congregation of radical militant extremists like 1AP not just at the Willard Hotel generally but with members of Team Trump, Stop the Steal, and InfoWars specifically matters because these entities—with the Proud Boys—were the four most responsible for the planning and coordination of the events of January 6, with the Oath Keepers (many of whom apparently congregated at the Willard Hotel also, acting as bodyguards for members of the Stop the Steal and InfoWars camp) serving as important adjuncts to the effort”	Abramson (Substack)	Internet	06/30/2021

<i>No.</i>	<i>Defamatory Statement</i>	<i>Published By</i>	<i>Published To</i>	<i>Date</i>
14	“In a brief span of time on Insurrection Eve—the three hours between noon and 3PM—InfoWars’ Willard suite played host to the following insurrectionists ... 1st Amendment Praetorians**** ... ****Names and numbers unknown, but there ‘protecting’ both Byrne and Flynn”	Abramson (Substack)	Internet	06/30/2021
15	“Expect to learn more about the son of Russian exile Baroness Rida von Luelsdorff who was in the Willard ‘war room’ with Giuliani on 1/6, as a representative and member of Flynn’s QAnon militia group--1st Amendment Praetorian led by Robert Patrick Lewis :)”	@visionsurreal	Twitter	06/30/2021
16	“If we just looked at people under criminal investigation ..., the number of people here in the relevant category would be at least 8: ■ UNDER INVESTIGATION/ARREST RECORD Giuliani Luelsdorff 6 Oath Keepers”	Abramson	Twitter	07/09/2021
17	“And you’d think that at least Trump’s *lawyers* aren’t that deranged—just the men advising and protecting them, like Lewis from 1AP”	Abramson	Twitter	07/12/2021
18	“Robert Patrick Lewis is a deranged militant extremist who had access to top members of Team Trump on Insurrection Eve and Insurrection Day ... [H]e’s a legitimate danger to national security”	Abramson	Twitter	07/12/2021

No.	Defamatory Statement	Published By	Published To	Date
19	“Think of how much danger the United States is in if the Republican who is most likely to run for president in 2024 is someone advised by people who <i>*literally*</i> —I’m not screwing around—might be subjected to a court-ordered psychiatric evaluation if and when they are arrested”	Abramson	Twitter	07/12/2021
20	“I believe that a federal judge would—and may yet—order a psychiatric evaluation for this man [Lewis], who acted as a high-level adviser [and bodyguard] to Trump’s legal team pre-, mid-, and post-insurrection”	Abramson (Substack)	Internet	07/12/2021
21	“General Flynn played a significant role in the insurrection operation. ‘Flynn Org’ was heavily involved in the ‘legal/propaganda’ part of the op in the months leading up to 1/6 ... ‘Flynn Org’ consists of a large cast of high-and low-profile characters Flynn’s recruited to achieve his goals. This story will be told w/ a focus on a group recruited in mid-Nov 2020 to conduct his dirty work: 1st Amendment Praetorian (1AP), led by Robert Patrick Lewis”	@visionsurreal	Twitter	07/17/2021
22	“Journalists, media and federal law enforcement need to investigate 1st Amendment Praetorian and their role in the 1/6 insurrection. Who runs 1AP? *Robert Patrick Lewis and *Phillip Luelsdorff”	@lynette30067504	Twitter	07/17/2021

<i>No.</i>	<i>Defamatory Statement</i>	<i>Published By</i>	<i>Published To</i>	<i>Date</i>
23	“John Eastman mapped out a 6 point (📍 1) path for VP Pence to take to overturn the election, defy the will of the people and overthrow the government. Let’s remind ourselves of where John Eastman was on January 6th. And who he was with ... 1AP’s Luelsdorff”	@DempseyTwo	Twitter	09/20/2021
24	“Luelsdorff’s boss, Robert Patrick Lewis—the founder of the 1st Amendment Praetorians—was also inside the Willard Hotel war room. Lewis had been running a private intelligence operation for Team Trump to try to establish that the 2020 election was stolen by a multinational cabal of pro-communist interests in China, Russia, North Korea, Venezuela, and Iran (yes, Lewis’s conspiracy theory is just as preposterous as it sounds, but nevertheless it ended up forming the sum and substance of Sidney Powell’s preposterous, knowingly false ‘Kraken’ allegations; these false allegations, and Powell’s work on them, appear to have so alarmed the Chinese, Russians and Iranians that they risked plunging the U.S. into a dangerous and wholly unwarranted military confrontation with Beijing)”	Abramson (Substack)	Internet	09/23/2021
25	“[T]he Willard was a ‘war room’ because two of the participants, domestic extremists Joe Oltmann and Robert Patrick Lewis, *called it that* in videos. Now this guy implies I devised the term.”	Abramson	Twitter	10/20/2021

No.	Defamatory Statement	Published By	Published To	Date
26	“A major break in PROOF’s exclusive reporting on the Willard came on the last day of June 2021, with the crowd-sourced revelation of who the mysterious ‘man in the white shirt’ was in Robert Hyde’s photos. It turned out he’s a domestic extremist leader”	Abramson	Twitter	10/21/2021
27	“Oath Keepers and 1st Amendment Praetorian were standing by with weapons on Jan. 6th. They were coordinating. 1AP takes ‘orders’ from Mike Flynn. @January6thCmte”	@PiperK	Twitter	10/21/2021
28	“Someone needs to tell the Oath Keepers, Proud Boys, and 1AP that ‘we’re not racist’ is not a good defense for trespassing, assault, and sedition”	@PiperK	Twitter	10/23/2021
29	“And kudos to ROLLING STONE for mentioning (albeit only in passing) the insurrectionist paramilitary extremist group 1st Amendment Praetorians. PROOF has reported that one of the leaders of the group [displaying picture of Luelsdorff] was *in Trump’s war room* during Insurrection Week:”	Abramson	Twitter	10/24/2021
30	“Combine Raiklin’s background/access with that of 1AP’s Phillip Luelsdorff whose mom’s backstory reads like that of a Russian spy’s, and one wonders... Why does Flynn surround himself with so many Russia-friendly operatives?”	@visionsurreal	Twitter	11/05/2021

<i>No.</i>	<i>Defamatory Statement</i>	<i>Published By</i>	<i>Published To</i>	<i>Date</i>
31	“Flynn’s militia, 1st Amendment Praetorian, had a member on Giuliani’s team (Phillip Luelsdorff)”	@visionsurreal	Twitter	11/05/2021
32	“1AP was inside the Capitol. They were hired by Flynn. Oath Keepers were inside the Capitol. They were hired by Roger Stone. Flynn and Stone have deniability. They say, ‘I didn’t hire them to do THAT””	@PiperK	Twitter	11/08/2021
33	“In a tweet telegraphing the attack on the Capitol, the official Twitter account of the 1AP warned on January 4, 2021: ‘There may be some young National Guard Captains facing some very, very tough choices in the next 48 hours””	Crosse	Internet wsws.org	11/25/2021
34	“There were *many* January 6 war rooms inside the Willard, e.g.: 1 Trump Legal 2 1st Amendment Praetorian/Team Kraken 3 Team Stone 4 Team Bannon (Stockton/Lawrence) 5 March for Trump”	Abramson	Twitter	12/27/2021
35	“(ICYMI) ... given that PROOF has itemized the dozens and dozens of New York Times journalists who follow the PROOF project. How could they have missed this major report on the 1st Amendment Praetorians from back in *June of 2021*, more than half a year ago?” ⁵	Abramson	Twitter	01/10/2022

⁵ In this tweet, Abramson republished the false and defamatory statements in his June 30, 2021 substack together with a photograph of Luelsdorff.

<i>No.</i>	<i>Defamatory Statement</i>	<i>Published By</i>	<i>Published To</i>	<i>Date</i>
36	“1AP ... cheered on the overthrow of the USG in real-time on Jan 6 th ”	@visionsurreal	Twitter	04/03/2022

(each a “Statement”, and collectively, the “Statements”).

3. At all times relevant to this action, Abramson combined, associated and worked in concert with Sommer, with Vice Media reporter David Gilbert (“Gilbert”),⁶ with World Socialist Web Site contributor David Crosse (“Crosse”), and with multiple anonymous and pseudo anonymous third-parties on Twitter, including, but not limited to, **@capitolhunters** (Twitter handle “Capitol Hunters”),⁷ **@SeditionHunters** (Twitter handle “#SeditionHunters”),⁸ **@visionsurreal** (Twitter handle “Devin Nunes’s Mom’s Son Devin”), **@DempseyTwo** (Twitter handle “Joe Dempsey”), **@the_pectape** (Twitter

⁶ Shortly after Sommer published his second article, Gilbert published an article about Lewis and 1AP that contained multiple false and defamatory statements. [<https://www.vice.com/en/article/4avnxn/qanon-militia-of-ex-cops-and-soldiers-is-training-patriots-for-revolution>] (“*This QAnon Militia of Ex-Cops and Soldiers Is Training ‘Patriots’ for Revolution* – “1st Amendment Praetorians [was] founded by a QAnon believer ... Lewis is a full-fledged QAnon believer ... The Praetorians are a new paramilitary organization ... It is part of a growing network of right-wing extremists groups who are pushing baseless conspiracies about election fraud, and has direct links to violent militias, notably the Oath Keepers ... [Lewis’s] vision of a new American revolution is also infused with conspiratorial thinking and linked to known violent extremists ... Most worrying of all is that Lewis and the Praetorians are coordinating resources and information with more violent groups, far-right militias, and extremists”); [<https://twitter.com/daithaigilbert/status/1405875774540943361>].

⁷ The **@capitolhunters** account is believed to be controlled and operated by an individual known as Jakob Ravner, who also operates Twitter account **@jakobravner** (Twitter handle “Himod”).

