

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

ROBERT O'NEILL

Plaintiff,

- against -

THE ANTIHERO PODCAST LLC d/b/a  
AntiheroPodcast.com and BRENT TUCKER and TYLER  
HOOVER and COUNTER CULTURE INC.,  
and TIER1PODCAST LLC d/b/a TIER-1 Podcast.com  
and JAMES ANDREW ARNETT

Defendants.

Index No.  
Date Filed:

**SUMMONS**

Plaintiff designates the County of  
New York as the place of trial

The basis of venue is CPLR §  
503(a)

To the above-named Defendants,

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney David M. Schwartz, Esq. within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if the summons is not personally delivered to you within the State of New York); and in the case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York  
November 6<sup>th</sup> 2025

Respectfully submitted,  
By: /s/ David M. Schwartz

David M. Schwartz, Esq.  
546 Fifth Avenue  
New York, NY 10036  
Tel. No.: (212) 461-0499  
[david@davidswartzesq.com](mailto:david@davidswartzesq.com)  
*Attorneys for Plaintiff*

To: AntiHero Podcast, LLC  
1636 N Ronald Reagan Blvd,  
Longwood, FL 32750

Tyler Hoover  
394 Westwind Court,  
Lake Mary, FL 32746

Brent Tucker  
16895 Wingspread Loop  
Winter Garden, FL 34787

The Counter Culture Inc  
c/o Tyler Hoover  
394 Westwind Court,  
Lake Mary, FL 32746

TIER1PODCAST LLC  
1636 N Ronald Reagan Blvd,  
Longwood, FL 32750

James Andrew Arnett  
10189 129<sup>th</sup> Ter.  
Largo, FL 33773

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

<p>ROBERT O'NEILL</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">- against -</p> <p>THE ANTIHERO PODCAST LCC d/b/a AntiheroPodcast.com and BRENT TUCKER and TYLER HOOVER and COUNTER CULTURE INC., and TIER1PODCAST LLC d/b/a TIER-1 Podcast.com and JAMES ANDREW ARNETT</p> <p style="text-align: center;">Defendants.</p>
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**VERIFIED COMPLAINT**

**JURY TRIAL DEMANDED**

Index No.

Plaintiff Robert O'Neill, individually, (hereinafter, "Plaintiff" or "O'Neill"), by and through his attorneys, the law offices of David Schwartz, as and for his Complaint against The Antihero Podcast LLC d/b/a AntiheroPodcast.com (hereinafter, "Antihero Podcast"), as well as another podcast operated under the name of Counter Culture Inc., and TIER 1 PODCAST LLC d/b/a TIER-1 Podcast.com and individuals Brent Tucker and Tyler Hoover and James Andrew Arnett (at times "Tucker" or "Hoover" or Arnett) hereby allege as follows:

**BACKGROUND**

1. This is an action for an intentional tort arising from Defendants Antihero Podcast LLC and Counter Culture Inc. podcast and Tier1podcast, LLC a/k/a Tier-1 podcast.com and Defendants Tucker and Hoover's (hereinafter, collectively referred to as "Defendants" or at times "Defendant Antihero Podcast") malicious and deliberate publication of false information regarding Plaintiff, accusing him, inter alia, of lying about his role in dispatching Osama Bin Laden effectively accusing Rob O'Neill of the most awful of offenses for a decorated military man who served with distinction and honor and been lauded for having courageously brought

the worst of terrorists to justice who was responsible for thousands of American deaths. They've accused him of a species of stolen valor and engaged in rampant conspiracy theories riddled with falsehoods and completely unfounded recriminations – but more about that later.

2. Suffice it to say that nothing could be further from the truth. For starters, Plaintiff O'Neill was a highly decorated former United States Navy SEAL operator before he was ever recognized for his central role in bringing bin Laden to Justice by now retired United State Navy Admiral Bill McRaven and by news organizations like Fox News and notable historians like Bill O'Reilly.

3. In fact, Rob O'Neill is one of the most highly decorated combat veterans of our time. He served in SEAL Team Two, SEAL Team Four and eight years at the legendary SEAL Team Six. Having taken part in and leading over 400 combat missions, O'Neill operated in Liberia, the Balkans, The Persian Gulf and Indian Ocean, Ukraine, Iraq, Afghanistan, and Pakistan.

4. O'Neill has been decorated 54 times, and his awards include two Silver Star Medals for gallantry in action against the enemy, four Bronze Stars with Valor to denote heroism against the enemy, a Joint Service Commendation Medal with Valor, A Navy and Marine Corps Commendation Medal with Valor, three Presidential Unit Commendations and three Combat Action Ribbons to name a few.

5. O'Neill is also the author of the Best-Selling Memoirs *The Operator: Firing the Shots that Killed Osama bin Laden and My Years as a SEAL Team Warrior*, as well as *The Way Forward: Master Life's Toughest Battles and Create Your Lasting Legacy*.

6. He is also co-founder of the Special Operation Transition Foundation, specializing in assisting Special Operation veterans with successful transition from service into their next great career in Corporate America.

7. Pointedly, CNN published an interview with retired Admiral William H. McRaven, who

oversaw Operation Neptune's Spear, where he specifically referred to Rob O'Neill as "*the SEAL that, in fact, shot bin Laden*".<sup>1</sup>

8. Admiral William H. McRaven<sup>2</sup> also in compelling detail unabashedly stands by the fact that Senior Chief Petty Officer Rob O'Neill was the man that issued the coup de grâce, putting down Osama bin Laden. Below is a condensed excerpt from Admiral McRaven highly acclaimed book *Sea Stories – My Life in Special Operations*:

Admiral William H. McRaven" We have a lead on bin Laden... [the Agency is planning a mission to get him... a ... special operations raid... he is a f-ckin mile down the road from their West Point]" . . . I am confident that once I get an assault force on the ground, we can secure the facility and capture or kill the high value target. ... We had gone over the rules of engagement. . . this mission is to capture or kill Bin Laden. Capture him if you can, but if he presents a threat at all, any threat whatsoever - kill him...Gentlemen, each of you has done hundreds of missions just like this one. This mission is no different ... The SEALs were clustered around the fire put. [Hard Rock] was blaring . . . most of the operators were adjusting their kits one final time . . .Gentlemen. . . I talked to the President yesterday . . . and he told me to pass on his thanks and appreciation for what you are about to do... I will move an assault force from the U.S to Afghanistan. The force will consist of 24 Seal operators, a CIA officer, 2 special modified Black Hawk helicopter + a military working day . . . we will launch the assault force + fly the 162 miles to the Abbottabad compound...the President has asked us to develop a raid option to capture or kill Bid Laden . . . [a] . . . plan that is executable. I ... [am] .. confident we could ... capture or kill Bin Laden... The President had made the decision. Operation Neptune's Spear was a go ... Gentlemen, since 9/11 each of you has dreamed of being the man going on the mission to get Bin Laden. Well, this is the mission, and you are the man. Let's go

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<sup>1</sup> McRaven, William H. (20 October 2020). "He oversaw the bin Laden raid. See what he says about Trump" (Interview). Interviewed by Tapper, Jake. CNN. Archived from the original on April 12, 2023. Retrieved October 1, 2023. Note as well that McRaven took O'Neill to task for breaching the SEAL's code of silence but has always consistently stated O'Neill deserved credit for killing bin Laden. O'Neill has stated he only breached the code of silence when confronted by 9/11 families hoping he could provide for them additional closure.

<sup>2</sup> 1. McRaven, William H (U.S Navy Retired 2019) *Sea Stories 'My Life in Special Operations Chapter Seventeen: Operation Neptune's Spear* pages 270-328"

get Bin Laden...we are two minutes from the target [one bird down]" The SEALs are continuing with the mission... shots fired! shots fired! ... one [enemy killed in action] EKIA ... explosions ... the SEALs blew down the hundred steel doors... shots fired! shots fired...The SEALs engaged another of bin Laden's men . . . Shots fired! Shots fired! I knew from the plan that the assault force was clearing the floors one by one ... I could see the dark figures of the SEALs as the methodically cleared the last of the compound...inside the compound a two-man element of an assault force had nearly reached the top floor, from behind a curtain separating the stairwell from the third floor. A shadowy force emerged; his dark eyes fixed on the men rushing up the stairway. The lead SEAL, his gun tucked firmly into his shoulder, finger on the trigger, fired toward the figure, but the rounds impacted high. Without hesitation, the SEAL stormed up the last few steps, through the curtain, and into the room. Inside, two young girls stood at the entrance. Nearly certain that the girls were wearing suicide vests, the lead SEAL threw himself on the young women to shield his partner from the blast. **Entering the room immediately behind, the second SEAL came face-to-face with a tall, thin man, who was using an older woman to shield his body. The second SEAL, Senior Chief Petty Officer Rob O'Neill, leveled his weapon and fired these rounds at the man, two to the head and one more for good measure. The tall man crumpled to the floor, dead before he hit the ground. "Sir, the squadron commander is on the radio... `This is Romeo Six Six. . .For God + Country, Geronimo, Geronimo, Geronimo. The hunt for the most wanted man in the world was over. We had gotten Bin Laden...Sir, everyone is out of the compound and headed back to Afghanistan... the Second Black Hawk left the compound with Bin Laden's body." [identity verified]**

9. In addition, Admiral McRaven affirmed as recently as October 24<sup>th</sup>, 2025, that

"I have been made aware that ... [Rob O'Neill and others] are being harassed on-line by influencers and podcasters who question the combat record ... of Rob O'Neill. The Navy SEAL's Commander in charge of the mission at the compound who was Rob O'Neill's boss, took me over to Rob O'Neill [immediately after he killed bin Laden]and said "Admiral, this is the man that killed Osama bin Laden." I immediately thanked Rob and told him that his life was about to change forever."

Admiral McRaven also stated in pertinent part that

“Immediately after the mission, no one on that SEAL team disputed the fact that Rob O’Neill had killed bin Laden. It was not in dispute that day when I talked to the SEAL Officer in Charge, not later that week when the news went global that it was this specific SEAL team and not in the next week when the President visited the team at Fort Campbell, Kentucky. Later that year when the notoriety and celebrity status of the SEALs became a global phenomenon, others claimed to have been the shooter. However, in the past 14 years since the raid, I have consistently and publicly acknowledged Rob O’Neill’s role in killing bin Laden and no one in the SEAL chain of command has ever raised concerns about the veracity of that fact. I said as much in my book “Sea Stories My Life in Special Operations” and I stand by that statement.” (See Exhibit A)

10. Best-selling author, historian and acclaimed news anchor Bill O’Reilly and his co-author, Martin Dugard and their research team extensively researched the Operation Neptune’s Spear mission and Rob O’Neill’s actions in killing bin Laden on that fateful day in May of 2011 and described the incident in O’Reilly’s best-selling book *Killing the Killers* released in 2022. O’Reilly described in minute detail how the invading SEAL Team saw Osama bin Laden’s safe house for the first time, how the dog was let off the leash to search for threats and how they blew the walls and steel doors and enter the compound.

