

**LAW OFFICE OF THOMAS M. RYAN**

2340 WEST RAY ROAD, SUITE 1  
CHANDLER, AZ 85224  
PHONE: 480-963-3333  
WEBSITE: [www.thomasmryanlaw.com](http://www.thomasmryanlaw.com)

THOMAS M. RYAN, Esq.  
Certified Specialist Injury & Wrongful Death  
Arizona Board of Legal Specialization

SARA K. RYAN, Esq.  
Associate Attorney

January 25, 2021

Andrew B. Brettler, Esq.  
**LAVELY & SINGER, P.C.**  
2049 Century Park East, Suite 2400  
Los Angeles, CA 90067-2906

Re: My Client: Hon. Sandra D. Kennedy  
Your Client: Turning Point USA

Dear Mr. Brettler:

Attached is a letter received by my client, Commissioner Kennedy, on January 20, 2021. I think you should know some knucklehead is out there signing your name to stupid letters.

Sincerely,

**LAW OFFICE OF THOMAS M. RYAN**



Thomas M. Ryan, Esq.

**Attachment**

cc: Hon. Sandra D. Kennedy  
Commissioner  
Arizona Corporation Commission

Hon. Mark Brnovich, Esq.  
Attorney General  
State of Arizona

JOHN H. LAVELY, JR.  
MARTIN D. SINGER  
BRIAN G. WOLF  
LYNDA B. GOLDMAN  
PAUL N. SORRELL  
MICHAEL E. WEINSTEN  
EVAN N. SPIEGEL  
TODD S. EAGAN<sup>2</sup>  
ANDREW B. BRETTLER.

**LAVELY & SINGER**  
PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
SUITE 2400  
2049 CENTURY PARK EAST  
LOS ANGELES, CALIFORNIA 90067-2906  
TELEPHONE (310) 556-3501  
FACSIMILE (310) 556-3615  
www.LAVELYSINGER.com

ALLISON S. HART  
T. WAYNE HARMAN  
DAVID B. JONELIS  
MELISSA Y. LERNER  
JAKE A. CAMARA  
KELSEY J. LEEKER  
MARTIN F. HIRSHLAND  
OF COUNSEL  
KEVIN L. JAMES  
<sup>2</sup> ALSO ADMITTED IN NY  
<sup>\*</sup> ALSO ADMITTED IN NY AND NJ

January 20, 2021

**VIA EMAIL:**

sdkenedy-web@azcc.gov

Hon. Sandra D. Kennedy  
Commissioner  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

**Re: Turning Point USA / Sandra D. Kennedy**  
Our File No. 6422-2

Dear Commissioner Kennedy:

Our law firm is litigation counsel to Turning Point USA (“TPUSA”), its affiliates, and officers. We are writing regarding the outrageous and defamatory press release that you issued on January 19, 2021 calling for the FBI and the U.S. Attorney General’s Office to investigate our clients based on misinformation and false claims that you have made. We demand that you immediately publish a retraction and apology.

Among other false and defamatory allegations contained in your press release, you wrote that Charlie Kirk, TPUSA’s Chief Executive Office, “has publicly stated financial and other support for attendees willing to ‘fight’ for President Trump on January 6, 2021 at the U.S. Capitol.” Not only is your claim demonstrably false, but it also constitutes libel *per se* and exposes you and your office to substantial liability.

First, TPUSA was not involved in the event held in Washington, D.C. on January 6, 2021. Turning Point Action (“TPA”), a 501(c)(4) organization that ran Students for Trump, sponsored approximately 350 student attendees. In that regard, TPA sent seven buses to the rally at the Ellipse—miles from the Capitol Building—to hear the former president speak. All students on TPA sponsored buses were immediately bused out of the Ellipse upon the conclusion of Mr. Trump’s remarks and did not participate in the march to the Capitol, as you recklessly

Hon. Sandra D. Kennedy  
**Re: Turning Point USA / Kennedy**  
January 20, 2021  
Page 2

---

suggested in your press release. The TPA sponsored students were nowhere near any of the violence that ensued that day.

Further, TPUSA and TPA's leadership immediately and strongly condemned the violence as news from the Capitol broke. Indeed, Justin Olsen, TPUSA's Chief Financial Officer, issued the following statement on January 12, 2021—a week *before* you published your false and defamatory press release: "I unequivocally condemn the shameful and despicable attacks on our nation's Capitol and mourn the needless loss of life of those that dedicated their lives to preserving law and order. This is not how Americans protest our disagreements, and those guilty of committing crimes must be prosecuted to the fullest extent of the law." Had you conducted even a minimal amount of research prior to issuing your press statement, you would have known that your contentions therein were false.

That you failed and/or refused to take reasonable measures to verify the defamatory allegations in your press release prior to its issuance is evidence of constitutional malice and subjects you and the Commission to significant legal claims giving rise to enormous damages. Moreover, because you issued your statement as a press release, it is not protected by any qualified privilege, nor are you personally insulated from liability.

Please be advised that TPUSA, its affiliated companies, and their officers will take all necessary and appropriate action to protect their rights and reputations. If you do not immediately retract the press release and issue an appropriate apology, our clients will proceed accordingly.

Should you ignore these demands, you will be proceeding at your own peril.

Nothing contained herein shall be deemed to constitute a waiver or relinquishment of any of our clients' claims, rights, and/or remedies, all of which are hereby expressly reserved.

Sincerely,



ANDREW B. BRETTLER

cc: Mr. Charlie Kirk