

Exhibit A



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July 21, 2022

Via Email

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Via Overnight Mail

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RE: Notice of Intent to Bring Civil Action for Defamation

Pursuant to Florida Statute §770.01, this letter serves as formal notice of the false statements about President Donald J. Trump (“President Trump”) in numerous articles and televised transmissions published by Cable News Network, Inc. (“CNN”) including, but not limited to, those discussed below.

In accordance with Florida Statute § 770.02, CNN must publish a full and fair correction, apology, or retraction, in the same editions or corresponding issues of the website publication in which the aforementioned articles, transcripts, or broadcasts appeared and in as conspicuous a place and type as said original article, transcript or broadcast within ten (10) days from the date of service of this notice. Failure to publish such a correction, apology, or retraction will result in the filing of a lawsuit and damages being sought against you, CNN.

The 2016 Presidential Election

In November 2016, Americans participated in a spirited presidential election, pitting Hillary Rodham Clinton against President Trump. President Trump earned 306 electoral college votes compared to Clinton’s 227.¹

After the 2016 election, various members of the Democratic party² gave numerous televised statements claiming the 2016 election was illegitimate. This included suggestions

¹ <https://www.bbc.com/news/election/us2016/results>

² <https://twitter.com/ClayTravis/status/1540083271526236165?t=6UIZa64bWYKQC3TRysOk5A&s=09>



about Russian interference causing President Trump to win the election and regular referrals to President Trump being an “illegitimate” President.

CNN repeatedly allowed for assertions that President Trump was illegitimately elected to go largely unchallenged, including statements made by Hillary Clinton, Kamala Harris, Joe Biden, Jimmy Carter, Jerry Nadler, John Lewis, Dianne Feinstein, Marcia Fudge, and Debbie Wasserman Schultz.

The 2020 Presidential Election

On and around November 3, 2020, Americans participated in another hotly contested presidential election. As COVID-19 continued to cause infections and deaths across the country, election officials instituted unusual expansions of voting methods and periods. Voters were subjected to scalding advertisements and media personalities predicting calamities wedded to electing Joe Biden or reelecting President Donald Trump, depending on the speaker’s point of view.

Many Trump supporters went to bed the night of November 3, 2020, with high hopes for President Trump’s reelection, seeing leads for their candidate in several important states, such as Pennsylvania, Georgia, and Michigan. By the morning, media outlets were announcing a lead for Biden, with late-night tabulations turning the tide in the former Vice President’s favor.

By the following weekend, CNN announced that Biden had won the election and was already asserting that, “The President falsely claimed the election was being stolen from him as many mail in ballots, which were often counted after Election Day votes, landed in the column of his opponent.”³

For the ensuing two months, President Trump asserted that the election had been “rigged” against him, as he had predicted before the election when early voting and mail-in ballot usage were greatly expanded. Some administration officials and supporters rejected the idea, largely accepting that cheating had taken place but believing it could not have been of such scale as to make the President lose the battleground states. Dozens of lawsuits were filed across the country, with the majority ending up dismissed on procedural grounds. Lawyers for the President pursued a claim that an elaborate international conspiracy, coupled with a commonly used voting machine, were somehow responsible for President Biden’s win. Recounts and audits in various states continued into the middle of 2021.

³ <https://www.cnn.com/2020/11/07/politics/joe-biden-wins-us-presidential-election/index.html>



CNN’s reporting, both before the election as well as after the election, consistently fed a narrative that denounced President Trump’s legitimacy and competency. The reporting appears to be results-oriented, as betrayed in an undercover video: A CNN employee was filmed discussing the Defendant’s coverage of the 2020 presidential election.⁴ The employee boasted that CNN helped to defeat President Trump in the 2020 election and called the Defendant, his employer, “propaganda.” *Id.*: “Look at what we did, we got Trump out...I am 100% going to say it. And I 100% believe it that if it wasn’t for CNN, I don’t know that Trump would have got voted out.” *Id.*

CNN’s Rush to Label President Trump a Liar

Even as state tabulation audits and recounts began to take place, and long before they concluded in mid-2021, CNN began referring to President Trump as “lying.”⁵

Webster’s Dictionary defines a “lie” as an assertion of something known or believed by the speaker to be untrue with intent to deceive.⁶ The definition, then, is not limited to simply being wrong about an assertion; it instead requires the speaker to know he or she is speaking falsely and to specifically harbor an intent to mislead.

In this instance, President Trump’s comments are not lies: He subjectively believes that the results of the 2020 presidential election turned on fraudulent voting activity in several key states.

Furthermore, the repeated characterization of President Trump lying was distinctly at odds with CNN’s treatment of individuals claiming President Trump’s 2016 was “illegitimate” or based upon “Russian interference.”

CNN’s Branding of President Trump as a Liar Extends to Likening Him to Nazis and Communists

For the months and years that have followed the 2020 election, CNN took it upon itself to engage in a campaign of dissuasion – branding President Trump a liar, and one who subscribes to the notion of the “Big Lie.” As CNN repeatedly reminds its readers, that concept is linked to Adolf Hitler and Joseph Goebbels and the Nazi-era idiom, “If you tell

⁴ <https://www.washingtonexaminer.com/news/cnn-director-boasts-removing-trump-from-office-spreading-propaganda>

⁵ See e.g., <https://transcripts.cnn.com/show/cg/date/2020-11-30/segment/01>

⁶ <https://www.merriam-webster.com/dictionary/lie>



a lie big enough and keep repeating it, people will eventually come to believe it.”⁷ If the articles fail to overtly link Trump to Hitler—a particularly offensive slur for a man with Jewish members of his immediate family—they regularly draw comparisons between Trump and China’s Xi Jinping⁸. Reportedly, the term “Big Lie” has been uttered in the context of President Trump’s belief, more than 7,700 times on CNN since January of 2021.⁹

CNN’s Willful and Continued Usage of the “Big Lie” Characterization

On June 15, 2022, CNN’s new Chairman and CEO Chris Licht reportedly held a conference call with top CNN producers in which he expressed displeasure with the use of “Big Lie.” *Id.* Since then, CNN’s on-air personalities—including John King, Jake Tapper, John Avlon, Brianna Keilar, Don Lemon, and Jeffrey Toobin, among others—have continued to use the phrase in describing President Trump’s subjective state of mind despite an apparent admonition from their Chief Executive Officer. *Id.*

The Unique Treatment of President Trump’s Beliefs Versus Those Belonging to Other Public Figures

One of the clearest indicators of CNN’s malice is that unlike any other public figure, even those for which there have been specific determinations of dishonesty, it is President Trump to whom CNN’s employees comfortably and consistently attach the “liar” label. Below are just several examples of scenarios in which CNN possessed objective evidence of the declarant’s dishonesty yet never characterized the person as a liar or as utilizing the “Big Lie” propaganda technique.