O’Neill said, “We opened the doors, and I looked out.” Seeing the high walls and knowing what must be done to complete the mission successfully “O’Neill thought “This is some serious Navy SEAL shit we’re going to do.”<sup>3</sup>

11. O’Reilly and Dugard’s history book account is consistent with Admiral McRaven’s rendition:

Two rooms stand at the top of the stairs. A curtain conceals the entrance to one. A man with a long beard pokes his head out; he thinks he is invisible in the darkness. The SEALs immediately open fire. The man withdraws back into the bedroom, but his AK-47 pokes out around the

<sup>3</sup> *Killing the Killers - The Secret War Against Terrorists* by Bill O’Reilly and Martin Dugard, St. Martin’s Press: May 3, 2022 [page 11].

doorjamb. Two SEALs press their advantage, bounding up the stairs and throwing back the curtain. Two young girls stand in the room. One SEAL tackles them, fearing they are wearing bombs. Terrified, they cry out, having never been touched by a man not of their own family. "Sheikh," one yells toward the man with the beard. Now comes the standoff. One SEAL remains, staring into the eyes of Osama bin Laden, who is standing at the foot of the bed. His hair is cut short. Amal stands in front of him. Bin Laden keeps his hands on her shoulders, using the mother of his young child, who now sits sobbing just a few feet away, as a human shield. Amal is bleeding from one leg having taken one of the bullets fired from the stairwell. Osama bin Laden has had years to prepare for this moment. There is a chance he is wearing a suicide vest, or perhaps concealing a gun or knife, using his wife's torso to prevent the intruders foreseeing these weapons. Bin Laden is a man who hates Americans and would have no compunction about blowing himself up to take more American lives in his final act. The SEAL weighs all these realities. **So it is that Senior Chief Petty Officer Robert O'Neill raises his weapon high, to accommodate bin Laden's height. The barrel is aimed at a spot just over Amal's shoulder. The SEAL does not hesitate. The first bullet cuts a furrow through the top of bin Laden's skull. The second shot is insurance. So is the third.** The terrorist's tongue hangs from his mouth as his body goes limp. His head is blown apart. Other SEALs enter the room, having made their way up the stairs. One by one, they fire into the corpse, payback for those who died on 9/11. The message is radioed back to Jalalabad and then relayed to Langley and the White House. The acronym for "enemy killed in action" rockets hallway around the world. "we heard McRaven's and Leon's voices, almost simultaneously utter the words we'd been waiting to hear. President Obama will write "Geronimo, EKIA."

12. In addition, to Admiral McRaven's rendition of this Mission as well as O'Reilly's extensively researched history other SEAL Team Six Members have also sworn that O'Neill was the shooter.

For instance, [REDACTED] attests that "[d]uring the lead-up

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<sup>4</sup> This Seal Team Six Member has not authored a book on the Mission and as such has not received Navy permission to write about the mission and as such his Affirmation will be submitted to the court under separate cover and under seal. Members of the Mission team including Rob O'Neill who have gone public have been the subject of death threats by Jihadists and Islamicist Radicals. Additional Affirmations and Letters will be submitted to the court under seal to protect these veterans from harm.

and training for the mission, Rob O'Neill and I were on the same helicopter... Rob [] is well known for being the Tier One operator who shot Osama bin Laden [on this mission]...[after the mission] ... I saw Rob O'Neill ...I asked him who shot [bin Laden] and he said that he had done the deed...[he] recounted the actions on target as they were fresh in his mind. His story has not changed from what he shares today. After landing back in Jalalabad, Afghanistan, with the body, we saw Admiral McRaven and the CIA team ... McRaven said, "I want to shake the hand of the man who shot him," and we all agreed Rob was the man. The Admiral shook his hand. I'd known Rob for about twelve years at that point, and we never exchanged stories that didn't happen. It wasn't something we did. The actions on this mission were reviewed again at Bagram during a group debrief and in small groups on the return trip...[no one ever said] that another operator had shot Osama bin Laden ... other than Robert J O'Neill. **(See Exhibit C)**

Similarly, Will Chesney, another member of this storied team swears that he was

"conducting a search of a room on the second floor, ... [when] ... Chief Petty Officer O'Neill entered and stated directly 'I shot that f-cker in the face.' We continued our sweeps ... Approximately 30 to 60 seconds later, a radio transmission was made declaring, "Geronimo, Geronimo, Geronimo," confirming with 100 percent certainty that bin Laden had been ... killed. At that point, Rob and I ... paused to acknowledge and celebrate the successful completion of the mission's primary objective giving each other high fives before resuming our tasks...[and we] ... boarded the MH-47 and returned to Jalalabad, Afghanistan. Upon arrival, we were met by Admiral McRaven and members of the CIA team with whom we had trained. Admiral McRaven stated, "I want to shake the hand of the man who shot him," and the team affirmed that Rob O'Neill was that man. Admiral McRaven then shook his hand. At the time of the mission, I had known Rob O'Neill for approximately five years. He was a respected teammate, a trusted friend, and an exceptional leader—always willing to help and consistently leading by example. His actions during this mission were acknowledged during follow-on debriefs at Bagram and in smaller group discussions on our return trip. In these reviews, it was consistently recognized that Chief Petty Officer Robert J. O'Neill had fired the shots that eliminated Usama bin Laden."<sup>5</sup> **(See Exhibit B)**

13. It is clear then that although no one was in the room with Rob O'Neill when he killed Osama bin Laden all contemporaneous accounts acknowledge his role including the Mission

5 Will Chesney gave the same account in his book "No Ordinary Dog: My Partner from the SEAL Teams to the Bin Laden Raid" written by Will Chesney and Joe Layden © March 16, 2021. The content of his book was approved pre-release. His Affirmation is therefore not submitted under Seal.

Commander and his teammates. His peers and contemporaries acknowledge his role and his integrity and his honesty.

14. Indeed, it warrants noting that before his pivotal role in bringing Osama bin Laden to justice, Robert J. O'Neill served as a United States Navy SEAL from 1996 through 2012. Since then, he has been a frequent TV news contributor and author. O'Neill's story is an American story of service to country. It is a matter of record that O'Neill enlisted in the US Navy on January 29<sup>th</sup>, 1996, joining the Navy SEALs that same year. O'Neill reported to Basic Underwater Demolition/SEAL training (BUD/S) at Naval Amphibious Base Coronado and graduated from BUD/S class 208. It also must be recognized that O'Neill was a seasoned and decorated operator long before he and his mates received their bin Laden assignment.

15. For instance, he helped rescue SEAL Marcus Luttrell in Afghanistan as well as Richard Phillips from the Maersk Alabama hijacking. These missions were the basis of the 2013 films *Lone Survivor* and *Captain Phillips* and were the films that first brought O'Neill into the public eye.

16. He served with SEAL Teams Two (1996–2001), Four (2001–2004), and Six (2004–2012), and attained the rank of Senior Chief Petty Officer. Upon his discharge from the Navy on August 24, 2012 (after 16.6 years), O'Neill was still assigned to SEAL Team Six at Virginia Beach, Virginia and had six months and 15 days of sea service to his credit.

17. After his service in the US Navy, O'Neill began working as a motivational speaker. In addition, in 2015, he became a contributor to the cable news channel Fox News and has made frequent appearances on Newsmax TV.

18. Which brings us to the purpose of this suit. Any detective, prosecutor or defense attorney will tell you that if you interview half a dozen firsthand witnesses to a crime you will see a striking divergence in opinion as to what occurred based on the different vantage points and

perspectives of the witnesses, to say nothing of the subjective observations of those witnesses, which can be colored by their life experiences, preconceived notions, and their prejudices. It is to be expected that folks bring their perspectives to their testimony.<sup>6</sup> However, that perspective does not give anyone the right to maliciously and without foundation state that someone is a liar and a fraud and to maliciously mischaracterize the role that that individual played.

19. This is in fact what the Defendants have done attacking Rob O’Neill’s honesty and integrity and professionalism with wild abandon exhibiting a malicious and reckless disregard for the truth in order to aggrandize themselves and in order to secure clicks to their websites and podcasts and to funnel attention to their ‘YouTube’ channel by saying blatantly notorious and slanderous things about a true American hero who deserves our unwavering respect and appreciation – and not to have his reputation sullied by armchair generals and would be warriors who establish their reputations by attempting to tear down men of uncommon valor like O’Neill.

20. Two wrongs don’t make a right so while the Defendants have served and presumably may have done so honorably this does not inoculate them from a responsibility to undertake some basic due diligence before slandering O’Neill. Instead, the vaudevillians Tucker and Hoover actually brag about baiting O’Neill with their slanderous comments even to the point of shooting him a clip of a podcast where they slander his reputation and besmirch his valor.

21. The Defendants then triple down and republish their slanderous claims repeatedly despite the fact that even rudimentary due diligence establishes that O’Neill is recognized for his central role in dispatching Osama bin Laden with a triple tap to his head but years ago admonished for revealing that role. Even if other members of SEAL Team Six may have also

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<sup>6</sup> This is a phenomenon call the [Discrepancy of Perspective](#) . The **law of non-contradiction** states that “contradictory propositions cannot both be true in the same sense at the same time.” [However] if we understand the “discrepancy of perspective,” we can move ever closer to sorting through the differing accounts. Both witnesses [may be] truthful and accurate about what they saw from their perspective.

shot at bin Laden, O'Neill has never contended that he was the sole member of the team or disputed that other member of the team fired shots. He has only noted that that he was the member who had distinct honor and privilege of being the first to shoot and kill bin Laden.

22. Defendants in turn have further maligned O'Neill by taking various and sundry clips out of context of O'Neill to portray him falsely even going to the lengths of having them analyzed by a so-called body language expert, when in fact O'Neill initially only owned up to the kill shot anonymously. Indeed, but for having been overwhelmed by his exposure to the grief of 9/11 families and their need for closure would not have publicly said more about his role. This is why he had been generally unwilling to out or name his fellows or particularize their roles.

23. Indeed, taking ownership of his actions came at a great price. Following the disclosure that he was among the Navy SEALs who fired shots at Osama bin Laden and that it was his shots that actually killed Osama bin Laden, Robert O'Neill has been targeted by Islamic extremists. In October 2015, ISIS sympathizers reportedly identified O'Neill as a "number one target" after sharing his purported home address online.

24. In addition, the Naval Criminal Investigative Service (NCIS) launched an investigation into O'Neill in 2014 for potentially revealing classified information with regard to his public statements.<sup>7</sup>

25. To the extent Defendants rely on the thin reed of Matt Bissonnette's book, *No Easy Day*, which was actually written under a pen name, and which diverges from the account given by Admiral McRaven and by O'Neill, it warrants noting that even rudimentary due diligence would suggest such reliance is misplaced. For instance, a book review authored by Australian Army Lieutenant Jacob Choi which is still available online notes that

No Easy Day is one of the many stories told in the aftermath of the manhunt for Osama Bin Laden...Rather than delivering a

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<sup>7</sup> Notably, after a thorough investigation he was not charged.

full dissection of the raid to kill Bin Laden, Bissonette spends time lamenting bureaucratic stalling ... Readers seeking a memoir detailing the tactics of the Bin Laden raid may be disappointed to find that the author confirms what the media previously reported... The author has ... been identified as one of three assaulters who were first on the floor to see the dead Osama Bin Laden. However, his account has recently been criticized ... by some of his teammates and a number of Pentagon officials.”<sup>8</sup>

The New York Times Book Review published on October 19, 2012, stated in part that *No Easy Day* amounts to “a cinematic account of the raid to kill bin Laden”<sup>9</sup>

26. In addition, this “cinematic account” was never cleared with the Department of Defense and ultimately Bissonette was required to give the U.S. Government all profits and royalties from the book or any movie right as a result of his violation of non-disclosure agreements.<sup>10</sup> Yet Hoover and Tucker somehow conclude that O’Neill’s account was too cinematic. Indeed, insofar as *No Easy Day* was deceptively written under a pen name, arguably it also should have been seen, at least initially and at first blush as more of a sensational historical novel than as a reliable work of non-fiction.

