

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

MEGAN HUNT,	)	Case No.
	)	
Plaintiff,	)	
	)	
vs.	)	<b>COMPLAINT AND</b>
	)	<b>JURY DEMAND</b>
NEBRASKA FREEDOM	)	
COALITION, MALIA SHIRLEY,	)	
PATRICK PETERSON, and	)	
ROBERT ANTHONY,	)	
	)	
Defendants.	)	

**CASE OVERVIEW**

1. The Nebraska Freedom Coalition (the “Coalition”) stated that Megan Hunt sexually groomed and abused her own thirteen-year-old child. The Coalition made these intentional, reckless, and knowingly false statements about Megan Hunt, the Plaintiff. Its lies were willful and malicious. The Coalition accused Hunt of serious crimes and attacked her status as a loving and caring mother. Not only did the Coalition lie about Hunt, it leaned into its lies after a retraction demand, reiterated its lies, and then expressly stated that the Coalition intended to accuse Hunt of a serious crime.

2. These malicious and false lies about Hunt had vicious consequences. After the Coalition’s posts accusing Hunt of abusing and grooming her child she was called a groomer on Twitter no fewer than 231 times. She received 25 phones calls calling her a groomer and/or pedophile, and 34 emails accusing her of the same and often unfit to be a mother. One email suggested that Hunt’s genitalia should be cut off and threatened physical harm. Another indicated that she should be publicly executed while another provided her home address and stated her son should be kidnapped. After receipt of our retraction demand, the Coalition

subsequently made clear that when they called Hunt a groomer, they were accusing her of serious crimes against her child; sexual and physical abuse.

3. As a mother there is perhaps no worse crime to be accused of, than the sexual abuse of your own child. The Coalition accused her exactly of that, with no basis in fact, and did so knowingly. Grooming is specifically defined by Nebraska Statute as “[...]building trust with a student and individuals close to the student in an effort to gain access to and time alone with the student, with the ultimate goal of engaging in sexual contact or sexual penetration with the student, regardless of when in the student's life the sexual contact or sexual penetration would take place;” The Coalition then responded via Twitter shortly after they acknowledged our retraction demand and provided a definition that corresponds with the statutory definition above, and included child abuse, yet another serious crime.

4. There is no constitutional right to speak or publish damaging falsities accusing someone of serious crimes they did not commit. Individuals who have been harmed by baseless falsehoods that lead to physical threats and denigrate ones character and reputation deserve justice, especially those who continue to be the target of plainly false criminal allegations and intentional disinformation. These defamatory publications are meant to marginalize a subset of our population and discourage them from exercising their constitutional rights and be a part of civic society.

COMES NOW the Plaintiff, Megan Hunt, by and through counsel, the Nebraska Legal Action Fund, and for her Complaint against the Defendant, Nebraska Freedom Coalition, Patrick Peterson, Malia Shirley, and Robert Anthony, state and allege as follows:

### **THE PARTIES**

5. Plaintiff Megan Hunt is a resident of Douglas County, Nebraska.

6. Defendant Nebraska Freedom Coalition is a non-profit corporation and Political Action Committee (PAC) registered with the

Nebraska Accountability and Disclosure Commission and headquartered in Douglas County. Its headquarters are at P.O. Box 882 Omaha, NE 68101. The Coalition conducts most of its business in Douglas County. The @NebraskaFreedom account has 3,176 followers as of June 20, 2023. Robert Anthony, named defendant, is the treasurer of the PAC and the registered agent of the non-profit.

7. Malia Shirley, Patrick Peterson and Robert Anthony are or were all officers of the organization at the time the defamatory statements were made.

### **JURISDICTION AND VENUE**

8. This Court has subject matter jurisdiction over this lawsuit pursuant to Nebraska Revised Statute § 24-517.

9. This Court has personal jurisdiction over the Defendant pursuant to Nebraska Revised Statute § 25-536 because the Defendant has transacted business in, and supplied services and/or things within, the State of Nebraska.

10. Venue is proper in this Court pursuant to Nebraska Revised Statute § 25-403.01 as the Coalition is headquartered in Douglas County.

### **BACKGROUND**

11. Hunt is a mother and State Senator.

12. The Coalition published flagrant falsehoods accusing Hunt of serious crimes. The Coalition published its lies with knowledge of and reckless disregard for their falsity.

13. The Coalition published defamatory tweets on March 22, 2023 and again on March 24, 2023 on the @NebraskaFreedom Twitter account. The Coalition has continued to publish similar defamatory statements, and even after receipt of a retraction demand sent on Hunt's behalf.

14. The Coalition intended to damage Hunt's reputation, cause her personal distress, and attack her reputation in the community as a caring mother.