Jussie Smollett

Under claimed circumstances, which almost immediately appeared implausible, actor Jussie Smollett proclaimed to be a victim of a hate crime perpetrated by mysterious men who wore “MAGA” hats and who laid in wait for him during a sub-zero Chicago night.

Smollett was charged with disorderly conduct offenses predicated upon the notion that his entire account was a hoax, *i.e.*, untrue. Smollett was convicted of crimes based upon his false report of the assault.

⁷ <https://www.cnn.com/2021/07/05/politics/trump-disinformation-strategy/index.html>

⁸ <https://www.cnn.com/2021/01/25/opinions/bi-lie-ben-ghiat/index.html>

⁹ <https://www.foxnews.com/media/cnn-stars-continue-using-big-lie-term-trump-flouting-new-boss-prefers-different-phrase>



When CNN reported the guilty jury verdict, it continued to treat the verdict as a mere allegation: “Actor Jussie Smollett was found guilty Thursday on five of six felony counts of disorderly conduct for making a false report to Chicago police that he was the victim of a hate crime in January 2019—an attack *prosecutors said he staged*.”¹⁰ “He was acquitted of making a false report to another Chicago detective weeks after the *alleged attack*.” *Id.* Despite a jury finding that Smollett lied to prosecutors, police and the public, CNN refused to call Smollett a “liar”¹¹ even after “. . . a jury found Jussie Smollett guilty of *falsely reporting* a hate crime.”¹² In further efforts to downplay the guilty verdict, CNN focused on how the criminal justice system treated Smollett unfairly.¹³ On an occasion in which a CNN commentator referred to Smollett as lying, the commentary ended with the gratuitous and defamatory comment directed at President Trump:

And, of course, despite all the evidence, Donald Trump’s Big Lie continues to be amplified, by right-wing media. In that sense, Donald Trump is the Jussie Smollett of American politics.¹⁴

Andrew McCabe

Andrew McCabe, a former FBI official under then-Director James Comey, was the subject of an Office of Inspector General (“OIG”) report that concluded McCabe lied on numerous occasions when questioned about his role in leaking sensitive information to the media.

Although the United States Attorney’s Office for the District of Columbia declined to prosecute the referred false statement case, there were objective and widely accepted findings by the OIG that McCabe had “lacked candor” and made five false statements. CNN never classified McCabe as lying or perpetuating a “Big Lie.”

¹⁰ <https://www.cnn.com/2021/12/09/us/jussie-smollett-trial-thursday-jury-deliberations/index.html>

¹¹ <https://www.cnn.com/2021/12/10/us/jussie-smollett-trial-guilty-next-steps/index.html>

¹² <https://www.cnn.com/2021/12/09/media/sean-hannity-jussie-smollett-reliable-sources/index.html>

¹³ <https://www.cnn.com/2021/12/11/opinions/jussie-smollett-guilty-verdict-meaning-bailey/index.html>; <https://www.cnn.com/2021/12/20/us/smollett-special-prosecutor-report/index.html>

¹⁴ <https://transcripts.cnn.com/show/nday/date/2021-12-10/segment/05>



CNN was not only incapable of calling McCabe a liar, it hired him as a contributor in August of 2019.

Stacey Abrams

When Stacey Abrams lost the Georgia governor's race in November 2018, she claimed the election was stolen from her, a claim that she repeated in her 2019 State of the Union response:

In response to what I believe was a stolen election—I'm not saying they stole it from me, they stole it from the voters of Georgia. I cannot prove empirically that I would've won, but we will never know. And so what I demanded on November 16 was a fair fight because you see, voter suppression is as old as America.¹⁵

Abrams was interviewed on November 19, 2018, by then-CNN anchor Chris Cuomo about her election loss and challenges to election integrity. In her interview, she claimed “machines . . . were flipping names because of the antiquated nature of our machines. We had people who were purged from the rolls unlawfully... We had new citizens who were denied the right to register. We had thousands who were placed on hold.”¹⁶ Cuomo did not challenge these claims, but asked Abrams how her initiative, Fair Fight Georgia, would fix the problems identified. *Id.* Cuomo noted, “Anything that makes the process more fair, is good.” *Id.*

CNN has not referred to Stacy Abrams as lying or perpetuating a “Big Lie,” even in the absence of data supporting her claims of a rigged election. CNN recognized challenges to election integrity as credible when addressed through a different political lens.

Questions About Election Integrity Are Not Baseless

Well after the election process and associated litigation has died down, information continues to be gathered that suggests there were unusual problems with the 2020 election.

A CNN article from February 2022 reported on a recent CNN poll showing that 56% of Americans have little or no confidence in our elections, with “just 68% of

¹⁵ <https://www.cnn.com/2019/04/03/politics/abrams-kemp-voter-suppression/index.html>

¹⁶ <https://transcripts.cnn.com/show/CPT/date/2018-11-19/segment/02>



democrats” expressing confidence and “41% of independents.”¹⁷ CNN’s Editor-at-Large ascribes this level of doubt to “the insidiousness of Trump’s big lie” and likens his claims to an ear worm “wheedling [its] way into the consciousness of the public.” *Id.* There is no room, of course, for any other explanation for public doubt of the election’s accuracy than nearly supernatural powers of President Trump to control minds.