⁸ The **@seditionhunters** account is believed to be controlled and operated by a “Data Scientist” known as Tommy Carstensen. Carstensen operates numerous websites, including [<https://jan6attack.com/>] and [<https://jan6archive.com/>]. Carstensen worked for the Wellcome Trust Sangor Institute as a “bioinformatician”. He used his expertise and Sangor’s resources to identify Luelsdorff from his picture.

handle “The Pee Tape”), **@PiperK** (Twitter handle “Karen Piper”), **@Lynette30067504** (Twitter handle “The Warning Bell”), **@VickerySec** (Twitter handle “Chris Vickery”)⁹ and **get_innocuous** (Twitter handle “trapezoid of discovery”), to defame Plaintiffs, to interfere with their business, and to instigate a criminal prosecution. Abramson communicated with his confederates via telephone, Twitter direct message, encrypted messaging and email applications, and virtual private networks (“VPNs”). He engaged them to gather “intel” for him. Abramson’s co-conspirators boldly and proudly admitted that they were engaged in a “collaborative effort”. Abramson and his associates created shared slogans, aggregated and shared information via Twitter using generic hashtags such as “#SeditionHunters” and by tagging one another. They made the decision to collectively target specific individuals and firms, who they labeled, “Sedition VIPs”. Abramson chose Plaintiffs, in particular, because of Plaintiffs’ perceived relationship with General Flynn. General Flynn was a primary target of Abramson’s enterprise because of General Flynn’s public profile and his perceived closeness to President Trump. In his defamatory dispatches, Abramson used the pronoun “we” to emphasize that he and his cohorts were speaking and writing jointly in pursuit of a common agreed plan. Abramson’s co-conspirators supplied him with photographs, timelines, “analysis”, and helped him manufacture and organize the false Statements. By agreement, Abramson linked to and incorporated the work-product of his co-conspirators into his false and defamatory Statements about Plaintiffs. Abramson’s co-conspirators, including

⁹ On June 10, 2021, **@VickerySec** tweeted, “As the January 6th insurrectionists breached US Capitol doors, the leader of 1st Amendment Praetorians (1AP) tweeted the message: “Today is the day the true battles begin.” [<https://twitter.com/VickerySec/status/1403021172397146114>]. The defamatory gist of the tweet was that 1AP was involved in the “insurrectionists breach”.

@capitolhunters, **@visionsurreal** and **@the_pectape**, regurgitated Abramson’s false Statements as part of an agreed effort to more broadly republish the defamation and impair Plaintiffs’ reputations. Abramson and his so-conspirators created, published and republished massive “threads” (also called “tweetstorms”) containing the false Statements as part of the plan to increase the breadth and sheer number of republications [See, e.g.,

<https://twitter.com/capitolhunters/status/1408398059592044547>;

<https://twitter.com/capitolhunters/status/1408394903931949058>;

<https://twitter.com/visionsurreal/status/1452699110088261633>;

<https://twitter.com/visionsurreal/status/1416584782977421317>;

https://twitter.com/the_pectape/status/1501543860828139522].

4. Abramson’s false Statements and those of his co-conspirators exposed Lewis, Luelsdorff and 1AP to public scorn, ridicule and contempt, and severely prejudiced each Plaintiff in their employment as private security detail and business owners, causing substantial professional and personal loss. The millions who read the false and defamatory Statements clearly understood them to be of or concerning Lewis, Luelsdorff and 1AP. The Statements were also clearly understood to convey a defamatory meaning, including that Lewis, Luelsdorff and 1AP were involved in the January 6 insurrection, committed Federal crimes, conspired, aided and abetted the commission of Federal crimes, or otherwise engaged or participated in criminal, dishonest, deceptive, immoral, unethical, unprofessional or improper conduct. [See, e.g.,:

<https://twitter.com/tribelaw/status/1482453867753320449>;

<https://twitter.com/suncat1957/status/1414780981643517954>;

<https://twitter.com/letsghawksgpg/status/1409631630273093637>;

<https://twitter.com/CALUSA18/status/1409659448151330820>;

<https://twitter.com/ToddLytle/status/1419921084615331842>].

5. Abramson's false and defamatory Statements, viewed as a whole and in the context in which they were published, gravely injured Lewis, Luelsdorff and 1AP. In this case, Plaintiffs seek (a) special damages for the injury to their businesses and professions caused by Abramson and his co-conspirators, (b) actual damages for the insult, humiliation, embarrassment, pain, mental suffering, emotional distress and injury to their reputations, and (c) enhanced compensatory damages because of the wanton, willful and oppressive defamation/false light terror campaign and misconduct undertaken by Abramson and his confederates.

II. PARTIES

6. Lewis is a citizen of California. Luelsdorff is a citizen of Virginia. 1AP is a Delaware corporation with a principal place of business in Dallas, Texas.

7. Abramson is a citizen of New Hampshire.

III. JURISDICTION AND VENUE

8. The United States District Court for the District of New Hampshire has subject matter jurisdiction over this action pursuant to Title 28 U.S.C. § 1332 (Diversity). The parties are citizens of different States and the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

9. Abramson is at home in New Hampshire, and is subject to the Court's general personal jurisdiction.

10. Venue is proper pursuant to 28 U.S.C. §§ 1391(b)(1) and 1391(b)(2).

COUNT I – DEFAMATION

11. Plaintiffs restate paragraphs 1 through 10 of this Complaint, and incorporate them herein by reference.

12. Abramson and his co-conspirators published the false Statements without privilege of any kind.

13. Abramson's Statements and those of his co-conspirators are materially false. In truth, Plaintiffs were not involved in any way in the recruitment, planning or execution of the attacks on the United States Capitol on January 6, 2021. Plaintiffs did not plan, undertake, conspire with anyone, or aid and abet in insurrection or sedition. The Statements, taken as a whole, are more damaging to Plaintiffs' reputations than a truthful publication would have been. Contrary to Abramson's misrepresentations and those of his associates: (a) Lewis, Luelsdorff and 1AP are not and never were radical, extremist, paramilitary, militants dedicated to violent upheaval and overthrow of the United States Government with roles in the January 6 insurrection and coordination with other DVE groups; (b) Lewis, Luelsdorff and 1AP were never inside the Capitol building; (c) Lewis, Luelsdorff and 1AP are not and never were high-level advisors to the Trump team; (d) Neither Lewis nor Luelsdorff have never met or spoken with President Trump, or any member of his inner or outer circle of advisors and lawyers; (e) Lewis and Luelsdorff have never met or spoken with Rudolph Giuliani ("Giuliani") or any of his agents; (f) Lewis met John Eastman ("Eastman") causally and briefly on two occasions, but never engaged in any substantive conversations with Eastman or any of his agents; (g) Lewis has only personally met General Flynn a small handful of times (the vast majority of security 1AP performed for General Flynn was coordinated by General

Flynn’s family who were afraid for his safety); (h) Luelsdorff is not a “domestic extremist leader”, and he has never directed or been involved in or with any DVE; (i) Luelsdorff was not the Director of Business Development for 1AP; (j) Luelsdorff entered a room at the Willard Hotel for less than a minute, where his photograph was apparently taken without his knowledge by someone he does not know, but Luelsdorff was immediately asked to leave – he was not told and was not aware that it was a “war room”, and he did not have any conversations or interactions with anyone in any “war room”, including Giuliani or Eastman; (k) Luelsdorff has never had any interaction with, and did not know who Eastman was until his name was brought up by **@DempseyTwo** and other individuals who identified Eastman on Twitter; (l) 1AP is not and never – not once – acted as a “militia” or “paramilitary” group; (m) 1AP never planned or schemed with Oath Keepers, Stop the Steal, 3 Percenters, or any other group; (n) 1AP has never had any association with InfoWars; and (o) 1AP provided security for a very small number of Stop the Steal events for Ali Alexander (“Alexander”), but parted ways with Alexander completely after his Atlanta events, long before January 2021, and did not work with or for Alexander’s group again afterwards. Abramson’s Statements and those of his co-conspirators are demonstrably false. The Statements are not substantially true.

14. Abramson’s false Statements and those of his co-conspirators constitute express defamation or defamation by implication. The Statements accuse and impute to Plaintiffs (a) multiple Federal crimes, including sedition, insurrection, obstruction of an official proceeding, conspiracy and aiding and abetting, and (b) an unfitness to perform the duties of an office or employment for profit, including being participants in deadly, violent, insurrectionist, domestic terrorist acts. Abramson targeted Plaintiffs, doxed

them, and callously exposed them to threats of death, bodily injury and emotional harm from persons hell-bent on exposing those who stormed the United States Capitol on January 6. Abramson exposed Plaintiffs to career and reputational risk, including the hazard of losing business and trust of clients, and rendered Plaintiffs odious and unfit to fulfill the duties of their profession as security specialists. The false and defamatory Statements were neither fair nor accurate.

15. Abramson created and fueled a social media terror campaign against Plaintiffs. He begged his Twitter followers to retweet the false Statements. He instigated criminal prosecutions. By publishing the Statements on the Internet *and* republishing via social media, Abramson knew or should have known that the false Statements would be republished over and over by third-parties to Plaintiffs' detriment. Republication by Abramson's Twitter followers, paid subscribers and readers of his substack, media outlets, and by others was the natural and probable consequence of Abramson's actions and was actually and/or presumptively authorized by Abramson. In addition to his original publications, Abramson is liable for the republications of the false and defamatory Statements by third-parties under the republication rule.

