

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

RUBY FREEMAN, *et al.*,

Plaintiffs,

v.

HERRING NETWORKS, INC., *et al.*,

Defendants.

Civil Action No. 21-3354 (BAH)

Chief Judge Beryl A. Howell

**DEFENDANT GIULIANI'S ORIGINAL ANSWER TO
PLAINTIFFS' ORIGINAL COMPLAINT**

Pursuant to the Federal Rules of Civil Procedure, Defendant Rudolph W. Giuliani (“Giuliani”) hereby files his Original Answer to Plaintiffs’ Original Complaint [Doc. 1] (“Complaint”) and would respectfully show the Court as follows, with each numerated paragraph below corresponding to the numbered paragraphs of the Complaint:

ANSWER

1. This paragraph contains rhetorical argument containing opinions to which no response is required. However, to the extent the paragraph makes factual assertions regarding election workers being essential to democracy, Giuliani admits this is true and denies the remainder of the paragraph to the extent it makes any factual assertions.
2. This paragraph contains rhetorical argument containing opinions to which no response is required. However, to the extent the paragraph makes factual assertions regarding whether Plaintiffs were election workers in Georgia during the 2020 Election, Giuliani admits this is true and denies the remainder of the paragraph to the extent it makes any factual assertions.

3. This paragraph contains rhetorical argument containing opinions to which no response is required. However, to the extent the paragraph makes factual assertions regarding whether Plaintiffs have become the subject of vitriol, threats, and harassment, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations and denies the remainder of the paragraph to the extent it makes any factual assertions.
4. This paragraph contains rhetorical argument containing opinions to which no response is required. However, to the extent the paragraph makes factual assertions, such assertions are denied.
5. This paragraph contains rhetorical argument containing opinions to which no response is required. Giuliani admits that quotations appear in the cited references, Giuliani denies the remainder of the paragraph to the extent it makes any factual assertions.
6. This paragraph contains rhetorical argument containing opinions to which no response is required. Giuliani admits that quotations appear in the cited references, Giuliani denies the remainder of the paragraph to the extent it makes any factual assertions.
7. This paragraph contains rhetorical argument containing opinions to which no response is required. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding the OAN Defendants and denies the remainder of the paragraph to the extent it makes any factual assertions.
8. This paragraph contains rhetorical argument containing opinions to which no response is required. Giuliani admits that there was a video of Plaintiffs involved in ballot counting and denies the remainder of the paragraph to the extent it makes any factual assertions.

9. This paragraph contains rhetorical argument containing opinions to which no response is required. However, to the extent the paragraph makes factual assertions, such assertions are denied.
10. This paragraph contains rhetorical argument containing opinions to which no response is required. However, to the extent the paragraph makes factual assertions, such assertions are denied.
11. This paragraph contains rhetorical argument containing opinions to which no response is required. This paragraph also contains legal contentions to which no response is required. However, to the extent the paragraph makes factual assertions, such assertions are denied.
12. This paragraph contains rhetorical argument containing opinions to which no response is required. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding Plaintiff's claims of reputational injury and threats and denies the remainder of the paragraph to the extent it makes any factual assertions.
13. This paragraph contains rhetorical argument containing opinions to which no response is required. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding Plaintiff Freeman's claims of threats and reputational damage and denies the remainder of the paragraph to the extent it makes any factual assertions.
14. This paragraph contains rhetorical argument containing opinions to which no response is required. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding Plaintiff Moss's claims of threats and reputational

damage and denies the remainder of the paragraph to the extent it makes any factual assertions.

15. This paragraph contains rhetorical argument containing opinions to which no response is required. This paragraph also contains legal contentions to which no response is required. However, to the extent the paragraph makes factual assertions, such assertions are denied.

16. This paragraph contains rhetorical argument containing opinions to which no response is required. This paragraph also contains legal contentions to which no response is required. However, to the extent the paragraph makes factual assertions, such assertions are denied.

17. Admitted.

18. Admitted.

19. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding revenues derived by OAN from D.C. operations. Giuliani admits the remainder of the paragraph.

20. Admitted.

21. Admitted.

22. Admitted.

23. Admitted.

24. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding the amount in controversy. Giuliani admits the remainder of the paragraph.