The Heritage Foundation summarizes voting fraud cases from around the country, typically citing prosecutor press releases for the information.¹⁸ Just using 2021-22, the Heritage Foundation has documented voting fraud convictions in Arizona, California, Florida, Michigan, New Hampshire, Texas, Colorado, Kansas, Mississippi, Nevada, Ohio, Pennsylvania, Virginia and West Virginia. This does not include pending cases, but simply cases in which criminal convictions have resulted from the prosecution. The Heritage Foundation’s Election Fraud Database contains 1,365 proven instances of election fraud, 1,173 criminal convictions, and 48 civil penalties. *Id.*

In June of 2022, the Texas Republican Party’s 2022 Platform & Resolutions Committee issued the following Resolution:

2020 Election: We believe that the 2020 election violated Article 1 and 2 of the US Constitution, that various secretaries of state illegally circumvented their state legislatures in conducting their elections in multiple ways, including by allowing ballots to be received after November 3, 2020. We believe that substantial election fraud in key metropolitan areas significantly affected the results in five key states in favor of Joseph Robinette Biden Jr. We reject the certified results of the 2020 Presidential election, and we hold that acting President Joseph Robinette Biden Jr. was not legitimately elected by the people of the United States. We strongly urge all Republicans to work to ensure election integrity and to show up to vote in November of 2022, bring your friends and family, volunteer for your local Republicans, and overwhelm any possible fraud.¹⁹

In addition, there is empirical support for President Trump’s view that voter fraud decided the 2020 presidential election. Researchers with the organization True the Vote evaluated and analyzed 10 trillion geo-tracking signals from cellphones that were captured

¹⁷ <https://edition.cnn.com/2022/02/11/politics/trump-big-lie-2020-election-poll/index.html>

¹⁸ <https://www.heritage.org/voterfraud-print/search>

¹⁹ <https://texasgop.org/wp-content/uploads/2022/06/6-Permanent-Platform-Committee-FINAL-REPORT-6-16-2022.pdf>



during the closing weeks of the 2020 general election campaign.²⁰ The researchers focused on the commercially marketed “pings” from mobile phones whose owners interacted with ballot drop boxes in five swing states. *Id.* These digital investigators then narrowed their search to people who approached 10 or more drop boxes and contemporaneously visited five or more pro-Biden nonprofits. *Id.* This investigation’s cameras capture one mule after another traveling from box to box to deposit successive fists full of ballots. *Id.* One mule in Atlanta slid ballots into 28 different collection bins. *Id.*

True the Vote discovered that, in the five states it analyzed, some 2,000 mules averaged 38 drop-box visits in the weeks before Election Day, and the organization estimates that these efforts resulted in the counting of 380,000 fraudulent ballots. *Id.* Coming from heavily Democrat areas, these almost certainly were overwhelmingly pro-Biden ballots.

In Arizona, 200 mules typically approached 20 boxes each. *Id.* Disqualifying these 20,000 unlawful ballots would evaporate Biden’s 10,457-vote win in Arizona. *Id.* In Arizona, Guillermina Fuentes, 66, a former San Luis mayor featured in 2000 Mules, and a second woman were indicted in 2020 on one count of ballot abuse, a practice commonly known as “ballot harvesting” that was made illegal under a 2016 state law. Fuentes pleaded guilty and is pending sentencing.²¹

In Georgia, 250 mules stopped at 24 boxes and inserted five ballots per encounter. *Id.* Rejecting these 30,000 illegal votes would eliminate Biden’s victory margin of 11,779. *Id.*

In Pennsylvania, 1,100 mules in Philadelphia alone encountered 50 boxes. *Id.* Vacating these 275,000 illegitimate votes would eradicate Biden’s 80,555-vote victory. *Id.*

On July 8, 2022, the Wisconsin Supreme Court invalidated the use of ballot drop boxes, holding that they are illegal under state law: “The illegality of these drop boxes weakens the people’s faith that the election produced an outcome reflective of their will. The Wisconsin voters, and all lawful voters, are injured when the institution charged with administering Wisconsin elections does not follow the law, leaving the results in question.” *Teigen v. Wis. Elections Comm’n*, No. 2022AP91 (Wis. Jul. 8, 2022). Note that Joe Biden narrowly won the state by just under 21,000 votes.

²⁰ 2000 Mules, (Dinesh D’Souza, 2022); <https://www.dailysignal.com/2022/04/29/film-2000-mules-offers-vivid-proof-of-voter-fraud/>

²¹ <https://apnews.com/article/arizona-presidential-elections-conspiracy-election-2020-government-and-politics-65a3f0f130905dd7151e5189e7242784>



True the Vote’s founder has said, “You don’t need a whole lot of fraud. You just need a little in the right places over time.”²²

Substantial numbers of Americans shared President Trump’s genuinely-held view that voter fraud affected the results of the 2020 election. More than six months after the 2020 election, 25% of Americans (including 53% of Republicans), believed Trump was still the “true president,” and 56% of Republicans believed that the 2020 election was rigged or due to voter fraud, demonstrating that a significant portion of the citizenry did not accept the legitimacy of the 2020 presidential election.²³

According to a 2021 Monmouth University poll, approximately one third of Americans believe that Joe Biden’s 2020 electoral victory was due to widespread voter fraud—a number that has not budged since November 2020.²⁴

In April of 2021, a University of Massachusetts Amherst poll of 1,000 people across the United States found that 24% of respondents believe that Joe Biden’s electoral victory was “definitely not legitimate.”²⁵

The above-referenced numbers are nearly identical to the UMass Amherst Poll taken in December of 2021, in which 22% of respondents deemed Joe Biden’s electoral victory illegitimate and only 21% of Republicans viewed Joe Biden’s victory as legitimate.²⁶ When asked why Joe Biden’s electoral victory was illegitimate, 83% of the poll’s respondents cited election fraud. *Id.*

Other polls show that three in ten Americans (31%) believe that the 2020 election was stolen from Donald Trump, a number that has remained steady throughout 2021, in August (29%), June (30%) and March (29%).²⁷

²² <https://www.dailysignal.com/2022/04/29/film-2000-mules-offers-vivid-proof-of-voter-fraud/>