16. Abramson and his co-conspirators published the false and defamatory Statements with actual or constructive knowledge that they were false or with reckless disregard for whether they were false. Abramson and his co-conspirators acted with actual malice and reckless disregard for the truth for the following reasons:

a. Abramson and his co-conspirators knew their statements about Plaintiffs were false. Based upon their own investigation and their own resources and analysis, including documents they prepared and maintained prior to June 2021, such as a

January 6 “VIP Timeline”, a “12 days of insurrection” PowerPoint presentation, and a “Capitol Suspects Database”, Abramson and his co-conspirators knew there was no evidentiary basis for stating that Plaintiffs participated in any way in the planning or attacks on the United States Capitol building on January 6, 2021. In fact, Abramson and his associates knew and admitted that Plaintiffs were not among the 74 selected VIPs associated with the January 6 Capitol attack. Abramson’s own evidence, which was completely ignored, showed that 1AP provided security for an event on January 5, 2021, but none on January 6. On January 6, 2021, Lewis went to President Trump’s speech at the Ellipse. He then returned to his hotel room to change out of his suit, and spent the rest of the day at the Willard Hotel. He did not run, enter or participate in the activities of any “war room”. The only activity 1AP engaged in on January 6, 2021 was to provide personal security (on a voluntary basis) for main stream media DC affiliate reporters – a fact that Abramson and his co-conspirators could have easily verified if they had wanted to publish the truth. However, Abramson and his associates ignored known and available contrary facts and sources of information. Abramson and his co-conspirators also knew that there were obvious gaps in their own narrative. For instance, a solitary photograph of Luelsdorff in a room at the Willard Hotel did not mean that Luelsdorff knew anything or participated in any way in the events of January 6, 2021 or any coup to overthrow the “USG”. In furtherance of a wholly contrived preconceived narrative, Abramson and his co-conspirators filled in the gaps with imagined falsehoods and implications about Lewis, Luelsdorff and 1AP that were knowingly false. From a lone still-shot of Luelsdorff, Abramson projected a fantastical story about Luelsdorff’s participation in insurrection and sedition and conspiracy with Giuliani, Eastman and President Trump. Abramson

also reported that pictures of 1AP members at the Willard Hotel on January 5, 2021 were “evidence” that 1AP was supplying weapons to the Oath Keepers for the January 6, 2021 attack. This statement is also knowingly false. No Oath Keepers arrested at the Capitol on January 6 had weapons, a fact known to Abramson prior to publication of the Statements in June 2021 and thereafter. In spite of their actual knowledge, revealed through interaction with multiple sources, including, upon information and belief, sources in the United States Government, Abramson and his co-conspirators boldly and repeatedly misrepresented that Plaintiffs were part of the insurrection or conspired with or aided and abetted others in the attacks on the Capitol. The false Statements were and are knowingly false.

b. Abramson acted with reckless disregard for the truth. He joined Sommer, Gilbert and a chorus of establishment media outlets in June 2021 to heavily promote a narrative about extremism and violence in order to injure Plaintiffs’ reputations and those of Plaintiffs’ clients, most notably General Flynn. Abramson and his co-conspirators made up facts out of whole cloth and fabricated events that never happened. Further, the idea that Lewis and Luelsdorff would participate in a coup to overthrow the United States Government was obviously preposterous. Lewis is a former Green Beret 18D with a Purple Heart and combat deployments to OIF, OEF & OEF-TS. He left Army active duty in 2009. The suggestion that he would work to obstruct and overthrow Congress is disgusting and enraging and so far-fetched that Abramson and his co-conspirators had to know it was false. Luelsdorff is a former United States Army Ranger (Battalion). His mother still tells the story of the night in Russia when the Chekka came in the middle of the night, pulled the men of her family into the street, and

executed them. They then took her to a Chinese concentration camp, where she spent several of her childhood years. Abramson and his co-conspirators made zero attempts to discover Luelsdorff's family history or his honorable military service or his security clearance, and they ignored the fact that neither Lewis nor Luelsdorff had any motive to engage in violent rebellion against the United States on January 6, 2021. Further, by June 2021 when Abramson began to publish the Statements, the FBI had already arrested/detained hundreds of people involved in the attacks on the Capitol. Abramson and his co-conspirators knew or should have known that the FBI and the Intelligence Community ("IC") had thoroughly investigated Lewis, Luelsdorff and 1AP, and found nothing. Although hundreds were investigated and charged with crimes, neither Lewis' picture, Luelsdorff's picture nor the picture of any other 1AP member or employee ever appeared on the FBI's website. These facts alone should have informed Abramson, an attorney, that the Statements were categorically false and that the FBI had evidence and was satisfied that Lewis, Luelsdorff and 1AP were not involved in the insurrection and attacks on the Capitol.¹⁰ The fictitious stories about Plaintiffs were so highly improbable that Abramson had serious doubts as to the accuracy of the Statements. Anyone even tangentially associated with or present at the Capitol building on January 6, 2021 has been imprisoned or charged with crimes. It should have been very apparent to Abramson