27. In summary, given that Bissonette originally wrote under a pseudonym, this appears to be insufficient grounds for challenging O’Neill’s credibility without more. It certainly does not justify accusing the highly decorated O’Neill of dishonesty, particularly when his account is corroborated by Mission Commander Admiral McRaven. Admiral McRaven has consistently maintained that O’Neill delivered the fatal shot and has noted that no official briefing has ever

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<sup>8</sup> [Book Review - No Easy Day: The Firsthand Account of the Mission that Killed Osama Bin Laden | Australian Army Research Centre \(AARC\)](#)

<sup>9</sup> <https://www.nytimes.com/2012/10/21/books/review/no-easy-day-by-mark-owen.html>

<sup>10</sup> Washington (AP) <https://apnews.com/general-news-united-states-government-f51797e86ee54c6b82c9a21c7e364b80>

disputed O'Neill's role in bin Laden's death.

28. Indeed, while officials have disapproved of O'Neill's public revelation about mission particulars it remains that Admiral William H. McRaven, who oversaw the bin Laden raid, has consistently publicly confirmed O'Neill's account. At no time has the Department of War, as it is known today, or DOD as it was known then ever said otherwise.

29. The Defendants' unfounded and defamatory claims that O'Neill is a liar and fraud have damaged his reputation and career. Specifically, these allegations have reduced his speaking engagement opportunities and negatively impacted his business ventures.

30. Defendants knowingly and maliciously acted in a manner likely to be injurious to Plaintiff's reputation. Defendants' actions were outrageous, irresponsible, and despicable.

31. The intentional actions of Defendants caused Plaintiff to suffer a loss of his reputation, spoiling of his brand, loss of income and revenue, shame, mortification, and immense psychological and physiological harm, in addition to embarrassment, after being subjected to Defendants' false and egregious allegations.

32. Since time immemorial, it has been well understood that "[a] good name is rather to be chosen than great riches." Proverbs 22:1.1 Here, the Plaintiff has suffered general and special damages due to the Defendants' intentionally deceptive and bombastic language intended to mislead readers and discredit him by falsely refuting or casting doubt upon credentials he actually possesses.

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<sup>11</sup> The Honorable Phillip S. Stranieri, in *Technovate LLC v Fanelli*, 2015 N.Y. Misc. LEXIS 3394, 15 (Civ. Court Richmond County 2015), cited to Proverbs 22:1 before holding that this "court has determined that defendant's statements in regard to his honesty ... qualified as defamation per se entitling him to general damages without proof of special harm ... there is no need to produce evidence which assigns an actual dollar value to the injury."

**JURISDICTION AND VENUE**

33. This Court has subject matter jurisdiction over this action pursuant to Section 140-b of the New York Judiciary Law, which provides that the Supreme Court of New York has general jurisdiction.

34. Venue is properly laid in this Court as Plaintiff is a resident of Westchester County. Additionally, CPLR §503(a) also allows that "the place of trial shall be in the county...in which a substantial part of the events or omissions giving rise to the claim occurred..."

**PARTIES**

35. At all times herein referenced, Plaintiff Robert O'Neill was and is still an individual residing in the State of New York and County of Westchester.

36. At all times herein referenced, Defendant AntiHero Podcast, LLC was and is a foreign limited liability company organized and operating under and by virtue of the laws of the State of Florida, with its principal place of business located at 1636 N Ronald Reagan Blvd., Longwood, FL 32750.

37. Defendant AntiHero Podcast, LLC owns, operates, controls, and publishes an online talk show focused on military and police issues that disseminates information via the worldwide web.

38. At all times herein referenced, Defendants Brent Tucker and Tyler Hoover were and are employed by the Defendant AntiHero Podcast, LLC.

39. At all times herein referenced, Defendants Brent Tucker and Tyler Hoover were and are owners or members or officers of the Defendant AntiHero Podcast, LLC.

40. At all times herein referenced, Defendant Tier1Podcast, LLC was and is a foreign limited liability company organized and operating under and by virtue of the laws of the State

of Florida, with its principal place of business located at 1636 N Ronald Reagan Blvd., Longwood, FL 32750.

41. Defendant Tier1Podcast, LLC owns, operates, controls, and publishes an online talk show focused on military and police issues that disseminates information via the worldwide web.

42. At all times herein referenced, Defendants Brent Tucker is/was employed by the Defendant Tier1Podcast, LLC.

43. At all times herein referenced, Defendants Brent Tucker is/was an owner or member or officer of the Defendant Tier1 Podcast, LLC.

44. At all times herein referenced, Defendant Tyler Hoover resided at 394 Westwind Court, Lake Mary, FL 32746.

45. At all times herein referenced, Defendant Brent Tucker resided at 16895 Wingspread Loop Winter Garden, FL 34787

46. At all times herein Defendant the Counter Culture Inc. hosted and/or sponsored the Defendant AntiHero Podcast handling marketing and production and content and Defendant Brent Tucker was an officer of same.

47. Defendants are hereinafter collectively referred to as either "Defendants" or "Defendant AntiHero Podcast."

48. Defendant AntiHero Podcast, as an employer, is liable for the actions of Defendants Brent Tucker and Tyler Hoover under the doctrine of respondeat superior, as each were employees acting within the course and scope of their employment.

49. Defendant AntiHero Podcast describes itself as "a trusted source on the intersection of politics and media across the political spectrum."

50. Defendants Brent Tucker and Tyler Hoover are AntiHero Podcast's Editors-in-Chief and

the author of the "AntiHero Podcast" at issue in the instant suit.

51. At all times herein referenced, Plaintiff Robert O'Neill was and is still an individual residing in the State of New York and County of Westchester.

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53. Defendant Counter Culture Inc. was and is a foreign domestic corporation organized and operating under and by virtue of the laws of the State of Florida, with its principal place of business listed as 1035 Primera Blvd Suite 1041 Lake Mary, FL 32746.

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57. At all times herein referenced, Defendant Tyler Hoover resided at 394 Westwind Court, Lake Mary, FL 32746.

58. At all times herein referenced, Defendant Brent Tucker resided at 16895 Wingspread Loop Winter Garden, FL 34787

59. At all times herein Counter Culture Inc. hosted and/or sponsored the AntiHero Podcast handling marketing and production and content and Defendant Brent Tucker was an officer of same and Defendant Tyler Hoover is upon information and belief President and/or founder of

Counter Culture Inc.

60. Defendant James Andrew Arnett a/k/a Jimmy Arnett is an officer or employee of Counter Culture Inc. and resides at 10189 129<sup>th</sup> Ter. Largo, FL 33773

61. Defendants are hereinafter collectively referred to as either "Defendants" or "Defendant AntiHero Podcast and/or Defendant Tier1 Podcast, LLC and or Defendant Counter Culture Inc., or at times the podcasts or podcast hosts or podcasters.

62. Defendant AntiHero Podcast, as an employer, is liable for the actions of Defendant Brent Tucker and Tyler Hoover under the doctrine of respondeat superior, as they were employees acting within the course and scope of their employment.

63. Defendant AntiHero Podcast describes itself as "a trusted source on the intersection of politics and media across the political spectrum."

64. Defendant Brent Tucker and Tyler Hoover are AntiHero Podcast's Editor in Chief and the author of the "AntiHero Podcast" at issue in the instant suit.

65. Defendant Counter Culture Inc., as an employer, is liable for the actions of Defendant James Andrew Arnett under the doctrine of respondeat superior, as they were employees acting within the course and scope of their employment.

66. Defendant TIER1PODCAST LLC d/b/a TIER-1 Podcast.com as an employer, is liable for the actions of Defendant Brent Tucker under the doctrine of respondeat superior, as they were employees acting within the course and scope of their employment.

### **FACTUAL BACKGROUND**

67. O'Neill, before the Defendant's systematic campaign to defame and slander Plaintiff Robert O'Neill was a highly sought after speaker at corporate events and corporate retreats. He was also a major news media contributor, an author and television personality.

68. The misleading and wholly false statement that O’Neill, is a liar and fraud and that O’Neill did not shoot bin Laden<sup>12</sup> is clearly intended to attract attention to Tucker and Hoover’s Antihero YouTube show and Tucker’s Tier-1 podcast knowing that only Bissonnette, who wrote his book under a pen name, has come forward with a slightly divergent narrative. Likewise, Arnett’s wild and false accusation about supposedly burner phones is of the same ilk. Knowing all others were sworn to secrecy Tucker and Hoover and Arnett set out to besmirch and destroy O’Neill’s reputation to advance their own notoriety, improving their clicks and their bottom line.

69. The foregoing statements alone are false, defamatory, and intentionally misleading averments about O’Neill.

70. These media personalities betray their malice toward O’Neill by repeating and republishing debunked lies about O’Neill that have been roundly refuted by Admiral McRaven who was responsible for the mission.

71. Each jot of each sentence drips with the malice and disdain held by the Defendants toward the Plaintiff and instructs their reckless disregard of the truth.

72. Even rudimentary due diligence would have afforded the publishers of these clips and YouTube hit pieces with this information. O’Neill has laid plain his report on what transpired when SEAL Team Six took bin Laden down. Admiral McRaven has confirmed O’Neill’s rendition of the events and expressly stated... Rob O’Neill is "the SEAL that, in fact, shot bin Laden".

73. In the face of same accusing O’Neill of lying isn’t just rank speculation or simply a reckless disregard for the truth. It is a clear-cut case of malicious cherry picking of facts to

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<sup>12</sup> Among such statements were those made on the Antihero Podcast such as “Rob Oneill who did not Kill bin Laden...[and]..I’d be as big a liar as Rob O’Neill” While made on August 9<sup>th</sup> 2023 it continues to be posted and is effectually refreshed repeatedly by alluding to it directly and indirect.

portray O'Neill in a false light and to malign him in order to give their podcast dubbed after all Antihero some saliency and currency.

74. On their podcast, these individuals present themselves as experts and state opinions as established facts. Their audience accepts these assertions as factual based on the hosts' purported credentials, when in reality many of these claims are unverifiable conjecture rather than established fact. While Bissonnette may have had a right to publish a divergent point of view contrary to Admiral McRaven's and O'Neill's, and it may have been fair game for Hoover and Tucker to rebroadcast same, they had no right to call O'Neill a liar and sully his reputation simply because Bissonnette felt that the team or someone else riding point should have been given more credit for the kill when in fact no one has ever disputed that O'Neill issued the coup de grace.

