

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JENNIFER ECKHART and CATHY AREU,	:	
	:	
Plaintiffs,	:	Civil Case No. 1:20-cv-05593
	:	
against	:	
	:	
FOX NEWS NETWORK, LLC, ED HENRY,	:	
SEAN HANNITY, TUCKER CARLSON and	:	
HOWARD KURTZ, in their individual and	:	
professional capacities,	:	
	:	
Defendants.	:	
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**AFFIDAVIT OF TUCKER CARLSON IN SUPPORT OF  
DEFENDANTS’ RULE 11 MOTION FOR SANCTIONS**

I, Tucker Carlson, affirm the following to be true under penalty of perjury pursuant to 28 U.S.C. § 1746 and Local Civil Rule 1.9:

1. I have served in various capacities at Fox News Network, LLC since 2009. I am the host of *Tucker Carlson Tonight*, a top-rated primetime program airing on the Fox News Channel weeknights at 8:00 p.m. to 9:00 p.m. Eastern Time, among other duties. I am a defendant in the above-captioned matter. I am fully familiar with the facts and circumstances set forth herein and make this Declaration in Support of Defendants’ Rule 11 Motion for Sanctions.
2. On November 30, 2018, Plaintiff Cathy Areu appeared as a guest on *Tucker Carlson Tonight*. On that night, the program aired from one of Fox News’ studios in New York City—and not from Fox News’ Washington, DC bureau where it normally airs—

because I was in New York City with my wife to host a Christmas party for the staff of *Tucker Carlson Tonight*.

3. To the best of my knowledge, November 30, 2018 was the only time I have ever seen Ms. Areu in person, as before and after that date, her appearances on my program were only from remote locations, and not from the location where I am and from which the program airs.
4. I did not ask any of my staff to request that Ms. Areu stay until the end of the show on November 30, 2018 so that I could speak to her. Nevertheless, she stayed until the end of the show and spoke to me briefly. Immediately following the conversation, I departed the studio to attend the staff Christmas party my wife and I were hosting, which was scheduled to begin at 9:15 p.m., fifteen minutes after the end of my live show.
5. I did not change my clothes in the studio. I wore the exact same clothes to the staff party after the show as I wore on the air on November 30, 2018.
6. I attended the entire party and stayed that night in a hotel room with my wife.
7. At no time did I ever state to Ms. Areu:
  - a. that I “would only be attending [the Christmas party] for approximately 10 minutes to, ‘make a quick appearance’”;
  - b. that I “would be alone in New York City that night,” or that I “would be staying alone in [my] hotel room without any wife or kids”; or

c. that I was “interested in a sexual relationship” or any other words that could reasonably be construed as an “advance” on Areu;

as alleged in paragraphs 29-34 and 129-138 of Ms. Areu’s Complaint.

8. Exhibit A is a true and correct copy of my calendar entry for November 30, 2018, showing the airing of my program live from New York City, with Ms. Areu as a scheduled guest among others; the time and place of my staff Christmas party; and my hotel accommodations for the night.
9. *Tucker Carlson Tonight* did not air from New York City on December 10, 2018, which was the night of the Fox News Media company holiday party. Ms. Areu did not appear on *Tucker Carlson Tonight* on December 10, 2018.
10. I am a citizen of, and domiciled in, the State of Florida, and was on July 20, 2020, when this lawsuit was filed.
11. In the autumn of 2019, I decided to make Florida a permanent home and purchased a residence, after 25 years of renting a residence in Florida. The purchase date for the Florida house, which is near the residence that I had been renting, was January 7, 2020, six months before this lawsuit was filed. I began to furnish the Florida house on that date, and began to move personal items from my Washington, DC home to the Florida location in February.
12. I put my Washington, DC house up for sale in April of 2020. I accepted an offer to buy the property in May, and the closing took place on July 9, 2020, which was almost two weeks before this action was filed.

13. I had already finished moving my personal items out of the Washington, DC house in June, before the closing.
14. I have a Florida's driver's license, which I acquired on February 20, 2020. I have no other driver's license from any other state. I registered to vote in Florida on February 20, 2020 (the same day that I obtained the Florida driver's license).
15. My children are grown, and do not live with me.
16. My decision to make Florida my domicile was made prior to and independent of anything regarding this lawsuit or the plaintiffs.
17. Regardless of whether I own other property in which I may stay, the State of Florida is my true, fixed home and principal establishment, and when I leave Florida, I have the intention to return to it.
18. The fact of my Florida residency has been publicly reported in the press. Steve Collins, *Tucker Carlson plans to spend more time in Maine*, Sun Journal (July 21, 2020), <https://www.sunjournal.com/2020/07/21/tucker-carlson-plans-to-spend-more-time-in-maine/>.

Dated: 9-28-20

By: TSMC  
Tucker Carlson