¹⁰ In 2021, the FBI sent a spy to infiltrate Lewis' family – a woman under an assumed name to befriend Lewis' fiancé in order to collect information and get close to Lewis. The IC intercepted and looked through Lewis' communications, and the J6 committee was able to access his phone records (without a subpoena). No complaint was ever made about Lewis' activity on January 5 or 6, 2021. He was never charged with a crime. There is no public record from which Abramson and his co-conspirator could have drawn even an inference that Lewis, Luelsdorff and 1AP were "insurrectionists".

and his confederates that their Statements about Lewis, Luelsdorff and 1AP were false.¹¹ The very thought that Abramson and his co-conspirators believe they have better investigatory tools than the DOJ, FBI, NSA and a plethora of other U.S. law enforcement and intelligence agencies – who declined to charge Lewis, Luelsdorff or 1AP with anything – demonstrates that Abramson acted with reckless disregard for the truth. Additionally, the claims by Abramson and his confederates that Giuliani – octogenarian, lawyer and the former Mayor largely credited with saving New York City – is some kind of nefarious, violent, coup-plotting malcontent is in itself ridiculous on its face, yet this is the primary thrust through which Abramson savagely attacked Luelsdorff (with a photo), mercilessly doxxed Luelsdorff and his family, and defamed him in every way possible.

c. In the wake of the storming of the Capitol, Abramson’s Statements were intentionally extreme and outrageous fabrications. *Sindi v. El-Moslimany*, 896 F.3d 1, 16 (1st Cir. 2018) (the “gross fabrication” of false facts is “powerful evidence of actual malice”). Abramson knew that publication would cause a media frenzy and have drastic consequences for Lewis, Luelsdorff and 1AP. Abramson and his co-conspirators deliberately and recklessly conveyed a false narrative about Plaintiffs to sensationalize the news. [*Tomblin v. WCHS-TV8*, 2011 WL 1789770, at * 5 (4th Cir. 2011) (unpublished) (“on the question of whether WCHS-TV8 deliberately or recklessly conveyed a false message to sensationalize the news and thus to provide factual support for a finding of malice, there are disputed facts”)]. Knowing that his Statements about Plaintiffs were false, Abramson intentionally published the false Statements in order to

¹¹ Even CNN recognized that no one affiliated with 1AP had been charged by the Department of Justice in connection with the January 6 attacks on the Capitol. [<https://www.cnn.com/2021/11/24/politics/first-amendment-praetorian-january-6-subpoena/index.html>].

profit from subscriptions to his substack account. Prior to publication of the false Statements, Abramson had 7,500 subscribers to his substack, which, ironically, he called “Proof”. As a direct result of the publication of the Statements, Abramson increased his subscribers to over 40,000, each paying Abramson \$5 per month to read his disinformation and defamation. Abramson also used the false Statements to cross-sell his book on Amazon, and to profit in other ways. Abramson’s decision to promote baseless, sensational and scandalous narratives about Plaintiffs and their clients was part of a deliberate and reckless policy to profit from falsehood.

d. Abramson harbors a deep animosity, hostility, hatred, extreme bias, spite and ill-will towards President Trump, General Flynn and other prominent Republicans, against whom Abramson has engaged in unprecedented *ad hominem* attacks.¹² Abramson even concluded that when President Trump praised Iowa Senator Charles Grassley as a “patriot”, this somehow implicated Senator Grassley in the events of January 6. “Patriot”, according to Abramson, is “a term now used as code for ‘insurrectionist’”. Abramson’s animosity, bias, prejudice and desire to harm motivated him to publish the intentionally false Statements and defamatory implications about Plaintiffs at issue in this case. Abramson intended to inflict harm through knowing or reckless falsehoods. Abramson published the false Statements as part of a broad, pretextual, premeditated and ongoing disinformation campaign against President Trump and General Flynn. The purpose of the national smear campaign is to impair or abrogate

¹² Abramson, an attorney, has used Twitter to publish hundreds, perhaps thousands, of vile comments about Republicans. On April 5, 2022, he falsely accused Florida Governor Ron DeSantis of aiding and abetting “child sex trafficking”. [<https://twitter.com/SethAbramson/status/1511392137329496071>].

President Trump, General Flynn and others' ability to run for political office or their ability to support another candidate for office in November 2022 and 2024.

e. Abramson exhibited no journalistic integrity in writing, editing, and publishing the false narratives about Plaintiffs. Abramson did not seek the truth or report it. He betrayed the truth to sensationalize the news for self-glory, profit and politics. Rather than minimize harm to Plaintiffs, Abramson set out to inflict maximum damage on Plaintiffs in order to harm Plaintiffs' business and reputation.

f. Abramson brazenly republished the false and defamatory Statements about Plaintiffs after he was notified that Plaintiffs and others contended that the statements were false and defamatory. [*See, e.g., Nunes v. Lizza*, 12 F. 4th 890, 901 (8th Cir. 2021) (“‘Republication of a statement after the defendant has been notified that the plaintiff contends that it is false and defamatory may be treated as evidence of reckless disregard.’ Restatement (Second) of Torts § 580A cmt. d (Am. L. Inst. 1977))]. The republication, which continues on Twitter to this very day, is being used by Abramson and his co-conspirators as a means to maliciously instigate criminal prosecutions and to influence voters during the upcoming mid-term elections. Abramson has acted and is acting with reckless disregard for the truth.