15. The Coalition knew that its statements were false and intended to cause harm to Hunt.

16. At 2:14 P.M. on March 22, 2023, @NebraskaFreedom accused Hunt of sexually abusing her son by calling her a “groomer” in a published post on their Twitter account. The tweet included photos of her son.



17. The published tweet states, “@NebraskaMegan Senator Hunt did. All morning long she referred to this child as her son... #groomer”.

18. On March 24, 2023 at 9:48 A.M., @NebraskaFreedom asserted again that Hunt was grooming children and grooming her own child in a published tweet.



19. The published tweet states, “Skills: grooming children, including her own.”

20. Grooming is defined in statute under Nebraska Law as “Building trust with a student and individuals close to the student in an effort to gain access to and time alone with the student, with the ultimate goal of engaging in sexual contact or sexual penetration with the student, regardless of when in the student’s life the sexual contact or sexual penetration would take place.” Neb. Rev. Stat. § 79-879 (cross-referencing other criminal statutes for the definitions of sexual contact and sexual penetration both of which are serious felonies.).

Lot's o threats there, lady! External Inbox x nebraska freedom co



**mlucky99** <glynch9999@gmail.com>

to me ▾

Wow I haven't seen someone who is as strident of a cunt as you are in a long long time.

Keep talking shit, ya get bit.



**TroubleTheGreyhound** <cbgbomfug315@gmail.com>

to me ▾

Sun, Mar 26, 7:09 PM

PLEASE.....

Cut off your tits and rip out your uterus, you pedophile

21. After the Coalition's posts accusing Hunt of abusing and grooming her child she was called a groomer on Twitter no fewer than 231 times. She received 25 phone calls calling her a groomer and/or pedophile, and 34 emails accusing her of the same and often unfit to be a mother. One email suggested that her genitalia should be cut off and another threatened physical harm. The emails above are just a sample of some of the messages she received accusing her of crimes and threatening her with physical violence right after the Coalition made their posts.



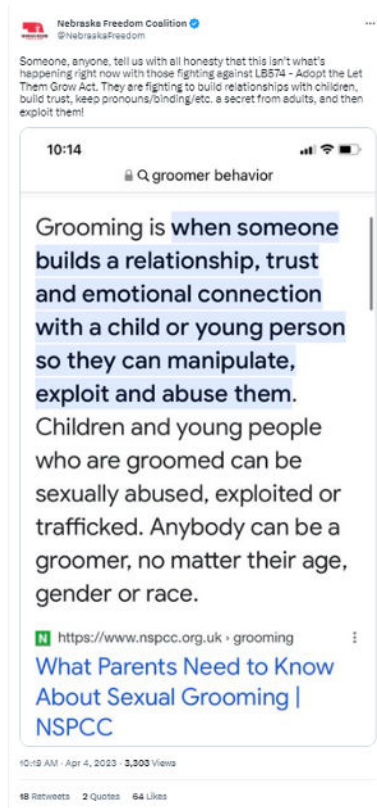
22. Not long after the Coalition posted their false and defamatory statements, fake accounts such as the one above popped up with photos of Hunt’s son, their address, his actual birthdate, and stating that he was being abused by his mother (Hunt) and he needed to be “rescued” by someone. None of this was occurring before the Coalition made their false statements and accusations of Hunt.



23. Just a few weeks after the Coalition posted their false and defamatory statements, accounts such as @Carolthecrip posted called for Hunt’s public execution.

24. Just three years prior, an actual convicted pedophile, Mattieo Condoluci, was murdered on his doorstep less than an eight minute drive from Hunts house by a vigilante specifically because he was a pedophile. The Coalition’s defamatory accusations not only threatened Hunt and her child’s life, but Hunt or any other reasonably situated person would experience emotional distress and concern over these accusations.

25. The Coalition then doubled down on their criminal definition of grooming after accusing Hunt of it multiple times, tweeting on April 4, 2023 that “grooming” is criminal behavior and intended to lead to the sexual abuse of a child.





26. The Coalition tweeted: “Someone, anyone, tell us with all honesty that this isn’t what’s happening right now with those fighting against LB574- Adopt the Let Them Grow Act. They are fighting to build relationships with children, build trust, keep pronouns/binding/etc. a secret from adults, and then exploit them!” The image is of a Google search bar with the term “groomer behavior” typed in. The search shows their definition of groomer. “Grooming is when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit and abuse them.” This tweet was made shortly after the Coalition accused Hunt multiple times of grooming.

27. First degree sexual assault of a child is defined by Nebraska Revised Statute § 28-319.01, and is a Class IB Felony. Second and Third Degree sexual assault of a child is defined by Nebraska Revised Statute § 28-320.01, and is either a Class II Felony or a Class IIIA Felony. Under Nebraska Revised Statute § 28-831, “(1) Any person who engages in labor trafficking of a minor or sex trafficking of a minor is guilty of a Class IB felony.”

