

NO. X06-UWY-CV-18-6046436S : SUPERIOR COURT
ERICA LAFFERTY, ET AL. : COMPLEX LITIGATION DOCKET
V. : AT WATERBURY
ALEX EMRIC JONES, ET AL. : JUNE 17, 2019

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**PLAINTIFFS’ MOTION FOR REVIEW OF BROADCAST BY ALEX JONES
THREATENING PLAINTIFFS’ COUNSEL**

On June 14, 2019 (this past Friday), defendant Alex Jones broadcast two segments of The Alex Jones Show identifying Attorney Chris Mattei by name and showing a picture of him, falsely claiming that Attorney Mattei tried to frame Jones by planting child pornography in discovery materials produced by Jones, distorting what actually occurred in the discovery process in this case, and threatening Attorney Mattei and the Koskoff firm. This Court has an obligation to protect the attorneys, parties, and the judicial process. *Sacher v. United States*, 343 U.S. 1, 14 (1952) (reaffirming the Court’s obligation to “protect the processes of orderly trial,

which is the supreme object of the lawyer's calling"); *Potts v. Postal Trucking Co.*, 2018 WL 794550, at *2 (E.D.N.Y. Feb. 8, 2018) (collecting cases where courts exercised inherent powers to sanction lawyers or parties for threats). Here, threats against counsel have been made on air to a very large audience. The plaintiffs therefore request that the Court review the video in advance of tomorrow's hearing. Plaintiffs intend to move to seek specific relief on an expedited basis, but this is an issue that the Court should be fully aware of at the earliest possible moment.

We estimate review of these segments of the show will take approximately thirty minutes. The video can be found at this link:

<https://www.infowars.com/watch/?video=5d043508848c210017aafefc>. The segment discussing the case begins at 2:12. At approximately 2:19 is the first mention of the child pornography issue. At 2:30, the discussion intensifies and shortly afterward Jones names Attorney Mattei. This all takes place with defense counsel present.

I. Background Concerning Metadata Production and Discovery of Child Pornography

These segments concern the fact that the Jones Defendants produced numerous images of illegal child pornography to the plaintiffs in their metadata production.¹

As the Court will recall, the Jones Defendants failed to produce email metadata, a necessary part of these documents, in their original production. The plaintiffs requested that the Jones Defendants be ordered to do so. In the April 30 hearing, counsel for the Jones Defendants agreed to make that production. The Jones Defendants produced metadata on May 21. They

¹ In these segments, Jones also says that he is manipulating the Jones Defendants' Google Analytics data to generate reports to defend this case – even though he has withheld that same data for months (and is continuing to do so) and his proxies have claimed to have only the most rudimentary understanding of how to use the data.

produced a massive volume of documents, indicating that many were non-responsive, but they said that they did not have time to cull the non-responsive documents.

The plaintiffs' Electronically Stored Information (ESI) consultants began loading files into a document review database in an effort to make them reviewable by counsel as quickly as possible. During that process, the consultants identified an image that appeared to be child pornography. They immediately contacted counsel, who immediately contacted the FBI. The FBI directed counsel to give control of the entire document production to the FBI, which was done. The FBI advised counsel that its review located numerous additional illegal images, which had apparently been sent to Infowars email addresses. When the FBI indicated it had completed its review, plaintiffs' counsel advised Attorney Pattis of the matter and arranged a joint telephone call with the United States Attorney's Office.

It is worth noting that if the Jones Defendants had engaged in even minimal due diligence and actually reviewed the materials before production, they would have found the images themselves. Because the Jones Defendants did not do that, they transmitted images to the plaintiffs that if they were knowingly possessed is a serious federal crime. The Jones Defendants put plaintiffs' counsel and ESI consultants in the appalling position of discovering the first image. Plaintiffs' ESI consultants then acted exactly as they were compelled to under federal law once they discovered the contraband images; so did plaintiffs' counsel. But this appears not to have been good enough for Jones.

II. Content of Video/Tuesday Hearing

Rather than summarize the content of the video, we simply ask the Court to watch it. Here is one example of the video's content. At 2:34:08, Jones shouts:

You think when you call up, “Oh we’ll protect you. We found the child porn.”² I like women with big giant tits and big asses. I don’t like kids like you goddamn rapists. Eff-heads. In fact, delete this: You fucks are going to get it. You fucking child molesters. I’ll fucking get you in the end. You fucks. No, we’re done right there. You know what, I should have deleted it on radio. Probably still went out. I don’t care. You’re trying to set me up with child porn, I’ll get your ass. One million dollars, you little gang members. One million dollars to put your head on a pike. One million dollars, bitch.³ I’m going to get your ass, you understand me now? You’re not going to ever defeat Texas, you sacks of shit, so you get ready for that.

At 2:37:20, Jones names Attorney Mattei, pounds on a picture of his face, and threatens him:

And then now magically they want metadata out of hundreds of thousands of emails they got, and they know just where to go. What a nice group of Democrats. How surprising. What nice people. Chris Mattei. Chris Mattei. Let’s zoom in on Chris Mattei. Oh, nice little—[pounds picture of Attorney Mattei’s face with fist]—Chris Mattei. What a good American. What a good boy. You think you’ll put on me, what—[under his breath] I’m gonna kill . . . [growls]. Anyway, I’m done! Total war! You want it, you got it! I’m not into kids like your Democratic party, you cocksuckers! So get ready!

At the Tuesday hearing, the plaintiffs will request an expedited briefing schedule concerning what orders must issue in connection with Mr. Jones’ on-air statements and Attorney Pattis’ participation in this broadcast. In addition, the plaintiffs may seek interim relief, to span the time during which the briefs are being filed.

² This statement apparently refers to (and distorts) the call that Attorney Mattei made to Attorney Pattis to inform Attorney Pattis that child pornography had been discovered in the Jones Defendants’ production.

³ At various points throughout the segment, Jones refers to Attorney Mattei as “bitch.” He also refers to Attorney Mattei as “pimp,” “white-shoe boy,” and “white-shoe boy jerkoff.”

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CERTIFICATION

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