17. The publication and republication of the false Statements caused Plaintiffs to suffer and incur special damages: (a) Lewis has a \$150,000 MBA from Southern Methodist University and substantial private sector (and executive) experience with Fortune 500 firms, yet he is virtually unemployable because of the environment Abramson and his co-conspirators created; (b) as a Purple Heart recipient and a combat-experienced veteran with VA-diagnosed PTSD, Lewis has had to deal with daily threats,

hate mail and trolls calling him a traitor to his country because of the false Statements and implications published by Abramson and his co-conspirators, impairing and frustrating his ability to conduct business and leading to extreme distress and anxiety; (c) Luelsdorff's construction business has had major difficulties finding customers now because of the reputation and enterprise risk created by the false Statements; (d) Luelsdorff was kicked off the board of directors of a non-profit that does prison reform work because people think he is an insurrectionist who was involved in the attacks on the Capitol; (e) Luelsdorff was kicked out of his residence and had to find alternate housing because the son of the owner stumbled upon Abramson's tweets; (f) Plaintiffs have experienced measurable and ongoing loss of income and business and inability to gain prospective business; (g) Luelsdorff's lender for building projects received word of the accusations, and removed him from several large business engagements, causing reputational issues and financial loss; (h) as a result of the publication and republication of Abramson's Statements, Luelsdorff has had difficulty focusing on business due to the extreme stress, lack of sleep, migraines, and other undesirable health side effects from the trauma; (i) 1AP has become uninsurable as insurance brokers do not want to take on the enterprise, and reputational (political) risk of being associated with "insurrectionists"; (j) 1AP has lost out on prospective business and assignments that it was well-positioned to accept and complete, but for the climate the Statements created; (k) Lewis' for-profit security firm (The Shepherd Group) was recommended for some high value and potentially profitable large jobs providing security for political campaigns due to Lewis' background and friendships, but this business was lost despite recommendations from very high levels because of the Statements, which made Lewis and 1AP toxic in the

political world; (l) donations to 1AP were canceled by Patreon because of the false Statements and implications; (m) donations to 1AP through other channels have severely decreased because of the false Statements and implications and the reasonable desire of donors not wanting to be doxxed for supporting 1AP; (n) venue owners now refuse to rent their spaces to event organizers who work with 1AP because of the climate Abramson and his co-conspirators created; (o) the false Statements caused Lewis, Luelsdorff and 1AP to be investigated by the January 6 Commission, forcing Plaintiffs to incur significant legal and other expenses to defend the lies and defamatory implications; and (p) 1AP is now basically insolvent and completely destroyed.

18. In addition to special damages, Lewis and Luelsdorff suffered actual injuries, including (a) insult, humiliation, embarrassment, public ridicule, and injury to reputation; (b) negative impact upon their personal and social relationships; (c) fear of bodily injury and death, and fear for the personal safety of their family members, who Abramson and his associates doxxed; (d) fear that the false Statements would be viewed by friends, colleagues and others in the security, intelligence and military communities; and (e) sleeplessness and extreme and unrelenting anxiety.

19. As a direct result of Abramson's defamation, Plaintiffs suffered damage and loss, including, but not limited to, career damage, lost future earnings and diminished earning capacity, costs and other out-of-pocket expenses, in the sum of \$25,000,000.00 or such greater amount as is determined by the Jury.

COUNT II – DEFAMATION BY IMPLICATION

20. Plaintiffs restate paragraphs 1 through 19 of this Complaint, and incorporate them herein by reference.

21. The strong defamatory gist and false implication from the Statements is that Plaintiffs participated in or conspired and colluded with others to plan and undertake the seditious storming of the United States Capitol building and insurrection that occurred on January 6, 2021. The Statements imply that Plaintiffs engaged in conduct that is criminal, dishonest, deceitful, immoral, unethical, and that, at the very least, they knowingly aided, abetted and are accessories to Federal crimes.

22. Abramson carefully chose his words and purposefully misrepresented facts. In the Statements, he and his co-conspirators juxtaposed a series of facts so as to imply a defamatory connection between them. In addition, Abramson also intentionally omitted facts in a way that intentionally conveyed a false meaning and that rendered the challenged Statements defamatory. Abramson and his co-conspirators intended and endorsed the defamatory implication by, *inter alia*, using “click-bait” headlines and incendiary phrases, photographs of Lewis and Luelsdorff, and discussions of Plaintiffs’ involvement in criminal activity on January 6, 2021, including the attacks on the Capitol building. The manner in which Abramson and his co-conspirators presented the discussion of “Insurrection Week” and “Insurrection Day” also demonstrates that Abramson intended or endorsed the defamatory implication.

