

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

ELIZABETH SINES, CHELSEA
ALVARADO, THOMAS BAKER,
MARISSA BLAIR, MARCUS MARTIN,
APRIL MUÑIZ, NATALIE ROMERO, and
SETH WISPELWEY,

Plaintiffs,

v.

JASON KESSLER, RICHARD SPENCER,
CHRISTOPHER CANTWELL, JAMES
ALEX FIELDS, JR., VANGUARD
AMERICA, ANDREW ANGLIN,
MOONBASE HOLDINGS, LLC, ROBERT
AZZMADOR RAY, NATHAN DAMIGO,
ELLIOTT KLINE (a/k/a ELI MOSELY),
MATTHEW HEIMBACH, MATTHEW
PARROTT (a/k/a DAVID MATTHEW
PARROTT), TRADITIONALIST
WORKER PARTY, MICHAEL HILL,
MICHAEL TUBBS, LEAGUE OF THE
SOUTH, JEFF SCHOEP, NATIONAL
SOCIALIST MOVEMENT,
NATIONALIST FRONT, AUGUSTUS
SOL INVICTUS, FRATERNAL ORDER
OF THE ALT-KNIGHTS, LOYAL WHITE
KNIGHTS OF THE KU KLUX KLAN, and
EAST COAST KNIGHTS OF THE KU
KLUX KLAN (a/k/a EAST COAST
KNIGHTS OF THE TRUE INVISIBLE
EMPIRE),

Defendants.

CASE No. 3:17-cv-00072

JUDGMENT

JUDGE NORMAN K. MOON

This action came before the Court on October 25, 2021, to November 23, 2021, for a trial by jury. Plaintiffs adduced evidence and rested. Defendants adduced evidence and rested. The

issues having been tried, the jury returned a verdict attached hereto, in favor of the Plaintiffs as to liability on Counts III, IV, V and VI. The jury did not reach a verdict on Counts I or II.

On Count III, the jury returned a verdict finding all Defendants liable for Virginia state law civil conspiracy, awarded nominal damages of \$1.00 in Plaintiffs' favor (to each of Natalie Romero, April Muñiz, Thomas Baker, Marissa Blair, Marcus Martin, Chelsea Alvarado, and Devin Willis), but awarding no damages to Plaintiffs Elizabeth Sines and Seth Wispelwey, and awarded punitive damages of \$500,000 against each individual Defendant¹ and \$1,000,000 against each organizational Defendant.²

On Count IV, the jury returned a verdict in favor of Plaintiffs Natalie Romero and Devin Willis, finding Defendants Jason Kessler, Richard Spencer, Elliott Kline, Robert "Azzmador" Ray, and Christopher Cantwell liable for racial, religious, or ethnic harassment or violence in violation of Virginia Code § 8.01-42.1. The jury awarded Plaintiffs Romero and Willis \$250,000 each in compensatory damages, and awarded \$200,000 in punitive damages each against Kessler, Spencer, Kline, Ray, and Cantwell. On Count IV, Plaintiffs Romero, Muñiz, Wispelwey, Sines, Blair, Martin and Willis also brought a claim against Defendant James Alex Fields, Jr. for violating § 8.01-42.1. The jury also found Defendant James Alex Fields, Jr., liable for violating § 8.01-42.1, but it did not assess any damages against him on that count specifically.

On Count V, the jury returned a verdict in favor of Plaintiffs Natalie Romero, April Muñiz, Thomas Baker, Elizabeth Sines, Marissa Blair and Marcus Martin, finding Defendant

¹ These Defendants were Jason Kessler, Richard Spencer, Christopher Cantwell, James Alex Fields, Jr., Robert "Azzmador" Ray, Nathan Damigo, Elliott Kline, Matthew Heimbach, Matthew Parrott, Michael Hill, Michael Tubbs, and Jeff Schoep.

² These Defendants were Vanguard America, League of the South, Identity Evropa, Traditionalist Worker Party, and Nationalist Socialist Movement.

Fields liable for assault and battery, and determined total compensatory damages to be \$803,277. The jury awarded compensatory damages to these Plaintiffs in the following amounts: \$217,715 to Romero; \$108,000 to Muñiz; \$318,575 to Baker; \$2,000 to Blair; and \$156,987 to Martin; but awarding no compensatory damages to Sines. The jury further assessed \$6,000,000 in punitive damages against Fields on that count.

Finally, on Count VI, the jury returned a verdict in favor of Plaintiffs Romero, Muñiz, Baker, Sines, Blair, and Martin, finding Defendant Fields liable for intentional infliction of emotional distress, and calculating total compensatory damages in the amount of \$701,459. The jury awarded compensatory damages to these Plaintiffs in the following amounts: \$155,715 to Romero; \$50,000 to Muñiz; \$246,757 to Baker; \$50,000 to Sines; \$100,000 to Blair; and \$98,987 to Martin. The jury further assessed \$6,000,000 in punitive damages against Fields on that count.

It is hereby **ADJUDGED AND ORDERED** that the jury verdict be and hereby is filed. All motions made during trial are shown on the transcript together with the action thereon. Having considered and ruled upon post-trial motions challenging the jury verdict in this case and seeking reduction in the jury's punitive damages award, the Court has **affirmed the jury verdict findings of Defendants' liability**, and the **nominal and compensatory damages awards**. Dkts. 1622, 1623, 1629. All Defendants will be **jointly and severally liable** for the nominal and compensatory damages awarded by the jury on Counts III, IV, and V, which amount is **\$1,303,284**. Defendant Fields is additionally liable for the compensatory damages awarded on Count VI, which amount is **\$704,459**.

In addition, the Court granted in part certain Defendants' post-trial motions, only to the extent they sought a reduction of the punitive damages award in accordance with Virginia's statutory cap on punitive damages. Dkts. 1622, 1623, 1629. Therefore, the Court **reduced** the

jury's **punitive damages award** to **\$350,000**, as compelled by the Virginia statutory cap on punitive damages. In addition to their nominal and compensatory damages liability, each Defendant found liable by the jury at trial is also liable for their pro rata portion of the capped punitive damages award of \$350,000, as follows: \$182,291.68 for Fields; \$14,583.33 for each of Vanguard America, League of the South, Identity Evropa, Traditionalist Worker Party, and National Socialist Movement; \$10,208.33 for each of Kessler, Spencer, Cantwell, Ray, and Kline; and \$7,291.67 for each of Damigo, Heimbach, Parrott, Hill, Tubbs, and Schoep. In all other respects besides the reduction of the punitive damages award, the Court **affirmed the jury verdict**.

It is therefore **ADJUDGED AND ORDERED** that Judgment is therefore entered in favor of Plaintiffs on Counts III, IV, V, and VI, a **MISTRIAL** is declared on Counts I and II, and this case is **DISMISSED** from the Court's active docket. Plaintiffs are further entitled to post-judgment interest under 28 U.S.C. § 1961.

The Clerk of Court is directed to send this Judgment to the parties.

ENTERED this 9th day of January, 2023.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE