

Cable News Network (CNN), et al., Plaintiffs,

-v-

Donald J. Trump, et al., Defendants,

Case no. 26-CV-3287

-v-

Robert L. Tatum, Intervening Plaintiff.

-Fed. R. Civil P. 24(a)(2) or (b)(1)(B) Motion to Intervene also Robert Tatum-

As A US Citizen Whose 1st Am. Rights Are Affected But Cannot Be Defended By Party A or B-

Pursuant to FRCiv.P. 24(a)(2) or (b)(1)(B), I, Robert L. Tatum, as a US citizen + consumer of news, hereby move to intervene in this action, on the ground that my implied rights under the 1st Am., ie. an unabridged, free + effective press, are to be negatively impacted by the outcome if either party, A or B, prevails; and neither party in their positions + proposed methods of relief can adequately defend my rights, requiring intervention, as proven herein. I further move for the main parties, CNN et al. + Donald Trump, to be required to arbitrate, and for this action to be dismissed thereafter.

District courts must allow a party to intervene in a court action under FRCivP 24(a)(2) if: 1) that party's right or interest relative to the action exists, which 2) is so situated so as to impede movant's ability to protect that right or interest, and 3) the main parties cannot adequately represent that interest/right. *HSBC Bank USA v Mendoza*, 11 A3d 229, 233-34 (DC App 2010) These criteria are met in my case, and as such allowing intervention is required under the facts. [Rule 24(b)(1)(B) allows discretionary intervention; The facts require mandatory leave to intervene, but in any event based on what is put forward intervention should be considered + allowed, for the benefit of all parties concerned.]

I. Facts In Support. [FNI]

This is a rare case wherein both parties are right: The Trump Administration ("TA") absolutely violated the 1st + 5th Am. regarding plaintiffs. Their TA press access was immediately revoked; A reason was provided, but affectation was arbitrary in that no notice, hearing, or chance to fairly rebut the TA's claim was afforded pre-deprivation. The "touchstone" of due process is protection against arbitrary gov. action. *Wolff v. McDonnell*, 418 US 539, 558-59 (1974) Before the gov. can deprive any substantial liberty or privilege, it must provide "some hearing" affording at least a basic right to defend pre-deprivation to mete due process. id.

But the TA's reason for revocation, that the majority of the US press (including the plaintiffs at issue) are operating as a 'propaganda press' against the TA + in a manner that threatens US National Security, is also a fact, whether they admit it or not. Several facts, which cannot reasonably be disputed, corroborate the 'propaganda' aspect of the TA's reasoning:

1. The TA's actions + agenda receive approx. 97% negative press, when the TA policies etc. are not 97% negative in their effect (+ therefore not warranted of that skewed of a % ratio in press coverage). If the coverage does not match the actual facts on the ground, it has to be agenda-based, ie. the definition of 'propaganda'.
2. The US press is by + large only interested in representing one side of news stories, not being fair + objective. NBC News, operationally an 'echo' of ABC News, MS-Now, CNN, etc., overtly proved this over + above its agenda-based coverage in its unceremonious hire + fire of Ronna McDaniel. Booted by the TA as RNC Chair, NBC picked her up as a contributor to represent, one assumes, as a voice to explain, defend, etc. current popular right-wing sentiment; But NBC's agenda-based contributors raised such a smell over the hire that she was fired almost immediately. Despite there being a need for persons of her ilk contributing for each of the major networks for 'fair + balanced' coverage of political issues (considering (a) changes in right-wing ideology have occurred, but aren't represented in coverage, and (b) the 2024 election is evidence that 50%+ of US voters are atleast somewhat representative of that change in sentiment, necessitating reflective coverage), the organization via staff revolt rejected having even ^[FN2] ONE voice to reflect the other side of issues.