75. Indeed, we know for a fact that Admiral McRaven and others affirm that no one came forward at any of the mission debriefings and offered anything divergent from Admiral McRaven and O'Neill's narrative.

76. Pointedly their Podcast masquerades, as if it is undertaking an investigative review yet made no immediate or serious attempts to reach out to O'Neill for comment occurred before their libelous and running commentary. Not only did the Antihero Podcast not round out their coverage with a request for comment from the US Navy or from Admiral McRaven<sup>13</sup> or from

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<sup>13</sup> Neither did they reach out to Operation Neptune's Spear Members like Will Chesney who wrote No Ordinary Dog and stands by Rob O'Neill's professionalism and his integrity as do [REDACTED] and [REDACTED]. While most members of the team clearly prefer anonymity those that have come forward and had their books cleared by DOD like the Admiral and like Chesney vouch for Rob O'Neill's honesty and integrity and have indicated that O'Neill's narrative was never refuted in debriefings provided close in time to the mission and the kill and in fact was the rendition given to DOD, CIA Director Panetta, the CIA and President Obama in real time.

other team members like Will Chesney or [REDACTED] but they also omitted any reference to the Admiral’s public statements confirming that O’Neill deserved the credit for shooting Bin Laden, thereby establishing a malicious disregard for the truth and intent to discredit and pillory O’Neill.

77. While it is true that most SEAL Team Six members are disinclined to tell their stories when folks like Defendants Hoover and Tyler or Arnett besmirched O’Neill’s good name, they were ready willing and able to attest to his role and his integrity (See Statements annexed as **Exhibits A through I**).<sup>14</sup> It stands to reason then that rudimentary due diligence and a modicum of effort would have established that O’Neill had consistently told the same story from inception and that no one in the chain of command doubted it or refuted it.

78. Defendants' statements are, therefore, patently, and unequivocally false and/or show a reckless disregard for the truth and evince malice. Had Defendants employed even perfunctory research they would have quickly discovered that their assertions were outright wrong, and they should not be repeating relying on Bissonnette’s unvetted account without at least appropriate caveats or compounding them with their own lies and slander.

79. To add insult to injury, Defendants entirely ignored information readily available to them from highly credible sources, i.e., Admiral McRaven and other members of the team explaining, in sum and substance, that O’Neill was in fact the man who dispatched Osama bin Laden on that fateful day in May of 2011. Defendants knew this or had reason to know this but

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<sup>14</sup> Affirmations from Tier One operators are included as Exhibit C which will be submitted to the Court redacted with a request that they be sealed since Jihadists are still gunning for them. Equally famous Security Operator Tiegen’s statement is provided herein as Exhibit I. He points out that “the AntiHero Podcasters did to Rob O’Neill exactly what they did to me and to my team...These public accusations have caused real harm...to our reputations and to the credibility of every man who risked their lives in service to country...[and t]he statements made by the Anti-hero Podcast concerning ...Operation Neptune Spear are reckless ...and categorically false.”

proceeded to publication because they were in love with their slanderous angle. Defendants' reckless disregard for the truth displayed by the expressly false statements-and, indeed, the tenor of their entire string of invective filled YouTube tapes and clips, as a whole, make it apparent that Defendants' intent was to maliciously discredit O'Neill, irrespective of--and likely in spite of-the truth.

80. In warrants mention that Defendant Tyler Hoover is a retired deputy sheriff and U.S. military veteran and uses these credentials to give an aura of credibility to his pronouncements on the AntiHero Podcast. But what about his credibility and reputation for integrity? Understandably, he does not lead with the fact that he left the force under a cloud with Internal Affairs investigating him for wife-beating and allegedly for soliciting prostitutes.<sup>15</sup>

81. On the other hand, Defendant Brent Tucker is also a former Green Beret and Delta Force Operator. It is hard to fathom why someone who is known for discussing topics like mental health of first responders and veterans and promoting veteran-owned businesses opted to target an American Hero like O'Neill turning him into click bait to drive attention to his podcasts but he did and continues to do so.

82. At no time prior to, during, or after the publication of these false allegations did O'Neill ever authorize or consent to the disclosure of these false statements, or the dissemination, publication, or exploitation of the YouTube tapes and clips in any manner whatsoever. On the contrary, O'Neill finds the publishing of these false allegations to the internet to be outrageous and egregious.

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<sup>15</sup> Daytona Beach Journal News – Journal by Patricio G. Balona October 18, 2025 [Ex-deputy accused of abusing wife could not be charged because too much time had passed](#) (See also Orange County Sherriff’s Office Criminal Investigative Report dated May 15, 2025, Case No. 25-0278951 Event No: 2025-00853 Defendant Tyler Hoover, Offense Soliciting for Prostitution, Lewdness, or Assignment)

83. Numerous additional media outlets have found the YouTube clips posted on Defendants' website and posted links to it, thereby perpetuating the lies and exposing millions of people to the false allegations made against O'Neill. As a natural and foreseeable consequence, Defendants were unjustly enriched insofar as a massive audience was drawn to its website, and YouTube outlet allowing Defendants to reap tremendous revenue and profits. Such benefits are a direct result and clearly to the detriment of the reputation and goodwill of O'Neill.

84. As a natural and foreseeable consequence of Defendants' actions, O'Neill's goodwill, commercial value and personal brand have been substantially and irreparably damaged. The commercial value of Plaintiff's name, image, identify and persona has been, and continues to be, substantially diminished by Defendants' actions including, but not limited to, the unauthorized posting, publication, distribution and dissemination of false statements made against Plaintiff, which have been received unfavorably by the public and by the podcast's negative portrayal of Plaintiff. Defendants' conduct has irreparably damaged Plaintiff's reputation and brand and legacy, which Plaintiff has worked tirelessly over the course of many years to develop.

85. In addition to the foregoing, Plaintiff has suffered, and continues to suffer, tremendous psychological distress and embarrassment. His life was abruptly interrupted by the unlawful actions of the Defendants including the continued display of these Podcasts on Defendants' website.

86. Defendants' conduct manifests a knowing and/or reckless disregard of the falsity of the statements contained in the AntiHero and Counter Culture and Tier1 Podcasts, as well as a depraved indifference for Plaintiff's emotional wellbeing. Had Defendants simply researched the allegations contained in these podcasts before prematurely publishing it, these podcast

would never have been published. Defendants failed to perform even basic due diligence, and, therefore, had no reasonable basis to publish the myriad false statements contained in these podcasts.

87. Plaintiff believes and alleges thereon that unless enjoined and restrained, the Defendants will continue to publish, distribute and disseminate these podcasts. The continued publication of such false, defamatory, and libelous statements will continue to cause Plaintiff severe emotional distress and other irreparable harm for which there is no adequate remedy at law.

88. So, what did defendants say and when did they say it? Some of this is provided by way of background to give context to later statements and much of it despite the initial date(s) has been subsequently republished by the Defendants thereby refreshing it for purposes of the statute of limitations.

89. On August 9, 2023, in their podcasts<sup>16</sup> the two individual Defendants stated in pertinent part:

Brent Tucker "Besides the Rob O'Neill who didn't kill bin Laden [He didn't kill Bin Laden?] ... No he didn't kill Biden Laden! .. It is the worst kept secret in all of special ops... Beside the .. I am not going to say Oh yeah I was on the mission **..I'd be as big a liar as Rob O'Neill** ...I worked with a lot of these guys ...still friends with some of them and specifically the red squadron guys whose mission it was and you'' never meet one, when you go "hey you know Rob O'Neill and they go ...oh yeah he's a great guy he killed Osama Bin Laden [shakes head] ...they won't do it ... they'll either be very professional about it and be like ...yeah I know the guy ...which is all you need to know about what someone thinks about a guy ...ah or they may say it ...ah I kinda wish that community would finally do something about that ...ah come our more publicly and denounce that there very professional community ah as a whole and they 're too professional to do it ... but we all know..."

64. On August 29th, 2023, on a Podcast dubbed ANTIHERO #37<sup>17</sup> Rob O'Neill - The Web of Lies and republished as late as June of 2025 the following is excerpted.

<sup>16</sup> 8-9-23 Antihero.com <https://www.instagram.com/p/CvuU61Dg-uC/>

<sup>17</sup> 8-29-23 Antihero.com <https://www.instagram.com/p/Cwh8xJzqKea/>

Clip from a previous O'Neill interview with Joe Budden on  
**September 16th, 2022**

Rob O'Neill "I want two more ... he had already taken a shot ...a... before I got there ...

Joe Budden: Your Man?

Rob O'Neill: Yeah, my guy took a shot up the stairs and I don't ya know ...that's for him to tell ... his story

Joe Budden: Of Course ...

Rob O'Neill: um

.....

Brent Tucker: "I don't know , that's his story to tell, that's his story to tell...I don't know that's probably ... or he'll say this way um...he'll probably tell that story differently, that's his story to tell ...I have never been confronted about a story of mine on target and not just said that's how it happened...I've never left that wiggle room to go...well but he may have a different story... It almost seems as if he doesn't think Reds even going to talk but just in case Red talks here's... here's the ...

Interviewer 2: Here is the disclaimer

Brent Tucker: ... I have the disclaimer right ...now again he is so confident on everything but **when it comes to Red at this moment and several episode ... several interviews he gets very wishy washy and leaves the door open** ...for controversy and says well that's his story...he may have a different story. **Why would he have a different story, Rob?** You're right behind him. You're the Two man according to you. You guys should have the same story...Were not talking about you two splitting off and going into different directions ... right now you two are looking at the same thing at the same time in a small stairwell which is only one way to look. There should be no second version of this story. Again, the truth ...its hard, it's hard to keep together when you veer off of it...

90. On August 30, 2023, in a podcast slanderously labeled ANTIHERO Rob O'Neill – The Web of Lies<sup>18</sup>

Clip Excerpt: Shawn Ryan Show Episode #27 dated June 6th, 2022

Shawn Ryan: So you knew him ..

Rob O'Neill: Right Away right way ...yep

Shawn Ryan: No shit

Rob O'Neill: ... his beard is grey ... His beard has got some grey in it.

Slowed Down Clip - distorted for Special effect ... Rob O'Neill:

<sup>18</sup> 8-30-23 Antihero.com <https://www.instagram.com/p/CwkugwwIHGk/>

Hisssssss bearddddd isssss greyyyyyy.

Clip Excerpt: Matt Bissonette Seal Team 6 Aired September 9th, 2012, featured:

Bissonette: He looked way younger than I thought he was gonna be. His beard wasn't grey at all. I studied lots of photos of him and they were always grey. His beard was dark black.

Brent Tucker: He goes on to say I can see his face. I can see how skinny he is...He goes on to say I can see the grey in his beard ...Wait a minute. Is there grey in his beard? That's the problem ...all these pesky facts. Matt Bissonette for absolutely no reason ...has already said he had a jet-black beard ...but I say no reason...

Interviewer 2: He had no reason to lie about it...

