

NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
24CV032897-910

MARK KEITH ROBINSON,)
)
 Plaintiff,)
)
 v.)
)
 CABLE NEWS NETWORK, INC. and)
 LOUIS LOVE MONEY,)
)
 Defendants.)
)
)
)

MOTION TO DISMISS

Comes Now Defendant Louis Love Money (“Money”), through counsel, pursuant to Rules 8(a)(2), 41(b), 12(b)(6), and this Court’s inherent authority, to dismiss the claim against Mr. Money.

The Complaint contains many impertinent and bizarre allegations, meandering into two discussions of George Soros, conspiracies about media bias, and applauding Mark Robinson for lifting himself out of bankruptcy. The Complaint also sues CNN, and of course the lawsuit has been highlighted by nearly every if not every local news network in North Carolina and has been discussed in the national media.

Rule 8(a)(2) was enacted to prevent the amount of money someone seeks in a case from being pled in the addendum clause, instead requiring at this time that a person pleads only that they seek damages in excess of \$25,000. The Rule particularly and expressly applies when punitive damages are pled (as here). Its purpose is to prevent excess demands from leaking publicly in the media and tainting the judicial process. That policy was highlighted in *Schell v.*

Coleman, 380 S.E.2d 662 (N.C. App. 1983). In *Schell*, the Court of Appeals affirmed dismissal of a Complaint based in large part to media coverage that resulted from a violation of Rule 8(a)(2) that was far less comprehensive than what could be expected and occurred here, with a sexually and racially charged governor race in a key swing state. In fact, given the seniority of the counsel signing Mr. Robinson's Complaint, it has to be considered that the violation of Rule 8(a)(2) may have been for the very purpose of creating media attention for Mr. Robinson's campaign by creating a rambling narrative regarding CNN, Mr. Robinson, and a man who did an obscure video poking fun of Mr. Robinson for frequenting a pornography store (which the Complaint seems to at least partially agree with as alleged in paragraph 15) and for owing him \$25. Somehow, according to Mr. Robinson, that caused him \$50,000,000 of damages.

In fact, according to the Raleigh News and Observer, Mr. Robinson held a press conference to emphasize his lawsuit on October 15. "NC's Mark Robinson sued CNN for \$50 million over story revealing porn website posts" by Kyle Ingram, <https://www.newsobserver.com/news/politics-government/election/article293991224.html>, last accessed October 15, 2024 at 9:28 pm. The News and Observer seized on the \$50,000,000 punch line, which is exactly what Rule 8(a)(2) seeks to prevent.

A picture of Mr. Robinson at his press conference with his attorney, who countenanced his discussion of wanting \$50,000,000, is Exhibit 1. <https://ncnewslines.com/2024/10/15/mark-robinson-sues-cnn-and-ex-porn-store-clerk-alleging-reports-about-him-were-defamatory/?sfnsn=mo> Last accessed October 15, 2024, 10:26 pm. Mr. Binall is not licensed in North Carolina but is a signatory to the Complaint with a note that a pro hac vice application is forthcoming.

WHEREFORE, Money asks that the Complaint be dismissed, that costs and attorney fees be taxed against the plaintiff and/or his counsel, and that the Court hold a hearing on the nature and source of the violation of Rule 8(a)(2) before considering any motions for admission pro hac vice.

This the 16th day of October 2024.

/s/ Andrew L. Fitzgerald
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Counsel for Louis Love Money

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served a copy of the foregoing MOTION TO DISMISS upon all other parties to this action by electronically filing with the File & Serve System which will send electronic notification to the following:

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This the 16th day of October 2024.

/s/ Andrew L. Fitzgerald
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Mark Robinson sues CNN and ex-porn store clerk, alleging reports about him were defamatory

Louis Money, sued by the lieutenant governor, says “you can’t sue me for telling the truth”

BY: **GALEN BACHARIER** - OCTOBER 15, 2024 11:13 AM



📹 North Carolina Lt. Gov. Mark Robinson (left) and his attorney Jesse Binnall hold a news conference to announce a lawsuit against CNN and Louis Money of Greensboro in Raleigh, North Carolina on Oct. 15, 2024. (Photo: Galen Bacharier/NC Newsline)

Lt. Gov. Mark Robinson [sued](#) CNN and a former clerk at a porn store in Greensboro on Tuesday, alleging that they defamed the Republican candidate for governor in news reports about him