²³ <https://www.ipsos.com/sites/default/files/ct/news/documents/2021-05/Ipsos%20Reuters%20Topline%20Write%20up-%20The%20Big%20Lie%20-%2017%20May%20thru%2019%20May%202021.pdf>

²⁴ https://www.monmouth.edu/polling-institute/reports/monmouthpoll_us_062121/

²⁵ <https://polsci.umass.edu/sites/default/files/UMass%20Amherst-WCVB%20Poll%20Biden%20100%20April21.pdf>

²⁶ <https://polsci.umass.edu/sites/default/files/UMass%20Amherst%20Poll%20January%206th%20Anniv%20Dec21.pdf>

²⁷ <https://www.prii.org/research/competing-visions-of-america-an-evolving-identity-or-a-culture-under-attack/>



Another survey found that 47 million American adults—nearly one in five—agree with the statement that “the 2020 election was stolen from Donald Trump and Joe Biden is an illegitimate president.”²⁸

With respect to Republicans polled, 55% believe Donald Trump lost the 2020 election due to illegal voting or election fraud,²⁹ and 35% of voters, including 60% of Republicans think the 2020 election should definitely or probably be overturned.³⁰

Last, in a national study conducted for CNN by SSRS, an independent research company, 37% of respondents believe that Joe Biden did not legitimately win enough votes to win the presidency and 56% are not at all confident that elections in America reflect the will of the people.³¹

President Trump harbors a *subjective belief* that he was unfairly deprived of a second term in office. This is particularly valid in the context of an incumbent president receiving over 74 million votes, a record number for any republican candidate in history.³² By refusing to acknowledge President Trump could be correct or that he could genuinely believe his contention is correct, CNN has willfully acted in disregard for the truth and has acted with reckless disregard for the truth. CNN’s relentless and willful campaign to brand President Trump a “liar” and purveyor of the “Big Lie” is defamatory in nature.

Defamatory Publications and Evidence of Malicious Intent

Without regard for President Trump’s genuine belief in his statements, CNN has published *numerous* articles characterizing him as a “liar” and the purveyor of the “Big Lie.”

²⁸ <https://theconversation.com/amp/21-million-americans-say-biden-is-illegitimate-and-trump-should-be-restored-by-violence-survey-finds-168359>

²⁹ <https://www.ipsos.com/en-us/news-polls/majority-republicans-still-believe-2020-election-was-stolen-donald-trump>

³⁰ <https://www.rollingstone.com/politics/politics-news/trump-election-dobut-republican-voters-1248762/amp/>

³¹ <https://www.documentcloud.org/documents/21202374-cnn-poll-on-democracy-januaryfebruary-2022>

³² See, for example, <https://www.dailymail.co.uk/news/article-10999685/Trump-complains-Biden-2020-win-mathematically-impossible-new-documentary-Unprecedented.html> for contemporaneous comments about the “mathematical impossibility” of losing to President Biden.



On June 29, 2022, CNN published, via CNN.com, an article under the headline “Another American woman just stood up to protect democracy from Trump.”³³ The “analysis” by Stephen Collinson of CNN published the following false and defamatory narrative:

...contrasted with Trump’s cowardice in failing to admit that he lost a fair election.

...

...to expose Trump’s lies and assault on American democracy...

...

...to Trump’s alternative reality of election fraud lies and revenge fantasies.

Id.

On March 29, 2022, CNN published, via CNN.com, an article under the headline “Trump’s January 6 plot appears darker and more dangerous by the day.”³⁴ The “analysis” by Stephen Collinson of CNN published the following false and defamatory narrative:

Former President Donald Trump’s attempt to steal the 2020 election . . . [was] on display at a lie-filled rally that underscored how his conspiracy to overturn the election—whether it is criminal or not—remains viscerally alive and able to damage future elections.

...

It’s also ironic that this threat to American democracy is being further exposed while Washington leads an international effort to save freedom in Ukraine, which is under much greater assault from Russian President Vladimir Putin, whom Trump still seems to hero worship.

...

<https://www.cnn.com/2022/06/29/politics/cassidy-hutchinson-democracy-trump/index.html> attached as Exhibit 1.

³⁴ <https://www.cnn.com/2022/03/29/politics/trump-2020-election-investigation-analysis/index.html> attached as Exhibit 2.



. . . a referendum on the lie that he won in 2020 and seeks to build a return to the White House on the same falsehoods that have drawn in millions of his supporters.

Id.

On February 11, 2022, CNN published an article written by Chris Cillizza, CNN Editor-at-Large, entitled “Here’s the terrible reality: Trump’s election lie is on the march” and with a link entitled “New poll suggests Trump 2020 election lie is working.”³⁵ The falsehoods within this article include the following:

In discussing poll numbers that support the President’s belief in prevalent election fraud, the Editor wrote, “That’s a stunning reversal in the course of 13 months. And it proves that—as unfortunate as this may be—*Donald Trump’s election lie is working.*” *Id.* (*emphasis added*)

The article goes on to assert, “*By now, you know about Trump’s big lie.* It’s that the 2020 election was somehow fraudulent” *Id.* (*emphasis added*)

Later, the Editor asserts, “*Trump’s lies about the election have long gained purchase within the base of the Republican Party.*” *Id.*

Finally, Cillizza claims:

This is the insidiousness of Trump's big lie. It's like an earworm—you may hate the song but you just keep finding yourself humming it in the shower. Trump has created a constant low-level buzz within the American electorate that something is wrong with the way we conduct elections. That he has no proof doesn't seem to matter; by sheer repetition, his false claims are wheedling their way into the consciousness of the public.

Id.

On February 6, 2022, CNN published, via CNN.com, an article under the headline “Trump’s growing recklessness is a ticking time bomb.”³⁶ The article by Michael D’Antonio published the following false and defamatory narrative:

³⁵ <https://www.cnn.com/2022/02/11/politics/trump-big-lie-2020-election-poll/index.html> attached as Exhibit 3.

³⁶ <https://www.cnn.com/2022/02/02/opinions/trump-pardon-jan-6-mass-protests-dantonio/index.html> attached as Exhibit 4.