Brent Tucker: He had no reason to add that in ...but it makes logical sense of why the most wanted man in America would want to change his beard color from grey to black but Rob forgets this...

91. In the previous video Tucker seems intent on establishing that Red, who led point on the

Mission, was followed by O'Neill who was right behind him at every step and so at the time of the kill there should be no divergence in their story, yet in his view O'Neill seems to be issuing qualifiers in case Red comes forward with a divergent story. Tucker simply asserts this without evidence. Now he quibbles about the Beard color of the dead terrorist based on Bissonette's 2012 impressions versus O'Neill's for what reason? Simply to impeach O'Neill's credibility? If Tucker's position is that Red should be credited with the kill and that O'Neill simply tripled tapped the already mortally wounded Terror Chief what does that have to do with the Terrorist's beard color and specifically O'Neill's capacity to recall this detail versus Bissonette's 2012 impressions? This shows malice and an attempt to cast O'Neill in a negative light without any concern for the actual truth. It is absurd.

92. On September 1, 2023, on another Antihero Podcast dubbed yet again ANTIHERO Rob O'Neill – The Web of Lies<sup>19</sup> the following was released:

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<sup>19</sup> Antihero.com 9-1-23 <https://www.instagram.com/p/Cwp9AW-ri8N/>

Clip Excerpt: Shawn Ryan Show Episode #27 dated June 6th, 2022

Rob O'Neill: And one of my guys came up to me and said "um are you good and I said No..No what are we supposed to do now? And he said ...now we find the computers. We do this every night...hundreds of times and I said ya you're right. I am back. Holy shit and he said to me ya you just killed Osama Bin Ladin ...your life just changed now get to fuckin work.

Brent Tucker: He forgets his job. He shoots a guy in the face three times mows a kid and then he's.. he's overwhelmed. He doesn't know what to do. He doesn't know that every mission in his life when the mission is over that you go to SSE. Do you find that to be odd that he just forgets his job? I have never shot a guy on target and had and had one of my lower IC men come up to me and like ...you good? You just killed a terrorist. Are you O.K. Brent? It's what we are there to do. It's what he has done a lot. I believe Rob's killed a lot of people. I believe he's been proud of probably every kill, as he should have, but now he doesn't know what to do and it does make ...when you hear, and you hear as a story you don't think anything of it. When you hear this story as a Tier One operator absolutely not."<sup>20</sup>

93. So, what are our Defendant critics up to with this line of inquiry? Tucker's supposed disbelief that O'Neill would have been momentarily fazed after killing this enemy of the state responsible for killing thousands of Americans would have been momentarily unsettled just because he was a Tier One operator is patently absurd. He is clearly intent on impeaching O'Neill's credibility solely to aggrandize himself.

94. Like a dog with a bone, these hucksters keep at it. On September 2, 2023, the following day in a podcast entitled ANTIHERO Rob O'Neill – The Web of Lies<sup>21</sup> the following is posted and remains posted to this day.

Clip Excerpt: Shawn Ryan Show Episode #27 dated June 6, 2022.

Rob O'Neill: I shot him again on the floor and then I moved AM-all [sic] out of the way so I can hear bin Laden taking his last breath.

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<sup>20</sup> Supra Footnote 17

<sup>21</sup> Antihero.com 9-2-23 <https://www.instagram.com/p/CwsgFkyri7f/>

Brent Tucker: He says he shoots him in the face twice, once on the ground, for a third time and then he watches him ...goes-back to-a-little Show Time Rob ... watches him take his last breath. We shoot people in the face because it gives us what we call a central nervous system shut down.

It immediately cease everything. The best thing you will get is maybe an involuntary switch ah ah twitch. Generally speaking, you shoot someone ...especially 3 times ...these type of special rounds these guys use...I haven't seen anything but just people drop and not another movement and so now you telling me ...he didn't just like crumple to the ground. He is in this position [Tucker's body language effects stiffness] and you're just staring and looking over his body and he takes this movie like last breath that, it's almost like you know .. a cut scene [sigh inhale -exhale for emphasis /effect] ...

95. Tucker is evidently intent on describing everything that O'Neill describes as if it is incredulous, likening O'Neill's reflections on these episode as if these reflections are too cinematic and therefore suspect. Invoking his own supposed expertise as a Tier One operator he seems to be casting doubts over a SEAL standing over the body of the #1 Enemy of the State and making sure he was dead and making sure he had gasped his last breath, like killing Osama bin Laden would be a banal affair no different than killing generic terrorist X or Y or Z. In so doing Tucker shows his malicious intent and his reckless regard for the truth. His rampant speculation on its face is geared toward proving O'Neill could not have killed bin Laden even though he previously admits O'Neill surely killed lots of people on lots of missions.

96. Then on April 22, 2024, in a podcast dubbed more simply as ANTIHERO O'NEILL<sup>22</sup> our duo of detractors release a podcast which they present as closed captioned in bold overlay type to create a YELTING effect for Rob O'Neil is starting to publicly backpedal his story

<sup>22</sup> Antihero.com 4-22-24 <https://www.instagram.com/p/C6EWCLaLVCg/> (This a complete falsehood because O'Neill has NEVER changed his story)

Brent Tucker: I saw that...

Tyler Hoover ..He is going from saying that he was the one that killed Osama bin Laden with da two rounds and a round to the body or something like that ...was very specific with his rounds ...now he is going on an outlet saying his team killed and that he shot bin Laden ...None of that was ever debated.

Brent Tucker: No that's right was never debated. That was exactly what Matt Bissonette has been saying the whole time...You were just the last guy to put a round in bin Laden and that's where his original story and now his new story drastically differ[s].

97. The co-hosts of this podcast are consistent in one regard, and that is they consistently show a reckless disregard for the truth. In earlier podcasts they referenced Rob having shot bin Laden in the face at the same time that they seemingly casting doubt on this historical fact by making it sound incredulous that he would have stood over the slain terrorist and watched his breath his last and before that - that Rob was momentarily befuddled after the weight of this momentous kill settled in.

98. Now Hoover misrepresents Rob being magnanimous and crediting his team with being part of the kill while referencing the fact that he in fact shot bin Laden as somehow "publicly backpedal[ing]" and somehow a "drastically differ[ent story]" again creating the misimpression O'Neill is a liar and that O'Neill is effectively guilty of a species of stolen valor. This is both completely untrue and highly offensive and designed to sully O'Neill's professional reputation. In point of fact Rob O'Neill has always given his entire team credit from the CIA agents who found bin Laden to the pilots that flew them to and from Pakistan, to the President for choosing SEAL Team Six to eliminate the terrorist, to Admiral McRaven and, of course, to every member of the team for working together to kill the man responsible for 9/11.

99. Through this elaborate pantomime Tucker and Hoover are taking bows for supposedly exposing a truth when in fact the only thing 'never debated' as they put it, was that O'Neill was

a member of SEAL Team Six and SEAL Team Six had a mission to apprehend or take out bin Laden and did so. It is equally true that Admiral McRaven congratulated him for the kill immediately after the mission. In short, they've exposed absolutely nothing except for their relentless jealousy.

100. Since they were not lucky enough to go on such an august mission however laudable their service may have been, they've now resorted to slandering and besmirching the character and reputation of an American Hero with silly little petty jabs and jousts and innuendo and unearned invective that collectively cast Rob O'Neill in a false light based on no hard evidence while turning their assault on him into a cottage industry. It seems as if they are attaching undue meaning to the fact that when writing an autobiography about this mission or being interviewed about it – especially close in time to the momentous act he would focus more on his role since that is what folks wanted to hear about. However, in all his public speaking engagements including those as a Keynote Speaker he routinely talks about the importance of teamwork, team members and planning. Rudimentary due diligence would disclose this fact.

101. Thereafter on September 13, 2024,<sup>23</sup> in their Podcast dubbed ANTIHERO O'NEILL they engaged in such open malicious schadenfreude relishing the fact that because their relentless slanderous attacks cost O'Neill his business and his reputation as follows:

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Overlay: Photo of O'Neill's Mugshot with August 23rd, 2024, date

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Tyler Hoover Rob O'Neill is in the news though...  
Brent Tucker: Yes!!! ... [exuberance in intonation!]  
Brent Tucker: Rob O'Neill!  
Tyler Hoover: He resurfaced  
Brent Tucker: He is in the News!

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<sup>23</sup> Antihero.com 9-13-2024 [https://www.instagram.com/p/C\\_3CPiruokP/](https://www.instagram.com/p/C_3CPiruokP/)

## Clip Rolls:

O'Neill: "Because of an allegation like this I've lost a ton of business and now it's just dried up."

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Tyler Hoover: The Clip came right when we did this where Brent said ...

Overlay Text: August 9, 2023, Delta Force Calls Out Rob O'Neill

Brent Tucker: Rob O'Neill who didn't kill Bid Laden and I said it here...

Tyler Hoover: giggles hahahahahaha ..that the story...

Tyler Hoover: Hahahahahaha

Female Voice; Did he or did he not?

Brent Tucker: No, he didn't kill Bid Laden!

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Tyler Hoover: It got to him and he spiraled out of control on a weekend where he was out doing a podcast. He got belligerently drunk ah and then called the bouncer, the N word even though he was an old white guy.

Overlay tweet from Rob 'Neill @ mchooyah

"I categorically deny ever using this horrible language recently reported"

Tyler Hoover ...hahahahaha

Brent Tucker .....?

X Speaker: I think he was arrested for drunk and disorderly ...I mean you got to be drunk and disorderly to be Rob O'Neill and get arrested by the cop.

Brent Tucker: yeah, How long ago did that happen? Eight months ago ...A year ago...

Brent Tucker: The reason he's doing the lawsuit is saying that it derailed his career. If that's true I would have, I would have sued you day one.

X Speaker: I am assuming his lawyer was like ...hey we gotta wait for the actual criminal charges to go away so that way it builds credibility.<sup>24</sup>

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<sup>24</sup> Supra Footnote 21

102. A number of things are illustrated by this hodgepodge of clips. The first is the evident

glee shown by the hosts over O'Neill having been arrested for intoxication.<sup>25</sup> Who laughs at this kind of misfortune – let alone that of a fellow veteran? Why would one take such schadenfreude style glee over a fellow veteran's unfortunate circumstance? The US Department of Veteran Affairs reports that more than 1 in 4 US veterans consumed alcohol at the at-risk-to-excessive level. This alone demonstrates malice toward O'Neill. More importantly the hosts gleefully link

their previous podcast statements with O'Neill's supposed "Spiral[ing] out of control" taking great pleasure in his loss of business and standing. Putting aside that 1 in 4 veterans drink to excess who would not feel depressed and crestfallen if individuals outside of their reach were falsely sullyng your good name, besmirching your character by alleging your fame was not earned and was based on a lie and you could not easily set the record straight because everyone on the relevant mission was sworn to secrecy. How do you prove a negative?

103. In June of 2025 in a Podcast dubbed Antihero Squadcast, Tucker reaffirmed his mendacious and unfounded nonsense against O'Neill by referencing his earlier podcasts and specifically by referencing their August 29, 2023, in a Podcast dubbed ANTIHERO #37 Rob O'Neill – The Web of Lies (See Squadcast Live June 5, 2025, podcast).

104. Among other things they said:

Brent Tucker: "Then if there is no confirmed kills, yes, we well, it's not official, like unofficially. Uh, we, we track them usually the pink mist is a good indicator but hey, I've come back from missions where, like, uh, a guy walked out of the you know the front doors we were approaching and three different people shot him and at like, literally the same time, and all three are going to go. That's my kill. As it should and if you added up Brent the Tucker, Rob O'Neill, that's what I'd call a Rob people are right. They were like six people killed that night.

<sup>25</sup> No charges were ever filed. Tyne says we're how do you stop that? What if you're the fourth guy in and shot him when he was already dead on the ground? Then

the story that you were the only one in the room and killed him, uh, twice in the head when he was standing up and then twice in the head when he was on the ground that's a confirmed RO."<sup>26</sup>

105. The inconsistency in Tucker's position betrays his jealousy and the malice he feels for O'Neill and reckless regard for the truth. He is okay with operators claiming kills based on pink mist even if the kill count is inflated, but somehow O'Neill's integrity and honesty is fair game for sharing exactly as he recalls how a kill went down.

106. Adding insults to injury Tucker and Hoover in a trip down memory lane effectively acknowledge they grew their podcast on O'Neill's back.

Brent Tucker: ...I'll tell you why I put it up for discussion ... we started doing some of these episodes before Rob ... The standards are the standards...But it's different once you walk down that road and you feel the massive amount of backlash that comes with telling the truth.

Tyler Hoover: It was, I think. I think surviving Rob O'Neill I don't want to say gave us credit, but we survived the Rob O'Neill because, like you said, it was a 50-50 about people saying like, why do it? Why start this drama? Why are you guys doing this? You know he's an American hero and you know 99.9% of everything he did was fucking amazing and better than most men. And we just happen to talk about the one thing why?

Mike Dilks: why it's on him, to me, it's on him not to, not to take that point one percent and turn it to shit. He could have been a hundred percent across the board why, fabricate, or why tell a story for your own personal gain? ... right, gives **the, gives someone the opportunity to taint your reputation or to call you a liar.** And it be true. So why? At a high that? And I always say that about you guys. You guys operate at such a high level. You are already the top 1% of Americans to ever be born. Why fabricate any of that?<sup>27</sup>

Brent Tucker: when you're already there. Well, I'll tell you, and me and Jay had this conversation before the live. I'll tell you and me and Jay had this conversation before the live, because if you're just in the room and Red already killed Osama bin Laden which is what happened Matt Bissonnette said it in his book you won't find a SEAL Team 6 guy with a different story, except for

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<sup>26</sup> Antihero.com <https://www.youtube.com/watch?v=4o-jsluUjA>  
Squadcast (Live) 06/05/2025 01:37:11 – 01:37:45

<sup>27</sup> Supra Footnote 24 Squadcast (Live) 06/05/2025 01:55:23 – 01:57:50

Rob O'Neill, Because unless you're the only guy that killed Osama bin Laden, that's the guy who gets to go shooting with Kid Rock. If you're the only guy that killed Osama bin Laden, that's the guy who gets to go shooting with Kid Rock. If you're the only guy that killed Osama bin Laden, that's the guy that gets \$50,000 speaking engagements. You know what, though? If you're the only guy because Matt told the truth, most people don't know Matt Bissonette's name, because he told the truth, and the truth wasn't good enough to give you rock star status.

Mike Dilks: Being the only guy in the room and you personally, with no one else around you that gave him rock star status, whether it was the truth or not, because it's not the truth, but I had this conversation on the way here with my former lieutenant and we said I would never be able to sleep at night knowing I sold out or lied to get that I would rather watch you or you get what you deserve for doing the job and be happy for you than to ever try to take away from that and make it about me.<sup>28</sup>

[ ]

Brent Tucker: I'd feel like a piece of shit. That's a great segue, because I don't believe Rob sleeps very good at night because he drinks, he something happens and he makes ridiculous tweets like this and then he sobers up and says, oh, maybe I shouldn't have said that. If it, if, if, if it's drinking, we don't know, we don't know why he does the things he does, other than other than he has...Look at this. He took that down. Do you really want me to tell Red story? I'll tell it. I kept that MFR out of prison. I'll tell it. **The guy who actually shot Osama Bin Laden and that you've been lying about for years, taking his glory**, that's what you're going to put that tweet up. And guess what? Why do you think he took it down as fast as he did? In fact, I almost said the one guy that could really blow up his story. But there's not. There's plenty of guys that can blow up his story that just choose not to, for whatever reason. That's on them. They just choose to be quiet professionals about it, and they're struggling with the same things that we were talking about earlier, that I struggled with. Do you confront it? Do you bring it up? Do you allow it to happen? **And that isn't the guy that I think you want to start poking openly, because that'll be the last speaking engagement you get.** If Fred, if Fred finally wants to talk, and stupid tweets like that, I'll get it.<sup>29</sup>

[ ]

Brent Tucker: So the only thing that I can hope for is that Rob O'Neill continues to. In fact, I know, I know for a fact. I've been this close from getting three guys from that hit to come on

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<sup>28</sup> Supra Footnote 24 Squadcast (Live) 06/05/2025, 01:57:50

<sup>29</sup> Supra Footnote 24 Squadcast (Live) 06/05/2025 01:58:36

this show and they're like, oh, we probably should. I just, you know not yet. And every time Rob pulls something like this, at one point Rob Rob's gonna do something, so stupid they're, they're finally gonna go like you know what, enough's enough, like we have to stop this. So, rob, please continue doing that. You've never had one seal team six guy come out publicly and be like, yep, he was the guy. That's why the the Netflix series of the UBL raid. Is there any other guys from that hit standing next to San Anesto Rob talking about the hit? Nah, it's just him. As always, it's always just him. American public, ask yourself why is it only him? Why doesn't one guy come out and corroborate that story? There is a reason Getting fired up again about it, it's it's ridiculous.

Drew Tucker: All right all right if you don't. If you don't mind me sharing the verse of the day is proverbs 12 22 lying lips are an abomination to the lord, but those who act faithfully are his delight the perfect verse for the perfect time all right, we got some super chats real quick whiskey, whiskey, t fox and the rest of the drunk cag live. Jamie Caldwell said Kyle Morgan is a piece of shite and fired from delta. Is that true? Were your teammates with prankanka and Caldwell?<sup>30</sup>

[ ]

Brent Tucker: yeah, I mean let's, let's. Let's give, like you know, the the classic top three that that we're talking about right now. No one vetted Rob O'Neill and said really, you were the only one in the room. Like SEAL Team Six is either one of the baddest hostage rescue units in the world, with the fastest, most capable CQB guys, or they're incompetent and they let men go into rooms all by themselves. You can't have it both ways. Let me tell you they're not incompetent and they don't let people go into rooms all by themselves. They're very good at cqb and they're very fast of seeing them. So just take that. No one's gonna look at him. Can he be like? You threw how many grenades?  
31

107. Tucker conveniently ignores the fact that the point man threw himself on two of Osama bin Laden's relatives that he believed were wearing suicide vests. He was therefore preoccupied when Rob saw bin Laden and summarily dispatched him. It is as if these self-described Tier One operators have never heard of the fog of war. From time to time, they acknowledge Rob's stellar record of valor and that he no doubt has many kills under his belt and must know he has

<sup>30</sup> Supra Footnote 24 Squadcast (Live) 06/05/2025 02:01:27- 02:02:37

<sup>31</sup> Supra Footnote 24 Squadcast (Live) 06/05/2025 65 02:05:36

been awarded 54 medals. Yet based on a book published under a pen name which describes a slightly divergent takedown they just take that as gospel.

108. Appreciate the fact that Bissonnette (under the pseudonym "Mark Owen") published the book *No Easy Day* in 2012, giving his version of the raid claiming that an unnamed point man fired the shots that initially mortally wounded bin Laden, and that he and other SEALs fired more shots into the body afterward. It is also noteworthy that Bissonnette faced a criminal probe from the Justice Department for publishing classified information without a formal review by DOD. He later agreed to forfeit millions of dollars in book proceeds to the U.S. government.

109. Robert O'Neill, on the other hand, has consistently indicated that he was the SEAL who fired the fatal shots into bin Laden's head although others may also have shot and wounded bin Laden. He first made this claim anonymously in an Esquire magazine profile in 2013, then publicly on Fox News in 2014. While his public statements were met with dismay by many in the SEAL community, who adhere to a code of silence, no one has come forward to dispute the accuracy of his statements. Instead, we have recognition from the Mission Commander Admiral McRaven confirming O'Neill's account.

110. Given this dichotomy the Defendants might be entitled to their opinion that Bissonnette's version is more accurate even in the face of the DOJ's actions against Bissonnette while taking no such action against O'Neill, but it is malicious, reckless and offensive to impugn O'Neill's integrity and call him a liar in the face of a wall of evidence that indicates he is telling the truth and that any divergence in narratives is simply a function of the fog of war. Had this been limited to one occurrence instead of a campaign to build up their Antihero [as well as the Counter Culture and Tier1] podcasts and attract fame and product endorsements and personal aggrandizement, perhaps the Plaintiff would have foregone the instant suit. However, the malice and recklessness and repeated occurrences must now be answered.

111. In addition, Counter Culture Inc. which is described as a social media agency company, and which lists Tyler Hoover as either its President or Founder has continued with making false claims. On a Counter Culture Inc. podcast published on Instagram or about September 29, 2025, it featured an image of Rob O'Neill – Overlaid with text IS IT HIM? The following colloquy then unfolded.

Kevin Ackerman: Ballbuster 601

Jimmy Arnett: That's him! That's him! That's Rob

The Counter Culture's editors then disingenuously inserted a clip of Rob O'Neill stating,

O'Neill: "Dude you don't need to make it public."

This had no bearing on the subject matter to be discussed on their podcast and was clearly inserted to make Rob O'Neill appear dishonest. The following exchange was then posted:

Kevin Ackerman: Do you know who says the most critical bxxxxx comments are people who don't actually show their real name ...

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Kevin Peach: Yeah, like Rob

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Jimmy Arnett: That's Rob O'Neill

Kevin Ackerman: I am sending you the link of my Instagram. You can come on right now.

Jimmy Arnett: That, Rob O'Neill got on his burner account which we know it was him by the way. Rob if you are watching IP addresses, I know how to do those too.

Kevin Ackerman: hahahaha

Jimmy Arnett: Just so you know bro...I can tell if it's coming from the same device...two different social media accounts but it's coming from the same IP address.<sup>32</sup>

112. There can be no benign explanation for accusing a man of making anonymous posts of your podcast without any proof except to vilify him and make him appear less honorable than

<sup>32</sup> Instagram: September 29, 2025, Counter Culture Inc; guys-on-the-ground.cc Is it really Rob O'Neill #burneraccount #is #ipaddress #nerdstuff [Streamed live on Youtube on September 27th, 2025]: <https://m.youtube.com/watch?v=IxH5-AYXKfM>

you and effectively to strip him of the honors conveyed to him by a grateful nation. Insofar as Counter Culture Inc. was founded by Tyler Hoover and appears to continue to be owned by him and Counter Culture Inc. motifs appeared on AntiHero podcasts, it appears to be a piece with the AntiHero campaign to sully the Plaintiff's reputation.

113. In any case shortly after this Counter Culture broadcast the AntiHero podcasters duo had a parting of the ways. This happened close in time to stories about Tyler Hoover being investigated for domestic violence and soliciting prostitutes. Brent Tucker's first broadcast hosted on October 23<sup>rd</sup>, 2025, was centered on why they broke up and then on his routine slandering of none other than Rob O'Neill. This was cast under the new banner of Tier 1 Podcast Live<sup>33</sup> portions of which is excerpted below:

Brent Tucker ... I know everyone's going to want me to tell a lot of details ... [concerning Tyler Hoover and our break up]... but I've done this consistently, whether it be Rob O'Neill, Tim Kennedy, I've had personal conversations with everyone I've ever had a beef with and I have always left personal conversations to be personal conversations and I just believe that's ... how it is. But in this particular [...] instance, I do believe that that's not enough and people want some sort of answers.<sup>34</sup>

114. In short, that Brent Tucker would launch his knew solo-podcast by bringing up his bizarre preoccupation with Rob O'Neill which in and of itself speaks volumes. In fact, he goes no to say:

Brent Tucker ... I'd be remiss if I didn't mention a tie for third or the top three. ... Tim, it's what we're known for ... But exposing Rob O'Neill and Tim Kennedy like it's what we're known ... but exposing Rob O'Neill and Tim Kennedy, I think the truth matters and I'm really proud of doing that and showing the American public hey, do you really want to know the truth? It's going to upset you, but do you really want to know the truth? And we caught a lot of flak at that at the beginning and then people realized, oh crap, hold on, maybe they're right...I'm also proud of those because, people just see the episodes, but they didn't see the research and the hundreds of hours of either

<sup>33</sup> [\(1412\) Tier1 Podcast - YouTube](#) \*PM EST October 23<sup>rd</sup> Tier-1 Podcast Live 2:30:31 Brent Tucker Responds to Questions & Allegations

<sup>34</sup> Supra Footnote 33 - 10:00

phone calls, watching podcasts, reading books, like the amount of research that goes. Hey, if you're going to call out a public figure, you better be right and everything you say better be right.

Beau: With a massive following, with a massive following, and if you guys want to know anything.

Brent Tucker: You're still on the fence like, well, maybe he's right. You think I could call out people with those massive followings and guess what? **Never get a lawsuit. They'd sue me in a heartbeat. Never. You want to know why they don't want you. You can guess why they don't have a lawsuit against me...** Because we'd have to go to court, we'd subpoena people who didn't want to be public, and they know, let that just be, let that be put that on the record.<sup>35</sup>

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Brent Tucker: ... I actually ... exposed the guy [Rob O'Neill] for *lying to America and making ... his fame and fortune off of a lie which, which I've proven and which, again, you can ask any SEAL Team 6 member you ever run into. If you're lucky enough to run into those guys, you can also wonder to yourself why no one from SEAL Team Six that's in the public eye, which there are several have ever come out and been like I don't know what the problem is. The guy did it. We're from SEAL Team Six. We know the story. You won't find one guy.* In fact, you'll even find Matt Bissonette, who wrote a book and told the truth. You'll even find Amal Bin Laden, who was also there and said a team of SEAL Team 6 guys came in and killed my husband.<sup>36</sup>

115. Herein lies the problem with Brent Tucker's calling Rob O'Neill a liar. In Matt Bissonette, writing under the pen name Mark Owen in No Easy Day, he claimed another SEAL fired multiple rounds into Osama bin Laden after he was already on the ground and twitching. Putting aside that Bissonette's account was never vetted by authorities and was written under a pseudonym it is not on its face divergent from Rob O'Neill's account or at least it can credibly be reconciled with Rob O'Neill's account. Rob O'Neill was alone in the room when he shot bin

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<sup>35</sup> Supra Footnote 33 50-51, 52-32

<sup>36</sup> Supra Footnote 33 0:100:13

Laden three times and then shortly afterward carried on with the mission. Even a rudimentary Google search will apprise that it is possible for bodies to twitch or move involuntarily after being shot multiple times in the head. This does not mean the person is still conscious or alive in any meaningful sense. These movements are reflexes originating from the spinal cord, which is separate from the brain.

116. Here is the rub. Brent Tucker is stating with great braggadocio that no SEAL Team Six members support crediting Rob O’Neill for this kill but that is blatantly false. Admiral McRaven who was the Seal Team Six mission commander credits him with the kill and has acknowledged that contemporaneous to the mission’s conclusion he applauded Rob O’Neill with the kill and pointedly no member of the team ever disputed this claim in mission debriefings with the CIA and Pentagon. This is a matter of public record as evinced by his best-selling book *Sea Stories* as well as his Affirmation (*See again Exhibit A*). If Brent Tucker had done his due diligence he would at least have known about the former. In addition, other members this elite cadre of warriors have indeed come forward to acknowledge Rob O’Neill as the shooter and/or to vouch for his consistent integrity, leadership and honesty including Chesney, [REDACTED] and Corbett and several others including Master Chief Drum, Senior Chief Petty Officer Sheffield, SEAL Member Gum and Lieutenant Commander Larsen.<sup>37 38 39</sup>

<sup>37</sup> **Master Chief Drum** tells us that “I brought Robert out to help train my SEAL Troop... shortly after the famous Neptune’s Spear Operation and he briefed us on the mission and his specific actions ...his story has never changed since and has been validated privately to me by those that were on this mission.”

<sup>38</sup> **Senior Chief Petty Officer** Sheffield (ret) Team Leader SEAL Team Six, recipient of the Purple Heart, Silver Star, and six Bronze Stars with Valor – “I have known Robert O’Neill personally and professionally for over twenty years, and I can attest ... [that t]hroughout the years, Rob has remained honest and consistent in recounting his experiences—his story has never changed and has been corroborated by others who were present...His integrity, both in and out of uniform, has always been unquestionable.”

<sup>39</sup> **SEAL Team Member Jeff Gum** reports that “every one of ...[my friends } ..who served with Rob at Red Squadron SEAL Team Six ..speaks of him with admiration...I’ve watched countless former teammates approach Rob with their children, introducing him as the man who killed Osama Bin – Laden...out of reverence and pride.”

Moreover, had he done the research he claims to have done would have received statements similar to those made by these members. (See again **Exhibit's A through I**).<sup>40 41</sup>

117. Since he didn't undertake this due diligence, these statements are intended to impugn Plaintiff O'Neill's integrity and professional reputation while elevating Defendant Tucker's own. Factor in as well that no one from the Pentagon or Navy or CIA has ever come forward to dispute O'Neill's account or for that matter of Admiral McRaven's crediting of Rob O'Neill for the kill and he simply have Defendant Tucker's reckless disregard for the truth and a record of his unfounded but nonetheless malicious disdain for the Plaintiff.

118. Stranger still is the fact that Rob O'Neill has often stressed that it was team effort and that the mission was a success due to the contributions of the entire team. He has consistently emphasized this on his speaking tours, yet Defendant Brent Tucker consistently disparages the Plaintiff for making his fame and fortune based on a "lie"

119. In short Defendant Brent Tucker and the companies, he owns, or controls have not only slandered O'Neill without foundation he has created a false dichotomy that O'Neill owes his fame and fortune to a falsehood when in fact all credible sources and facts point to the accuracy of crediting Rob O'Neill and the Defendants assailing of the Plaintiff's integrity and professional reputation without any credible evidence to the contrary is actionable.

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<sup>40</sup> **Kaj Larsen former Naval Special Warfare Officer and Lieutenant Commander in the USN SEAL Teams** states unequivocally that Robs "actions in Abbottabad stand as one of the most consequential moments in modern special operations history... [and] I have never encountered a single operator who disputes his courage, resolve, or contributions on that mission.... Numerous Tier One teammates who served shoulder-to-shoulder with Rob ['s] respect for Rob is clear and consistent"

<sup>41</sup> SEAL Team Six member/Team Leader ██████████ "Robert O'Neill...[is] ... a man of exceptional integrity, professionalism, and dedication to his teammates and the mission...[and] ... I can attest without hesitation that he has always acted in accordance with his values and moral compass ... throughout his distinguished career...Rob ...[is] ...a man of character, one whose honesty, courage, and commitment to doing what is right set a strong example for others."

120. A further indication as to how detached from reality and unhinged Defendant Brent Tucker has become in his slanderous grievance mongering were his statements

"I'm not png'd [disowned by] from my unit, but you're png'd from your unit, but you don't want to talk about that, do you? If I was you, I wouldn't talk about it either. Let's see if there's anything else he wants to talk about or say oh man more, more, rob, I'm sorry I was yeah sure more Rob I was reading I almost hesitate too, because there's nothing worth listening to..."<sup>42</sup>

Insofar as this statement is also not true as demonstrated by the various and sundry statements provided by his peers speaks for itself. The rest of Defendant Tucker's comments in his new podcast are a supercilious screed against Rob O'Neill. These merely demonstrates his deep-seated resentment toward Rob O'Neill for his having received a modicum of public recognition and respect for his heroism and service – something perhaps he feels he is owed for his own time in action and which perhaps he should have received? Many veterans feel this way. This does not justify his reckless disregard for truth and indeed his campaign to discredit Rob O'Neill based on no substantial or reliable information and in the face of amply evidence to the contrary.

**FIRST CAUSE OF ACTION**

**Defamation-Libel**

**("Against All-Defendants")**

121. Plaintiff incorporates each and every allegation of this Complaint and re-alleges them as though they were fully set forth herein. Plaintiff Robert J. O'Neill is a former United States Navy SEAL (1996–2012), TV news contributor, and author. Plaintiff is one of the most highly decorated combat veterans of our time, having taken part in and leading over 400 combat missions in Liberia, the Balkans, The Persian Gulf and Indian Ocean, Ukraine, Iraq,

<sup>42</sup> Supra Footnote 31 01:14:24

Afghanistan, and Pakistan. O’Neill is also the author of the Best-Selling Memoirs *The Operator: Firing the Shots that Killed Osama bin Laden and My Years as a SEAL Team Warrior*, as well as *The Way Forward: Master Life’s Toughest Battles and Create Your Lasting Legacy*. On or around August 9, 2023, and indeed intermittently in 2024 and 2025 as described above, Defendants deliberately sought to damage and destroy Plaintiff’s reputation and personal wellbeing by deliberately, knowingly and/or recklessly posting, publishing, and disseminating on Antihero Podcast and TIER1PODCAST LLC containing **false statements made with malice of forethought with either knowing falsity and/or a reckless disregard for the truth** accusing Plaintiff of not being the Navy SEAL that actually fatally dispatched Osama bin Laden and calling the Plaintiff liar. This is patently and unequivocally false.