28. Under Nebraska Revised Statute 28-707, “(1) A person commits child abuse if he or she knowingly, intentionally, or negligently causes or permits a minor child to be: . . . (d) Placed in a situation to be sexually exploited through sex trafficking of a minor as defined in section 28-830 or by allowing, encouraging, or forcing such minor child to engage in debauchery, public indecency, or obscene or pornographic photography, films, or depictions; (e) Placed in a situation to be sexually abused as defined in section 28-319, 28-319.01, or 28-320.01; or (f) Placed in a situation to be a trafficking victim as defined in section 28-830.”

29. Under Nebraska Law, false allegations of criminal conduct constitute defamation per se. *Matheson v. Stork*, 239 Neb. 547, 553 N.W.2d 156, 160 (1991), *See Nelson v. Rosenberg*, 135 Neb. 34, 280 N.W. 229 (1938) (“Spoken or written words are slanderous or libelous per se only if they falsely impute the commission of a crime involving moral turpitude, an infectious disease, or unfitness to perform the duties of an office or

employment, or if they prejudice one in his or her profession or trade or tend to disinherit one.”).

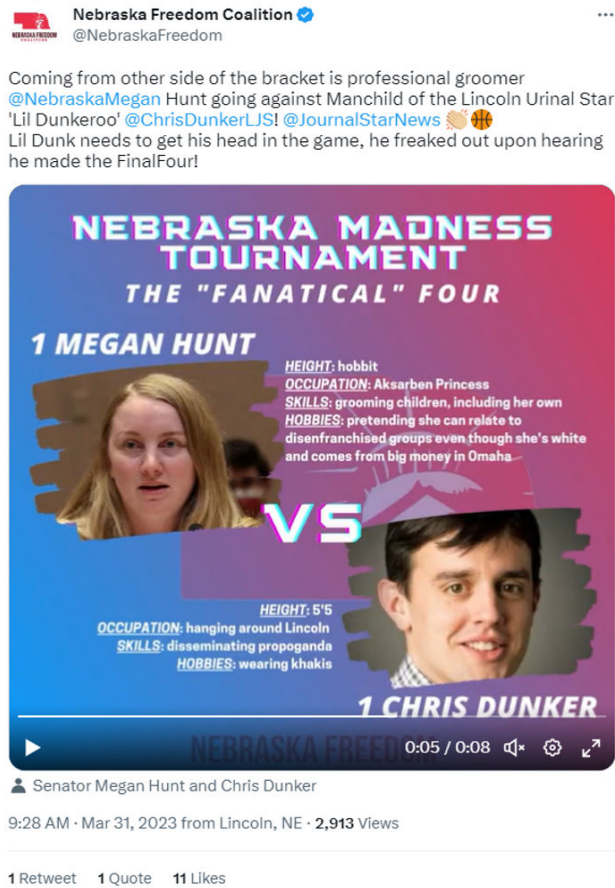
30. Statements claiming Senator Megan Hunt to be a groomer are defamation per se, because they allege Hunt to be committing a crime under Nebraska law. *Herzog v. Campbell*, 47 Neb. 370, 44, N.W. 424 (Neb. 1896).

31. By asserting that Hunt “grooms children,” the Coalition also asserts that Hunt has committed criminal child abuse by their own definition of the word groomer. The Coalition asserts that Hunt is therefore an unfit parent who sexually abuses her own child, a serious crime.

32. Even if the Coalition did not allege Hunt was committing a crime under Nebraska law, the statements are still defamatory per se. The defamatory statements “falsely impute . . . unfitness to perform the duties of an office or employment” and “prejudice [Hunt] in . . . her profession or trade...” *Matheson*, 239 Neb. at 553.

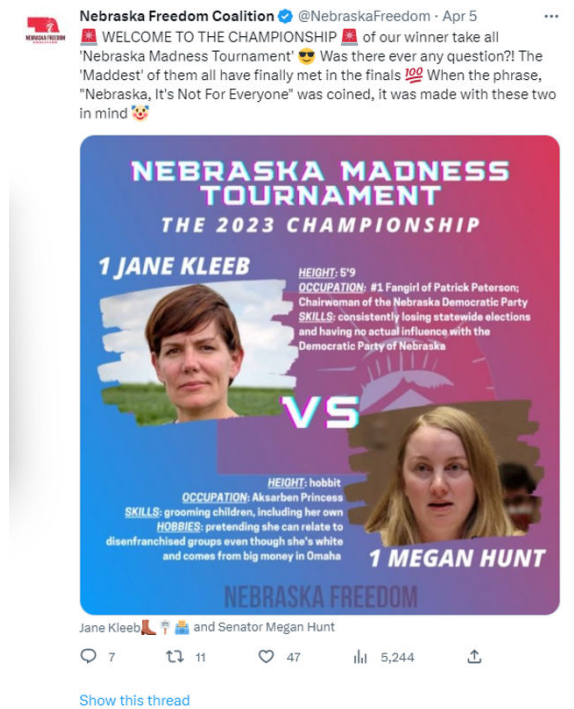
33. Hunt issued a retraction demand to Coalition for these two tweets on March 31, 2023. Hunt issued a second retraction demand on April 5, 2023. The Coalition has failed to correct or retract its statements. *See* Neb. Rev. Stat. § 25-840.01.