As stated, NBC News is a near mirror of plaintiff news outlets, in staff make up (re: ideology, corporate goals, etc) + coverage; For eg., watching any weekday's NBC Nightly News, ABC World News, + etc. broadcasts by plaintiffs, you will see the exact same stories covered + mirrored talking points from all the contributors + anchors for those stories. Additionally, many contributors for NBC are also employed by plaintiffs. So the provided example of McDaniels hire + fire is representative of plaintiffs' sentiments as well to prove their similar interest, esp. considering plaintiffs similarly did not seek to employ Ms. McDaniels, despite lack of (+ so a need for) persons of her ilk contributing. And only being willing to broadcast a 1-side view of complex issues having atleast 2 sides is representative of an agenda, ie. propaganda.

3. The press is not operating effectively ^[FN3] as the 1st Am. intends it, as an essential element to ensure democracy + accountability. Huge stories, exposure of which are important to continued effective governance, are not being covered because the US press has become a simple echo-chamber of itself, with the major networks all covering the same topics, the majority of which pursuant to an anti-TA angle. Non-credentialed 'internet sleuths' are being required due to US press ineffectiveness to fill in the gap + break key stories re: gov. corruption online. For eg.:

a) An internet sleuth largely broke the story of what is maybe the largest known fraud conspiracy / theft of gov. funds in US history based in MN, with the US press $\frac{1}{2}$ covering the story afterwards; and b) stories such as Dr. A. Fauci + his associates

devising a system of using symbols etc. in documents in lieu of letters to obstruct FOIA investigations into their actions (which is a crime, btw) aren't covered at all.

c) I even have direct, personal knowledge of US press ineffectiveness + agenda-based reporting over + above outside examples: I gave 3 separate news outlets proof of substantial corruption in our 7th Circuit Fed. Judiciary + its underlying districts; The evidence was of judges intentionally discriminating against certain classes of litigants, ensuring pre-determined outcomes regardless of actual case merit by abuses of their authority, and overtly committing several crimes via their offices in the process. One asked "what's your agenda in bringing me this information?" (Further proof US press is agenda, not fact-based-- Why is 'agenda' even a topic, let alone your leading question, considering the facts?) And the other 2 said they "didn't know what to do with this story"; so none of the 3 covered it.

And this overly-TA-negative, agenda-based press coverage is definitely a National Security (NS) threat. There is a reason why authoritarians prioritize controlling press; It not only helps subdue the country's populous, but also its adversaries, in that information can be utilized as a weapon of war. It affects economics, and can be strategically used to build or destroy reputations + relationships. Exposing or hiding a certain fact or facts can affect or destabilize entire govts., dependent on circumstances, making press, as a wielder of information, a great power + responsibility.

As the Executive of the US, Trump is charged with the duty to effectively manage the US economy, its populous, its allies, and its war-fighting, in a way that doesn't bankrupt, isolate from key allies, nor destroy the US in war; And press-coverage can impact every one of these categories.

China is the US' biggest NS threat; It has been building its war-fighting + other capabilities to win a US v. China conflict, and who knows how it would turn out if that war started today. It is reasonable to surmise that information campaigns via our US press can influence or spark such a conflict into existence. For eg., consider this fact-based hypothetical: Let's say China is looking for a good time to strike the US; Its press is currently consistently putting out negative stories towards an overall narrative that Trump is incompetent, and so is his Secretary of War; The US is critically low on weaponry due to its recent participation in 3 wars (Iran, Ukraine, Gaza), which will take years to replenish; It is isolated from its allies due to TA tactics + stupidity (therefore more vulnerable to attack) -- Xi^[FN4] China could easily see these facts + conclude it makes the best military sense to strike right now. And the US press, by helping shape the narrative that the US' executive (+ by proxy, the US itself) is weak + incompetent via its overly-negative coverage, will have provided assistance in that outcome. There are, of course, many factors Xi^[FN4] China would consider before a war-effort of this magnitude (both powers combined hypothetically could destroy all of humanity), and I am not alleging the agenda-based press would be the decisive factor in sparking conflict. But that doesn't negate the fact that it could easily be a contributing factor; Having the power to affect the effectiveness of the Executive in several key aspects, it can be a major one, which reasonably implicates NS.

Additionally, reputation is extremely important to leaders in many respects: in negotiations, maintaining relationships, etc. So the US press assisting in damaging TA personnel reputation puts them at a greater disadvantage in these endeavors, which is also a NS concern.

All in all, these press-related matters have clear NS implications, so the TA's position is plausible. To be clear, the TA's actions may damage their positions on these matters of their own accord, and fairly reporting those facts are fair game -- In fact, plaintiffs' likely response to my claims is "we're just reporting the news, we can't be faulted for that." But it is NOT just news reporting that is occurring, and the evidence of that is too strong to simply ignore; The facts show that these news outlets, including plaintiffs, are engaging in propaganda-styled reporting, representing a 1-sided, biased perspective of US news due to that being the view + politics of an overwhelming majority of its staff, and are doing so in a manner which threatens NS + violates my 1st Am. right to a free press that performs ~~the~~ democracy-defending functions effectively, as the Framers intended.

II. The Proper Remedy Is To Order Arbitration + Dismissal Of This Case.

As stated, the facts prove both sides have valid legal positions; the TA violated the plaintiffs' (+ my) 1st Am. and (their) 5th Am. rights, and the plaintiffs are engaging in propaganda affecting NS + the right to a free press as the Framers intended. And as such, neither party can be allowed to prevail: If plaintiffs win, NS is jeopardized, and the populous is propagandized in a manner against the Framers' intent. And if the TA wins, freedom of the press + avoidance of arbitrary gov. action are violated in a manner that sets a dangerous precedent on Administration press control. And my rights are in jeopardy if either party wins here.

So the solution is to require both main parties to participate in arbitration, with the goal of reaching a mediated settlement agreeable to both parties, and to dismiss this case. The US press has freedom of speech + should be allowed full press access, but what is the limit on that speech when it is so powerful it can reasonably affect NS? It is a "yelling 'Fire!' in a crowded theatre" type of free speech conundrum; In my view, the US press should be more responsible in its reporting, and relatedly, its staffing choices, to ensure balance + quality control, but the entirety of this should be considered + discussed in arbitration. And FYI, the TA already has the tools it needs to stop the US press from engaging in propaganda via the FCC + related agencies, and needs to use those instead of effecting arbitrary means to meet its ends.

A good use would be establishment of a Fair + Balanced News Standard, and then require the FCC, via a board always consisting of an equal number of democrat, republican, + independent party members (eg. 4-demi, 4-rep, 4-ind = 12 members of the Board), to enforce it. There are already similar measures in place re: elections, requiring equal air time be afforded to both sides for political candidates, so it's both plausible + feasible to establish a similar standard of fairness for all news coverage in general.

Propaganda is only effective if the people being propagandized are unaware of the biased nature of their news; So

the TA response to its posed NS threat should not be to stop the news itself, thereby violating free speech, but rather to stop its NS affect. To that end, similarly to how social media sites verify parties + give them "blue checkmarks" (etc) signifying authenticity but allows other non-verified users to exist on their platforms, this FCC panel will enforce the Fair + Balanced News standard, but allow the propaganda to still exist; But those news organizations must declare themselves to be propaganda news at every broadcast + advertisement of their news or political shows or face FCC penalties. Only organizations that provide fair reporting, ie. having both sides of stories represented fairly (where applicable), not weighting stories to a favored side, not providing opinion-as-fact in non-opinion, fact-based stories, can be declared or declare themselves to be fair + balanced.

Enforcement of a 'fair + balanced' standard of news, by a fair + balanced panel at the FCC, etc. is the correct solution to this problem, not the heavy-handed tactic employed by the TA; None can complain about having to be fair, except for those who have an untoward interest in being UN-fair in their coverage, and, by the populous being overtly aware they are being propagandized, the NS threat is effectively neutralized without affecting free speech.

III. Neither Party Can Adequately Defend My Interests, Making Intervention Necessary Here.

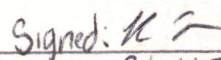
Both main parties in this action represent 2 extremes, both of which are against my interests. The TA position on the matter represents allowing an arbitrary gov. action that limits our free press AND doing it in a way that does not allow a fair hearing + defense to claims pre-deprivation. This position does not defend my interests, as it violates the 1st + 5th Am. of the plaintiffs, on top of impeding citizens' (ie. my) right to a free press in a manner that could impede its democracy-defending functionality going forward; If this standard is allowed now, it could help serve as a slippery-slope towards authoritarianism in the future.