121. The Antihero Podcast referred to Plaintiff by name throughout, was made of and concerning the Plaintiff, and was so understood by those who read the Antihero Podcast and TIER1PODCAST LLC. The same can be said for the Counter Culture Inc. Instagram video clip dated on or about September 29, 2025 which falsely accuses Plaintiff of maintaining burner phones evidently to criticize these podcasters.

122. Each and every statement accusing Plaintiff of not being the Navy SEAL responsible for killing bin Laden is entirely false as it pertains to Plaintiff. Each and every statement indicating O’Neill used burner accounts to critique these specious, unfounded, and false podcaster conjectures and falsehoods is equally false.

123. The Defendants’ Antihero Podcast was libelous on its face insofar as it clearly exposes Plaintiff to hatred, contempt, ridicule, and obloquy because it accuses Plaintiff of lying about his accomplishments and therefore besmirches his integrity and his honesty.

124. The Antihero Podcast was seen and read from on or about August 9, 2023, and through to the present day, by millions of people around the world via the internet.

125. As a proximate result of the above-described publication, Plaintiff has suffered a loss of his reputation, spoiling of his brand, loss of income and revenue, shame, mortification, and psychological injury<sup>43</sup> and injury to his mental health, all to his damage and detriment in a total amount to be established by proof at trial.

126. The above-described publication is not privileged because it was published by Defendants with malice, hatred, and ill will toward Plaintiff and the desire to injure him. Because of Defendants' malice in publishing these false statements, Plaintiff seeks punitive damages in a total amount to be established by proof at trial.

**SECOND CAUSE OF ACTION**

**Defamation-Libel Per Se**

**("Against All-Defendants")**

127. Plaintiff incorporates each and every allegation of this Complaint and re-alleges them as though they were fully set forth herein.

128. Plaintiff is a decorated veteran, author and television personality who has enjoyed considerable popularity as a commentator on Fox and Newsmax.

129. On or around August of 2023 and indeed throughout 2023 and 2024, and as recently as June of 2025, and again in September and October of 2025 Defendants deliberately sought to damage and destroy Plaintiff's reputation and personal wellbeing by deliberately, knowingly and/or recklessly posting, publishing, and disseminating an Antihero Podcast containing false statements accusing Plaintiff of being a liar and of not being the SEAL Team Six operator who

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<sup>43</sup> The noted harm is amplified by the fact that Defendants knew or should have known that their reckless and false statements were made at a time where Robert O'Neill was publicly and actively advocating for veteran suffering from post-traumatic stress syndrome including himself. In fact, given that some or all of the podcasters are veterans they had reason to know about Robert's PTSD and the impact their false and recklessly unfounded statement would have on a fellow veteran.

dispatched Osama bin Laden to hell at the direction of the President. This is patently and unequivocally false. The same can be said for the Counter Culture Inc., Instagram video clip dated on or about September 29, 2025 which falsely accuses Plaintiff of maintaining burner phones evidently to criticize these podcasters. Finally, all statements that individually or collectively accused plaintiff of **“lying to America and making ... his fame and fortune off of a lie”** are patently false, libelous and defamatory.

130. The Antihero Podcast and the Counter Culture Inc. and TIER1PODCAST LLC podcasts referred to Plaintiff by name throughout, was made of and concerned Plaintiff, and was so understood by those who viewed these Podcasts or simply read its byline.

131. The entire statement accusing Plaintiff of not being truthful about having triple tapped Osama bin Laden is completely false as it pertains to Plaintiff, and statements that Plaintiff falsely represented that he was acknowledged to have killed bin Laden, when Defendants knew this to be untrue, is equally false. So are the statements accusing him of making comments online using a burner phone and the statements made by these podcast hosts that they could prove it was him and knew it was him. Likewise, were statements that no member of SEAL Team Six would stand up for Rob O’Neill and his integrity.<sup>44</sup>

132. The Defendants' podcasts were libelous on its face insofar as it clearly exposed Plaintiff to hatred, contempt, ridicule and obloquy because it accused Plaintiff of having lied about his military accomplishments and about his military powers.

133. The Antihero Podcast was seen and read from on or about August 2023 and onward up to and including June 5, 2025, and through to the present day, by millions of people all around the world, via the internet. The Counter Culture Inc. podcast was made on or about September 29, 2025 and continues to be available online and the Tier1Podcast LLC has been viewed and

<sup>44</sup> Supra Exhibits A,,B,C, D ,E,F, and G -I as well as Footnotes 13, 14, 37, 38 and 39.

continues to be viewed by a wide audience since its airing on October of 2025.

134. As a proximate result of the above-described publication, Plaintiff has suffered a loss of his reputation, spoiling his brand, loss of income and revenue, shame, mortification, and psychological injury and injury to his mental health, all to his damage in the total amount to be established by proof at trial.

135. The above-described publication is not privileged because it was published by Defendants with malice, hatred, and ill will toward Plaintiff and the desire to injure him. Because of Defendants' malice in publishing these false statements, Plaintiff seeks punitive damages in a total amount to be established by proof at trial.

**THIRD CAUSE OF ACTION**

**Intentional Infliction of Emotional Distress**

**("Against All-Defendants")**

136. Plaintiff incorporates each and every allegation of this Complaint and re-alleges them as though they were fully set forth herein.

137. From approximately August 2023 through October of 2025, Defendants engaged in a concerted effort to damage Plaintiff's reputation and interfere with his wellbeing. During this period, Defendants posted, published, and disseminated an AntiHero or Counter Culture or the Tier1 podcasts containing false and defamatory statements concerning Plaintiff. The false allegations published by Defendants include, but are not limited to, the following: that Plaintiff did not kill Osama bin Laden and is therefore a liar for claiming he did; that Plaintiff is "wishy washy"; and that a third party named Bissonnette "has no reason to lie about bin Laden's beard color," thereby implying Plaintiff's account is fabricated. Throughout 2023, Defendants titled their podcast "Rob O'Neill Web of Lies." In 2024, Defendants mischaracterized Plaintiff's magnanimous reference to his team as "backpedaling" and a "different story."

Later in 2024, Defendants celebrated the fact that Plaintiff's business had been harmed by their relentless characterization of him as a liar and their unfounded contention that he had not killed bin Laden. In June 2025, Defendants refreshed and republished these false allegations and of course published other slanderous information in September and October of 2025.

138. Defendants knew or had reason to know that all of these representations are false and published them with the intent of destroying Plaintiff's reputation in the news and business community, as well as in the community at large. By publishing the Antihero Podcast containing false statements accusing Plaintiff of not being the man who delivered the coup de grâce and compounding these falsehoods and insults by misleading people into believing that he was effectively engaging in a species of stolen valor, Defendants caused Plaintiff to suffer a loss of his reputation, spoiling of his brand, loss of income and revenue, shame, mortification, and psychological injury and injury to his mental health.

139. Subsequent to the publication of the false allegations, televised news outlets including, but not limited to, Fox News, canceled and/or declined to book Plaintiff for segments and/or appearances. Additionally, subsequent to the publication of the defamatory Antihero Podcast, a prominent, lucrative and important job offering ultimately failed to materialize. As a direct result of these cancelations and/or declinations, Plaintiff has suffered, and continues to suffer, a loss of his reputation, spoiling of his brand, loss of income and revenue, shame, mortification, and psychological injury and injury to his mental health. As a result, Plaintiff has suffered lost earning and opportunities.

140. As a direct result of Defendants' conduct, Plaintiff has also suffered, and continues to suffer, from a variety of trauma including, but not limited to, sleep deprivation, and depression, which Plaintiff has been unable to adequately address.

141. But for the publication of the false allegations, Plaintiff would never have experienced

these economic and psychological injuries with physical manifestations.

**FOURTH CAUSE OF ACTION**

**Tortious Interference with Prospective Business Relations**

142. Plaintiff incorporates each and every allegation of this Complaint and re-alleges them as though they were fully set forth herein.

143. Plaintiff had business relationships with many television outlets including, but not limited to, news and entertainment shows like Fox News and prospective corporate speaking engagements with various companies.

144. At all times relevant herein, Defendants knew that Fox News and various companies were engaged in or prospectively engaged in prospective business relationships with Plaintiff.

145. As described above, Defendants directly targeted and interfered with these budding or prospective business relationships between the Plaintiff and Fox News and other's seeking Plaintiffs' experience and perspectives on team spirit and leadership and resolve.

146. The Defendants interfered with these business relationships solely out of malice and/or for the sole purpose of inflicting intentional harm on Plaintiff.

147. The Defendants' interference amounted to extreme and unfair economic pressure or was otherwise wrongful under applicable law.

148. As a direct result of the Defendants' interference, Fox News and newstopped booking Plaintiff for appearances on their respective networks and corporate speaking engagements have fallen off.

149. As a direct result of Defendants' interference, Plaintiff lost prospective economic relationships that would have expanded to other television and news outlets and speaking opportunities.

150. As a direct result of the Defendants' interference, Plaintiff lost prospective economic relationships in renewed invitations from Fox News and lucrative speaking engagements.

151. As a direct and proximate result of Defendants' tortious interference, Plaintiff sustained severe economic and non-economic damages.

**DEMAND FOR JURY TRIAL**

Plaintiff hereby requests a jury trial as to all issues so triable.

**PRAYER FOR RELIEF WHEREFORE**, upon all of the facts, allegations, and causes of action as set forth and alleged herein, Plaintiff respectfully requests that this Court:

- 1. Grant judgement against Defendants as to each and every cause of action herein alleged;
- 2. Grant compensatory damages in the amount of **TWENTY-FIVE MILLION** dollars;
- 3. Grant punitive damages;
- 4. Grant interest as authorized by law;
- 5. Grant costs of suit; and
- 6. Grant such other and further relief as this Court may deem just proper and equitable.

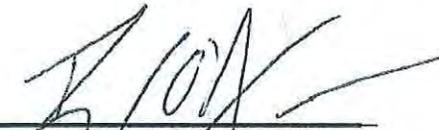
DATED: November 6, 2025  
New York, New York

By: /s/ David M. Schwartz  
David M. Schwartz, Esq.  
546 Fifth Avenue, 6th floor  
New York, NY 10036  
Tel. No.: (212) 641-0499  
Attorney for Plaintiff

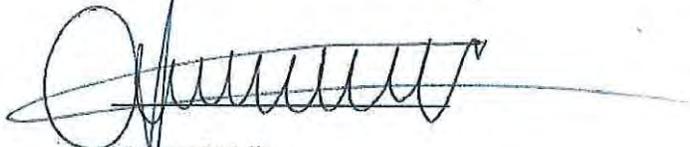
VERIFICATION

STATE OF NEW YORK                    )  
                                                  )  
COUNTY OF WESTCHESTER            )

ROBERT J. O'NEILL, being duly sworn, states that he is the Plaintiff in this action and that foregoing summons and verified complaint is true to his own knowledge, expect as to those matters therein stated to be alleged upon information and belief and as to those matters, he believes them to be true.

  
\_\_\_\_\_  
ROBERT J. O'NEILL

Sworn to before me this  
6<sup>th</sup> day of November 2025

  
\_\_\_\_\_  
Notary Public



JOSEPH MAGRI  
Comm.: # HH 234012  
Expires: July 27, 2026  
Notary Public - State of Florida