34. Upon receiving the retraction demand, the Coalition again tweeted—twice—that Hunt is a groomer. They continue to post tweets to this day that accuse her of grooming.



35. In its tweet, the Coalition listed Hunt’s skills as “grooming children, including her own.”

36. The Coalition continued campaign of creating disinformation and spreading misinformation clearly demonstrates actual malice toward Hunt. The Coalition tweeted again that Hunt is a “groomer” on April 5, 2023.



37. The repeated allegations of “grooming” against Hunt demonstrate that the Coalition intends for the public to believe it. The tweets from March 31 and April 5 have 2,913 and 5,244 views, respectively.

38. The statements made by the Coalition were intended to inspire public hatred and disgust towards Hunt as a mother and individual, and it did as evidenced by the response and evidence.

39. The Coalition intentionally spread false assertions of fact about Hunt. “It is well settled that there is no constitutional right to espouse false assertions of facts, even against a public figure in the course of public discourse.” *Moats v. Republican Party of Nebraska*, 281 Neb. 411, 796 N.W.2d 584 (2011).

40. Allegations of child grooming against Hunt and her own child are not political speech nor are they regarding a matter of public concern. Rather, the tweets are about Hunt’s relationship with her son—an intensely private matter.

41. The Coalition's tweets have materially harmed Hunt. They have damaged her reputation as a caring and loving mother. They have also caused Hunt ongoing fear and emotional distress.

42. Hunt seeks general reputational damages for the defamation and impact of that she has experienced due to the false statements published by the Coalition.

### **COUNT ONE: DEFMATION**

43. The Plaintiff hereby reincorporate Paragraphs 1 through 42 of the Complaint as if fully set forth again.

44. According to Nebraska Revised Statute § 25-839, libel requires that "the defamatory matter was published or spoken of the plaintiff, and if the allegation be denied, the plaintiff must prove on the trial the facts, showing that the defamatory matter was published or spoken of him."

45. The Coalition tweeted to the public that Hunt grooms and abuses children, including her own child, on March 22 and March 24, 2023. They made it clear that they considered this child abuse and provided a definition making that clear. Child abuse is a serious crime, and grooming a child is defined as a crime as well.

46. These tweets named Megan Hunt or directly referenced her twitter account. Anyone who read the tweet would know that the Coalition was referring to Hunt.

47. The Nebraska Freedom Coalition alleged in these tweets that Hunt committed serious crimes under Nebraska law. Alleging criminal conduct is actionable per se for libel. *Herzog v. Campbell*, 47 Neb. 370, 66 N.W. 424 (1896).

48. Hunt demanded a retraction and pointed out to the Coalition that it was accusing her of a serious crime for which there was no basis in fact. The Coalition continued to defame Hunt and to make false allegations of child grooming and child abuse. The tweets remain available to the general public to this day.

49. Hunts reputation has been damaged by these comments.

50. Hunt has experienced emotional distress, fear for her physical safety, and her child's physical safety.

51. Statements made by the Coalition led members of the public to believe that Hunt is unfit to be a mother. Many Nebraskans now believe that Hunt is a sexual predator, and physically harms her own child. This is evidenced by the numerous communications she has received immediately after the Coalition's posts.

52. Hunt seeks damages for the harms she continues to suffer due to the Coalition and their ongoing allegations that Hunt grooms and abuses her child and other children.

### **REQUESTS FOR RELIEF**

On the foregoing basis Ms. Hunt requests Judgment for general reputational damages, prejudgment interest to the extent permitted by law, and costs, including attorney's fees if permitted by law and further relief that the Court deems appropriate.

### **DEMAND FOR JURY TRIAL**

The Plaintiff prays for a trial by jury on all matters raised herein in the Douglas County District Court located in Omaha, Nebraska.

Dated this 27<sup>th</sup> day of June, 2023.

**MEGAN HUNT, Plaintiff**

/s/ Adam S. Morfeld

Adam Morfeld #24950

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