And plaintiffs cannot adequately defend my interests under the 1st Am. either. Their position is to allow them to continue operation of a propaganda press unfettered, not only denying me a free + EFFECTIVE press as the Founders intended under the 1st Am. (a free press is not afforded in the 1st Am. to operate for their own benefit, but for the benefit of us as US citizens), but as a continuing NS threat -- very much against my interests in safety + security as a US citizen.

The only way I can defend my 1st Am. rights AND my interests in safety + security is to intervene in this action and ensure neither party prevails. I must win in this action, for the benefit of myself, US citizenry as a whole, + ultimately the parties themselves.

WHEREFORE Tatum respectfully requests leave to intervene be GRANTED, by Order of this Court, as urged.

Dated this September 24th, 2026.

Signed: 

[Footnotes on p. 6]

[FN1] I, Robert L. Tatum, declare under penalty of perjury that all facts herein are true to my best personal knowledge + belief. 28 USC 1746.

[FN2] Note that similar "revolts" occurred recently at both The Washington Post, when Jeff Bezos effected brand neutrality in the 2024 US election by refusing to allow the Post to endorse either candidate (staff wanted a publicized Kamala Harris endorsement), and at CBS News, when its leadership sought to establish quality controls in its long-running "60 Minutes" news program. That this situation has manifested at multiple news outlets, all being leaders of industry in the same vein as plaintiffs, and all in response to their management attempting to or actually effecting measures aimed at providing balance or neutrality in news coverage, supports my claims.

[FN3] The Press is the only non-gov. profession mentioned + specifically protected in our US Constitution for a reason: A free press is essential for a modern functioning democracy. But the days of quality journalism + reporting, of "Deep-throat" + gov. expose, are a distant + fading memory today, all due to our US press agenda of pushing propaganda causing it to be ineffective at the democracy-defending functions of a free press that inspired + motivated the Framers to protect it in their 1st Am. in the first place.

The news-guy who was "miffed" that the Biden Administration ("BA") lied to the press re: Biden's health would have been less so if him, his organization, and/or the US press corps as a whole (excluding the few this doesn't apply to), had have engaged in true journalism by investigating the facts + not just regurgitating BA talking points as reported news, because the truth was evident + obvious to discover for anyone who cared to look.

[FN4] Xi China would have strong reason to consider this information in his calculations / strategy: There is little reason to doubt its veracity, as it is coming from the TA's own press corps + ~~they are~~ hostile to its circulation, considering a) its history of referring to it + the press corps itself as 'fake news', etc., and b) even the actions of arbitrarily banning the press, leading to this lawsuit, support the premise + lend to one accepting its veracity. And this would esp. be fact if his own intelligence reports even partially corroborated it. In the scenario posed, which is plausible, the opportunity posed by US weakness (or perception thereof) would be a major catalyst, in that it all in all may be considered one which may never be to such advantage in the future, necessitating a strike now 'while the iron is hot'.

[FN5] eg. "Today, the judge ruled 'xyz'", instead of a slant: "The republican-appointed judge did 'xyz'", to impress that there was a republican agenda to the action or ruling. Neutral reporting, giving just facts w/o slant, allows viewers to make their own conclusions.

[FN6] eg. The US press corps reported during the BA that there was "no evidence" supporting Republican's claims that Biden (+ his family) was involved in selling US gov. access / influence to foreign persons + entities. That was opinion reported as fact.

Regardless of his guilt or innocence, there was a lot of evidence, admissible under evidence rules, that there was in fact influence peddling occurring + that Biden himself was involved: The US banks' "suspicious activity" reports; the Bidens' several "shell" companies; then-VP Biden's involvement in the firing of a Ukrainian special prosecutor investigating matters against his son's interests, etc.

In "fair + balanced" reporting, "no evidence" has to be just that to be in the report, not someone's opinion reported as fact that THEY feel there is no proof, or that evidence is slight, non-probative, etc., and the same for all fact-based stories--just the facts.