Now, Trump is building on the big lie that there was widespread voter fraud in the 2020 elections and saying ‘our country and our elections are corrupt.’

...

It seems Trump’s lust for power knows no bounds

Id.

On February 2, 2022, CNN published ,via CNN.com, an article under the headline “This former Republican senator has a ridiculous reason for believing the Big Lie.”³⁷ The “analysis” by CNN Editor at Large Chris Cillizza published the following false and defamatory narrative:

. . . [W]e know for certain that there was not, in fact, widespread vote fraud in the 2020 election in Nevada - a state Biden won 50% to 48%.

...

[T]he former president’s false claim that the 2020 election was plagued by fraud.

Id.

On January 28, 2022, CNN published, via CNN.com, an article under the headline “Twitter says it has quit taking action against lies about the 2020 election.” The article by Daniel Dale published the following false and defamatory narrative:

Lies about the 2020 election, however, have never gone away

Former President Donald Trump continues to relentlessly repeat lies about the 2020 election.

...

[Trump] lies that the 2020 election was “rigged” and “stolen.”

³⁷ <https://www.cnn.com/2022/02/02/politics/dean-heller-nevada-2020-election/index.html> attached as Exhibit 5.



Id.

On January 19, 2022, CNN published, via CNN.com, an article under the headline “The 2020 election wasn’t stolen. But Douglas Frank and his bogus equation claiming otherwise are still winning over audiences.”³⁸ The article by Sara Murray and Jeff Simon of CNN published the following false and defamatory narrative:

Frank is just one in an army of conspiracy theorists, inspired by former President Donald Trump’s election lies

Id.

On January 17, 2022, CNN published, via CNN.com, an article under the headline “Trump’s rhetoric about election fraud already cost Georgia Republicans. But they’re still tethered to him in 2022.”³⁹ The article by Sara Murray and Jeff Simon of CNN published the following false and defamatory narrative:

. . . even though there is no evidence of widespread fraud.

. . .

. . . as [President Trump] spread lie after lie that the election was stolen.

Id.

On January 16, 2022, CNN aired a television show entitled “State of the Union with Candy Crowley” that included host Jake Tapper making the following false and defamatory comments⁴⁰:

TAPPER: Over the weekend, while Martin Luther King III was in Arizona rallying to expand voting rights, *Donald Trump was*, the same day, in the same state, doing the exact opposite, *continuing to push his big lie*.
(BEGIN VIDEO CLIP)

³⁸ <https://www.cnn.com/2022/01/18/politics/douglas-frank-big-lie/index.html> attached as Exhibit 6.

³⁹ <https://www.cnn.com/2022/01/27/politics/georgia-republicans-trump-2022/index.html> attached as Exhibit 7.

⁴⁰ <https://transcripts.cnn.com/show/sotu/date/2022-01-16/segment/01> attached as Exhibit 8.



TRUMP: Last year, we had a rigged election, and the proof is all over the place.

They always talk about the big lie . They're the big lie .

(END VIDEO CLIP)

TAPPER: There is a reason Trump was in Arizona, to push the legislature to disenfranchise the state's voters based on all of *his deranged election lies*.

Id. (emphasis added)

On December 26, 2021, CNN published, via CNN.com, an article under the headline “Biden’s struggles shouldn’t eclipse GOP’s year of dangerous falsehoods.”⁴¹ The “analysis” by CNN’s John Harwood published the following false and defamatory narrative:

...Trump’s disfiguring pathologies

...

Egged on by Trump, leading Republicans have made affirming or acquiescing in his big lie that the 2020 election was stolen from him a threshold qualification.

Id.

On September 16, 2021, CNN published, via CNN.com, an article under the headline “Trump’s Big Lie is changing the face of American politics.”⁴² The article by CNN’s Stephen Collinson published the following false and defamatory narrative:

...tens of millions of Americans were seduced by Trump’s lies about election fraud

...his still-magnetic talent for spinning myths...

...that the President is able to reinvent the truth in plain sight, and get away with it.

⁴¹ <https://www.cnn.com/2021/12/26/politics/republicans-trump-2021-lies/index.html> attached as Exhibit 9

⁴² <https://www.cnn.com/2021/09/16/politics/trump-big-lie-gop-election/index.html> attached as Exhibit 10.



Id.

On October 28, 2021, CNN aired a television show including a conversation between CNN Anchor John Berman and CNN political analyst Maggie Haberman.⁴³ During this show, Berman made the following false and defamatory statements: “This morning, ‘The Wall Street Journal’ is under fire for publishing this letter written by former president, former President Trump, that is riddled with falsehoods and baseless conspiracy theories about the 2020 election.” *Id.* Before turning to Haberman for comment, Berman claimed, “To me, this is an example of mainstreaming, the inch by inch, of the *former president getting his lies into the mainstream.*” *Id.* (*emphasis added*)

On September 19, 2021, CNN televised a program including false and defamatory comments by CNN Host Pamela Brown in a conversation with Representative Adam Kinzinger (R-IL).⁴⁴ During this show, Brown stated, “Let’s start with some simple facts, shall we? Joe Biden won the 2020 presidential election, Donald Trump lost the 2020 presidential election. And here’s another one, but this one isn’t as easy to swallow. *Trump’s baseless big lie* about the election being stolen from him is actually winning.” *Id.* (*emphasis added*).

On September 16, 2021, CNN published, via CNN.com, an article under the headline “‘Incredibly dangerous’: Trump is trying to get Big Lie promoters chosen to run the 2024 election.”⁴⁵ The article by Daniel Dale published the following false and defamatory narrative:

...Trump backed Republicans who “supported his lies about the 2020 election...”

Id.

Dale felt compelled to add a parenthetical to the results of a CNN poll on the issue of 2020 election integrity, writing, “A CNN poll released on Wednesday found that 63% of all respondents (correctly) thought Biden had won enough votes to win the presidency - - but that only 21% of Republicans felt that way, compared to 97% of Democrats and 64% of independents. *Id.* Dale continued to add such parentheticals for the readers, noting

⁴³ <https://transcripts.cnn.com/show/nday/date/2021-10-28/segment/01> attached as Exhibit 11.

⁴⁴ <https://www.cnn.com/videos/politics/2021/09/19/trump-big-lie-election-gop-leaders-brown-for-the-record-nr-vpx.cnn> attached as Exhibit 12.

⁴⁵ <https://www.cnn.com/2021/09/16/politics/trump-secretary-of-state-big-lie/index.html> attached as Exhibit 13.



“There was no scam and no such fraud” and “Again, there was no massive crime” in discussing the 2020 presidential election process. *Id.*

On September 15, 2021, CNN published, via CNN.com, an article under the headline “Donald Trump’s Mental Health becomes an issue again.”⁴⁶ The article by CNN Editor-at-Large Chris Cillizza published the following false and defamatory narrative:

[President Trump] *continued to push the Big Lie that the election was somehow stolen despite there being zero actual evidence to back up that belief.*

Id. (emphasis added)

On September 15, 2021, CNN published, via CNN.com, an article under the headline “The big lie is (unfortunately) winning...”⁴⁷ The article by CNN Editor-at-Large Chris Cillizza published the following false and defamatory narrative:

Unfortunately, in recent months, the Big Lie – that Trump somehow was defrauded out of the election—has gained increasing amounts of traction.

...

What those numbers make clear is that among Republicans, Donald Trump and the big lie he is telling are winning.

Id.

On September 13, 2021, CNN published, via CNN.com, an article under the headline “How believing the Big Lie has become central to being a Republican.” The article by CNN Editor-at-Large Chris Cillizza published the following false and defamatory narrative:

...that somehow the 2020 election was fraudulent and Trump actually won. That belief is directly rebutted by widely accepted facts about the 2020 election – most notably that there is ZERO evidence of widespread voter fraud. None.

...

⁴⁶ <https://www.cnn.com/2021/09/15/politics/donald-trump-mental-health-mark-milley/index.html> attached as Exhibit 14.

⁴⁷ <https://www.cnn.com/2021/09/15/politics/big-lie-republican-belief-trump/index.html> attached as Exhibit 15.



But it's also a wild conspiracy theory that Trump very much continues to push. And that much of the base of the party continues to believe because, well, Trump told them to believe it.

Id.

On July 23, 2021, CNN televised a program including false and defamatory comments by CNN Host Jim Acosta in a conversation with Arizona Secretary of State Katie Hobbs.⁴⁸ During this show, Acosta stated, “Former President Trump will be in Arizona this weekend to *peddle his baseless conspiracy theories* about voter fraud, his go-to excuse for losing the 2021 election.” *Id.* (emphasis added).

On July 16, 2021, CNN published, via CNN.com, an article under the headline “The real reason Trump keeps telling the big lie.” The article by Michael D’Antonio published the following false and defamatory narrative:

As such, Americans can expect him to continue to peddle the “Big Lie” about the 2020 election being stolen...”

...

...The Big Lie Keeps getting bigger

Id.

On July 12, 2021, CNN published, via CNN.com, an article under the headline “The Big Lie keeps getting bigger.”⁴⁹ The article by Paul LeBlanc published the following false and defamatory narrative:

Former President Donald Trump... delivered another avalanche of lies about the 2020 election...

He lied about election integrity...

He lied about big tech...

He lied about election officials...

He lied about the Justice Department...

⁴⁸ <http://www.cnn.com/TRANSCRIPTS/2107/23/sitroom.02.html> attached as Exhibit 16.

⁴⁹ <https://www.cnn.com/2021/07/12/politics/big-lie-what-matters/index.html> attached as Exhibit 17.



...

Echoing Trump's falsehoods...

Id.

On July 5, 2021, CNN published, via CNN.com, an article under the headline “Donald Trump just accidentally told the truth about his disinformation strategy.”⁵⁰ In this article, CNN’s Editor-at-Large Chris Cillizza likens President Trump to Nazi propagandist Joseph Goebbels. *Id.*

The author proclaims there is “zero evidence of any sort of widespread election fraud” but bemoans the fact that a Reuters/Ipsos national poll in May of 2021 showed over 6 in 10 Republicans agreeing with the statement that the election “was stolen from Donald Trump.” *Id.*

As part of CNN’s effort to portray President Trump as lying, the article ends with attribution to him of an attitude of “Truth (and its consequences) be damned.” *Id.*

On June 27, 2021, CNN published, via CNN.com, an article written by Eric Bradner titled “Trump’s big lie about 2020 results suffers legal and political blows in key swing states.”⁵¹ The article falsely calls Trump supporters “conspiracy-minded supporters” and alleges “[i]t was a bad week for the Big Lie – former President Donald Trump and his allies’ false claims that widespread fraud is to blame for his 2020 election loss.” *Id.*

With regard to the Arizona audit, the article quotes Donald Trump—“Everybody is anxiously awaiting the result!”—only to refer to it as a “another falsehood” and conclude that the audit is “deeply flawed” and therefore a “propaganda tool” used by Trump supporters. *Id.* As of mid-November of 2021, audits were still taking place.

On June 21, 2021, CNN published an article, via CNN.com, with the headline “1 in 3 Americans believe the ‘Big Lie.’”⁵² The article, written by Editor-at-large Chris Cillizza, notes that a national poll conducted by Monmouth University found that 32% of

⁵⁰ <https://www.cnn.com/2021/07/05/politics/trump-disinformation-strategy/index.html> attached as Exhibit 18.

⁵¹ <https://www.cnn.com/2021/06/27/politics/2020-election-falsehoods-voting/index.html> attached as Exhibit 19.

⁵² <https://www.cnn.com/2021/06/21/politics/biden-voter-fraud-big-lie-monmouth-poll/index.html> attached as Exhibit 20.



respondents believe that Joe Biden only won the 2020 election due to voter fraud. The article then asserts a false and defamatory conclusory “fact” as follows:

Because it is a FACT that Biden won 81 million votes and 306 electoral votes. And it is a FACT that Donald Trump won 74 million votes and 232 electoral votes. It is a FACT that the results in all 50 states and the District of Columbia have long been certified. It is a FACT that there is zero evidence -- turned up by federal or state officials -- that any widespread electoral fraud occurred anywhere.