23. Abramson’s Statements and those of his co-conspirators constitute defamation by implication.

24. As a direct result of Abramson’s defamation by implication, Plaintiffs suffered damage and loss, including, but not limited to, career damage, lost future earnings and diminished earning capacity, costs and other out-of-pocket expenses, in the sum of \$25,000,000.00 or such greater amount as is determined by the Jury.

COUNT III – FALSE LIGHT INVASION OF PRIVACY

25. Plaintiffs restate paragraphs 1 through 24 of this Complaint, and incorporate them herein by reference.

26. By publishing the false statements on the Internet and via social media, including to Abramson's 939,000+ Twitter followers, and by causing the republication of the statements by third-parties, Abramson generated substantial publicity about the false statements of or concerning Plaintiffs. Abramson ascribed to Plaintiffs actions and conspiratorial associations that did not exist. Abramson's Statements created a false impression about Plaintiffs. By associating Plaintiffs with the planning and undertaking of the January 6 insurrection and attacks on the United States Capitol, Abramson placed Plaintiffs in a false light that would be offensive to any reasonable person. Given the universal condemnation of events of January 6, the association and false impression published or implied would be objectionable to any ordinary reasonable man under the circumstances.

27. Abramson had knowledge of or acted in reckless disregard as to the falsity of the publicized matter and the false light in which Plaintiffs would be placed by the false Statements and implications. As a result of Abramson's false Statements, Plaintiffs were universally condemned and threatened on Twitter by political operatives, including those working with Abramson to push the Democratic Party narrative of the January 6 commission.

28. Abramson's actions constitute a false light invasion of Plaintiffs' privacy.

29. As a direct result of Abramson's false light invasion of privacy, Plaintiffs suffered damage and loss, including, but not limited to, career damage, lost future

earnings and diminished earning capacity, costs and other out-of-pocket expenses, in the sum of \$25,000,000.00 or such greater amount as is determined by the Jury.

COUNT IV – COMMON LAW CONSPIRACY

30. Plaintiffs restate paragraphs 1 through 29 of this Complaint, and incorporate them herein by reference.

31. Beginning in 2021 and continuing through the present, Abramson combined, associated, agreed or acted in concert with third-parties (identified in paragraph 3 above) for the express purposes of promoting, publishing and republishing the false and defamatory Statements, injuring Plaintiffs, intentionally and unlawfully impeding and interfering with their business and employment, and instigating malicious prosecution. In furtherance of the conspiracy and preconceived plan, Abramson engaged in a joint scheme with others the unlawful purpose of which was to publish and republish false Statements and implications, so as to injure Plaintiffs' personal and professional reputations, advance a false narrative and distort the events of January 6, 2021, and inflame and influence the activities of the January 6 commission.

32. Abramson coordinated publication and republication of the defamation with his co-conspirators. Abramson agreed to participate in the conspiracy and spread the false Statements via his substack and massive Twitter following.

33. Abramson acted intentionally, purposefully, without lawful justification, and with the express knowledge that he and his confederates were defaming Plaintiffs and impugning their character. As evidenced by the concerted action online and via Twitter, Abramson acted with the express and malicious intent to cause Plaintiffs permanent harm.

34. Abramson's actions constitute a conspiracy at common law. Abramson is liable for the injury caused by his confederates while the joint scheme persisted.

35. As a direct result of the conspiracy, Plaintiffs suffered damage and loss, including, but not limited to, career damage, lost future earnings and diminished earning capacity, costs and other out-of-pocket expenses, in the sum of \$25,000,000.00 or such greater amount as is determined by the Jury.

Plaintiffs allege the foregoing based upon personal knowledge, public statements of others, and records in their possession. Plaintiffs believe that substantial additional evidentiary support, which is in the exclusive possession of Abramson, his confederates, the Federal Bureau of Investigation, their agents and other third-parties, will exist for the allegations and claims set forth above after a reasonable opportunity for discovery.

Plaintiffs reserve their right to amend this Complaint upon discovery of additional instances of Abramson's wrongdoing.

CONCLUSION AND REQUEST FOR RELIEF

WHEREFORE, Plaintiffs respectfully request the Court to enter Judgment against Abramson as follows:

- A. Compensatory damages in the sum of \$25,000,000.00;
- B. Enhanced damages in the maximum amount allowed by law;
- C. Prejudgment interest on the principal sum awarded by the Jury at the maximum rate allowed by law from January 6, 2021 until Judgment is entered;
- D. Postjudgment interest;

E. Reasonable attorney's fees, court costs and other recoverable amounts as allowed by law;

F. Such other relief as is just and proper.

TRIAL BY JURY IS DEMANDED

DATED: April 15, 2022

ROBERT PATRICK LEWIS
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By Their Attorneys

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