Id.

On June 5, 2021, CNN published an article, via CNN.com, written by Veronica Stracqualursi and others titled “Trump’s Chief of Staff Mark Meadows pushed DOJ to investigate baseless election fraud claims.”⁵³ The article published the following false and defamatory statements:

He sided with Trump’s disingenuous attacks against mail-in voting and fed his baseless claim that the election was stolen from him. . .

. . . Trump’s promotion of the lies about the 2020 election. . .

. . . Trump falsely claimed . . . widespread fraud.

Id.

On June 3, 2021, CNN published an article, via CNN.com, titled “Trump is more obsessed than ever with 2020 election and is brushing off allies who are telling him to move on.”⁵⁴ The article, written by Dana Bash, Veronica Stracqualursi, and Jim Acosta, alleges that “Trump’s obsession with 2020 has sharply divided the Republican Party, pitting those who embrace the ‘big lie’ against those who have debunked the former President’s falsehoods about the election – which has often led to them being punished or denounced.” *Id.* Any reference to Donald Trump’s opinions regarding the 2020 election are denounced as “false narratives,” “baseless theories,” and “lie(s).” *Id.* Such comments are false and defamatory.

⁵³ <https://www.cnn.com/2021/06/05/politics/mark-meadows-doj-2020-election-fraud/index.html> attached as Exhibit 21.

⁵⁴ <https://www.cnn.com/2021/06/03/politics/trump-mindset-2020-election-obsession/index.html> attached as Exhibit 22.



On June 2, 2021, CNN televised a program including false and defamatory comments by CNN Host Kate Bolduan.⁵⁵ During this show, Brown stated, “Republicans in more than a dozen states now have passed new laws that make it harder to vote. A movement fueled by Donald Trump’s *false claims of widespread election fraud, the baseless conspiracy theories* he pushed all last year and is still doing so today.” *Id.* (*emphasis added*).

On May 25, 2021, CNN published an article, via CNN.com, titled “A Majority of Republicans are living in a fantasy world built around the Big Lie,”⁵⁶ which was written by Chris Cillizza. The article cites a poll which found that 53% of Republicans believe Donald Trump is the “true” president while 56% of Republicans believe the 2020 election results were the result of illegal voting or election rigging. *Id.* These numbers, the article alleges, reflect “the Big lie pushed by Trump.” *Id.* Such comments are false and defamatory.

The article concludes by alleging that Donald Trump is “objectively wrong,” that “the Republican Party is currently organized around a lie” and “Trump is lying.” *Id.* These comments are false and defamatory.

On May 19, 2021, CNN published an article written by Zachary B. Wolf, via CNN.com, with the headline, “The 5 key elements of Trump’s big lie and how it came to be.”⁵⁷ The false and defamatory article alleges that Donald Trump “spent months spreading lies about the 2020 election, which he himself is now calling ‘THE BIG LIE’ as he continues to claim a massive conspiracy robbed him a second term.” *Id.* In explaining the origin of the term, “The Big Lie,” the article states “[i]t comes from Adolf Hitler. . . In *Mein Kampf*, he accused Jews of spreading lies about how the German army performed in World War I.” *Id.* The article concludes by stating that “Trump’s big lie worked” as evidenced by the polls showing that 55% of Republicans think Joe Biden won the 2020 election because of election rigging or fraud. *Id.* The “Big Lie” and other references to lying, as well as the effort to link President Trump to Nazism, are false and defamatory.

On May 5, 2021, CNN published, via CNN.com, an article written by Zachary B. Wolf with the headline “The big lie. The Covid misinformation. It all comes back to

⁵⁵ <https://transcripts.cnn.com/show/ath/date/2021-06-02/segment/01> attached as Exhibit 23.

⁵⁶ <https://www.cnn.com/2021/05/25/politics/big-lie-election-2020-poll/index.html> attached as Exhibit 24.

⁵⁷ <https://www.cnn.com/2021/05/19/politics/donald-trump-big-lie-explainer/index.html> attached as Exhibit 25.



Russia.”⁵⁸ The article is false and defamatory insofar as it alleges that “Trump, Russia and other actors generally seek to polarize the country by spreading false facts,” which are “not going to stop anytime soon” and “it will be impossible to undo the era of misinformation that got us all here.” *Id.*

On March 27, 2021, CNN published an opinion article, via CNN.com, written by Michael D’Antonio titled “Trump’s big lie could backfire in Georgia.”⁵⁹ The article is false and defamatory in that it accuses Donald Trump of “repeated falsehoods about being cheated” and alleges that Donald Trump’s “lies” have been effective, “especially when it comes to his insistence that the 2020 election was ‘stolen’ due to widespread fraud.” *Id.* That “lie,” the article asserts, “prompted Trump supporters to storm the Capitol on January 6.” *Id.* The article concludes by claiming that the Republican Party continues to push “Trump’s ‘big lie.’” *Id.*

On March 17, 2021, CNN published, via CNN.com, an analysis written by Stephen Collinson, with the headline, “New US intel report shows Russia, Trump and GOP acolytes have same goals.”⁶⁰ The article published the following false and defamatory narrative:

Moscow with its election meddling, Trump acolytes pushing false claims of voter fraud and his GOP supporters in the states now passing voter suppression laws share the same goal—the denigration of the US democratic system.

. . . readiness of former President’s men to use Russian misinformation in 2020. . .

. . . [Donald Trump] is using his sway over the party to force future Republican candidates to sign up to his big lie of widespread voter fraud.

From Trump’s lies about a stolen second term . . .

. . . false claims . . . by Trump.

Id.

⁵⁸ <https://www.cnn.com/2021/05/05/politics/what-matters-misinformation/index.html> attached as Exhibit 26.

⁵⁹ <https://www.cnn.com/2021/03/27/opinions/trump-big-lie-georgia-republicans-voting-restrictions-dantonio/index.html> attached as Exhibit 27.

⁶⁰ <https://www.cnn.com/2021/03/17/politics/trump-russia-elections/index.html> attached as Exhibit 28.



On February 20, 2021, CNN published an analysis, via CNN.com, with the headline “The ‘big lie’ on voter fraud is still with us.”⁶¹ The article was written by Zachary B. Wolf and alleges that there is “no evidence of widespread voter fraud in the 2020 election, despite what Florida resident Donald Trump says.” *Id.* That is a false and defamatory narrative.

On January 25, 2021, CNN published, via CNN.com, an opinion article titled “Trump’s big lie wouldn’t have worked without his thousands of little lies.”⁶² The article is written by Ruth Ben-Ghiat and alleges that “Donald Trump told a big lie loudly,” as well as the following false and defamatory statements:

This is Trump’s Big Lie,” a brazen falsehood with momentous consequences.

Trump, a leader of authoritarian intentions and tendencies, had disadvantages with respect to the foreign autocrats he so admires. He had no state media, like China's Xi Jinping. He could not rule by decree, like Hungary's Viktor Orbán. He had to govern and run for reelection in an open society with a relatively robust free press. Moreover, although he succeeded in making journalists into hate objects for many of his followers, he could not revoke or destroy the First Amendment.

So Trump took a different tack, unleashing a barrage of disinformation common in authoritarian states but without precedent in the history of the American presidency. He told more than 30,000 documented lies in public (30,573 was The Washington Post's final tally), on Twitter, at rallies and in interviews. If taken as an average, it would come out to 21 lies per day over his four-year term.

The Big Lie seemed convincing because Trump had been lying about American elections for years. He started drumming up suspicion about rigged elections in 2016, when it looked like he would lose to Hillary Clinton.

⁶¹ <https://www.cnn.com/2021/02/20/politics/what-matters-february-19/index.html> attached as Exhibit 29.

⁶² <https://www.cnn.com/2021/01/25/opinions/big-lie-ben-ghiat/index.html> attached as Exhibit 30.



It's the authoritarian way. . . Each lie deserves our attention as we seek to combat the mass disinformation that threatens our democracy.

Id.

On January 15, 2021, CNN published, via CNN.com, an opinion article written by Joe Lockhart with the headline, “Call out Trump’s big lie.”⁶³ The article falsely alleges that Donald Trump “continued with the big lie,” emphasizing that “the election was stolen from him . . .” and “never backed down from the lie of a stolen election.” *Id.* Such comments are defamatory.

On January 11, 2021, CNN published an article and video, via CNN.com, by Brian Stelter with the headline “Experts warn that Trump’s ‘big lie’ will outlast his presidency.”⁶⁴ The article is false and defamatory in that it quotes the author of *On Tyranny*, Timothy Snyder, who stated that,

[W]e are now moving dangerously towards the territory of a big lie . . . the idea that Mr. Biden didn’t win the election is a big lie. It’s a big lie because you have to disbelieve all kinds of evidence to believe in it. It’s a big lie because you have to believe in a huge conspiracy in order to believe it. And it’s a big lie because, if you believe it, it demands you take radical action.

Id.

On November 30, 2020, CNN published, via CNN.com, an article and video by Brian Stelter with the headline, “Fire of falsehood. How Trump is trying to confuse the public about the election outcome.”⁶⁵ The article quotes Ron Brownstein, who referred to “Trump’s conspiracy theory about the ‘rigged’ election” and alleges that it “gets more and more fantastical and far-reaching. . . .” *Id.* Such comments are false and defamatory.

There are also references to opinions regarding potential 2020 election fraud as a “firehose of falsehoods,” “propaganda tactic(s),” “disinformation campaign” and “denialism.” *Id.* Last, the article quotes news anchor Eric Shawn, who stated that “there is no evidence to prove [voter fraud]” and that “[e]xperts say such claims are simply

⁶³ <https://www.cnn.com/2021/01/14/opinions/trumps-big-lie-impeachment-lockhart/index.html> attached as Exhibit 31.

⁶⁴ <https://www.cnn.com/2021/01/11/media/trump-lies-reliable-sources/index.html> attached as Exhibit 32.

⁶⁵ <https://www.cnn.com/2020/11/30/media/trump-election-confusion-reliable-sources/index.html> attached as Exhibit 33.



unsupported falsehoods that are not backed up by any facts.” *Id.* Such comments create a false and defamatory narrative.

On November 30, 2020, CNN televised the show, “The Lead with Jake Tapper.” A transcript of that show demonstrates that Mr. Tapper made the following false and defamatory comments:

Outgoing President Trump is continuing his baseless lies about the election...

...

Nonetheless, President Trump and his team to continue to push forward these lies,
...

As mentioned above, CNN is estimated to have used the “Big Lie” phrase or to characterize President Trump as lying roughly 7,700 times during broadcasted television shows and repeats of those shows. These defamatory comments have continued even after the new CEO of CNN apparently urged production teams to stop.

Accordingly, I hereby demand on behalf of President Donald Trump that CNN (1) immediately take down the false and defamatory publications, (2) immediately issue a full and fair retraction of the statements identified herein in as conspicuous a manner as they were originally published, and (3) immediately cease and desist from its continued use of “Big Lie” and “lying” when describing President Trump’s subjective belief regarding the integrity of the 2020 election.

Finally, this letter also serves as notice to you and to your affiliated entities, officers, directors, journalists, correspondents, editors, employees, agents, assignees, and other persons acting on behalf of or in concert with you (collectively, “you”) to preserve any and all evidence related in any way to the abovementioned accusations you made and any other accusations that you have published regarding President Trump (collectively, “your accusations against President Trump”). By this letter, you are hereby directed not to destroy, conceal, or alter any paper or electronic files, physical evidence, and/or other data relating in any way, no matter how remote, to your accusations against President Trump, and/or the circumstances leading to their dissemination, including, but not limited to: (1) all communications between you and any third party in any way related to your accusations against President Trump; (2) all sources for your accusations against President Trump; (3)

⁶⁶ <https://transcripts.cnn.com/show/cg/date/2020-11-30/segment/01> attached as Exhibit 34.