25. This paragraph contains legal contentions to which no response is required.

26. This paragraph contains legal contentions to which no response is required.
27. This paragraph contains legal contentions to which no response is required.
28. This paragraph contains legal contentions to which no response is required.
29. This paragraph contains legal contentions to which no response is required.
30. This paragraph contains legal contentions to which no response is required.
31. Giuliani consents to jurisdiction, however, Giuliani denies the factual allegations of the paragraph other than that he is licensed to practice law in D.C. and that he made certain of the statements at issue from D.C.
32. Giuliani consents to jurisdiction, however, Giuliani denies the factual allegations of the paragraph.
33. Giuliani consents to venue, however, Giuliani denies the factual allegations of the paragraph.
34. This paragraph contains rhetorical argument containing opinions to which no response is required. This paragraph also contains legal contentions to which no response is required. However, to the extent the paragraph makes factual assertions, such assertions are denied.
35. This paragraph contains rhetorical argument containing opinions to which no response is required. Giuliani admits that quotations appear in the cited references, Giuliani denies the remainder of the paragraph to the extent it makes any factual assertions.
36. This paragraph contains rhetorical argument containing opinions to which no response is required. Giuliani admits that quotations appear in the cited references, Giuliani denies the remainder of the paragraph to the extent it makes any factual assertions.

37. Giuliani admits that quotations appear in the cited references, Giuliani denies the remainder of the paragraph to the extent it makes any factual assertions.
38. Giuliani admits that quotations appear in the cited references, Giuliani denies the remainder of the paragraph to the extent it makes any factual assertions.
39. Giuliani admits that quotations appear in the cited references, Giuliani denies the remainder of the paragraph to the extent it makes any factual assertions.
40. Giuliani admits that quotations appear in the cited references, Giuliani denies the remainder of the paragraph to the extent it makes any factual assertions.
41. Admitted.
42. Giuliani admits that quotations appear in the cited references, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
43. Giuliani admits that the cited references exist, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
44. Giuliani admits that quotations appear in the cited references, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
45. Giuliani admits that the cited references exist, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
46. Giuliani admits that the cited references exist, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
47. Giuliani admits that the cited references exist, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
48. Giuliani admits that quotations appear in the cited references, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.

49. Giuliani admits that quotations appear in the cited references, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
50. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations but admits that at least some ballots were counted at State Farm Arena.
51. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations but admits that Plaintiff Moss was an election worker at State Farm Arena.
52. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations but admits that Plaintiff Freeman was an election worker at State Farm Arena.
53. Giuliani admits that quotations appear in the cited references, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
54. Giuliani admits that the cited references exist, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
55. Giuliani admits that the cited references exist, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
56. Giuliani admits that quotations appear in the cited references, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
57. Giuliani admits that the cited references exist, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
58. Giuliani admits that the cited references exist, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
59. Admitted.

60. Giuliani admits that quotations appear in the cited references, Giuliani admits that a video existed and exists and was published during the event in question, however, he denies the allegations that the video was manipulated to create a false impression.
61. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
62. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
63. Admitted.
64. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
65. Giuliani admits that the cited references exist, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
66. Giuliani admits that quotations appear in the cited references, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
67. Giuliani admits that quotations appear in the cited references, Giuliani lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations.
68. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
69. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
70. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.

71. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
72. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
73. Admitted.
74. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
75. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
76. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
77. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
78. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
79. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
80. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
81. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
82. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.

83. Admitted that reports were made, denied as to remainder.
84. Admitted that reports were made, denied as to remainder.
85. Admitted that reports were made, denied as to remainder.
86. This paragraph contains rhetorical argument containing opinions to which no response is required. Giuliani denies the paragraph to the extent it makes any factual assertions.
87. This paragraph contains rhetorical argument containing opinions to which no response is required. Giuliani denies the paragraph to the extent it makes any factual assertions.
88. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
89. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
90. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
91. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
92. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
93. Admitted.
94. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
95. Admitted episode remains, denies as to remainder of allegations.
96. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.

97. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
98. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
99. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
100. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
101. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
102. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
103. Admitted episode remains, denies as to remainder of allegations.
104. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
105. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
106. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
107. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
108. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.

109. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
110. Admitted.
111. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
112. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
113. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
114. Admitted.
115. Admitted.
116. Admitted.
117. Admitted.
118. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
119. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
120. Admitted.
121. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
122. Admitted.
123. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.

124. Admitted.

125. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.

126. Admitted.

127. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.

128. Admitted.

129. Denied.

130. Admitted.

131. Admitted as to Trump Campaign, denied as to President Trump.

132. Admitted as to participating in hearing, denied as to remainder.

133. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.

134. Giuliani admits that quotations appear in the cited references and admits to being engaged at activities on behalf of the Trump Campaign at the Willard Hotel but denies the truth of the remaining allegations.

135. Giuliani admits that he spoke at the ellipse rally and that quotations appear in the cited references but denies the truth of the remaining allegations.

136. Denied.

137. Denied.

138. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.

139. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
140. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
141. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.
142. Admitted.
143. Admitted.
144. Giuliani admits that the cited references exist but denies the truth of the remaining allegations.
145. Denied.
146. Denied.
147. Admitted that Giuliani did not attempt to contact Plaintiffs, denied as to remainder.
148. Denied.
149. Denied.
150. Denied.
151. Denied.
152. This paragraph contains rhetorical argument containing opinions to which no response is required. This paragraph also contains legal contentions to which no response is required. However, to the extent the paragraph makes factual assertions, such assertions are denied.
153. This paragraph contains rhetorical argument containing opinions to which no response is required. This paragraph also contains legal contentions to which no

response is required. However, to the extent the paragraph makes factual assertions, such assertions are denied.

154. This paragraph contains rhetorical argument containing opinions to which no response is required. This paragraph also contains legal contentions to which no response is required. However, to the extent the paragraph makes factual assertions, such assertions are denied.

155. Denied.

156. Denied.

157. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.

158. Admitted as to Giuliani, lacks knowledge or information sufficient to form a belief about the truth of the allegations as to other Defendants.

159. Admitted as to Giuliani, lacks knowledge or information sufficient to form a belief about the truth of the allegations as to other Defendants.

160. Denied.

161. Giuliani admits that quotations appear in the cited references but denies the truth of the remaining allegations.

162. Denied.

163. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding threats, denied as to remaining allegations.

164. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.

165. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
166. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
167. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
168. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
169. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
170. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
171. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
172. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding lost friendships, denied as to the remainder.
173. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding experiences, denied as to the remainder.
174. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
175. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding experiences, denied as to the remainder.

176. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
177. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding experiences, denied as to the remainder.
178. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
179. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
180. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding experiences, denied as to the remainder.
181. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding experiences, denied as to the remainder.
182. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding experiences, denied as to the remainder.
183. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations.
184. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding experiences, denied as to the remainder.
185. Giuliani lacks knowledge or information sufficient to form a belief about the truth of the allegations regarding experiences, denied as to the remainder.
186. Denied, admitted, or otherwise as per above.
187. Denied.
188. Denied.

189. Denied.
190. Denied.
191. Denied.
192. Giuliani lacks knowledge or information sufficient to form a belief about the truth
of the allegations.
193. Denied.
194. Denied.
195. Denied.
196. Denied.
197. Denied.
198. Denied.
199. Denied.
200. Admitted no retraction was made, denied as to remainder.
201. Denied.
202. Denied.
203. Denied.
204. Denied.
205. Denied, admitted, or otherwise as per above.
206. Denied.
207. Denied.
208. Denied.
209. Denied.
210. Denied.

- 211. Denied.
- 212. Denied.
- 213. Denied.
- 214. Denied.
- 215. Denied, admitted, or otherwise as per above.
- 216. Denied.
- 217. Denied.
- 218. Denied.
- 219. Denied.
- 220. Denied.
- 221. Denied, admitted, or otherwise as per above.
- 222. Denied.
- 223. Denied.
- 224. Denied.
- 225. Denied.
- 226. Denied.
- 227. Giuliani denies all allegations in the prayer for relief.

228. **AFFIRMATIVE DEFENSES**

- 229. AFFIRMATIVE DEFENSE ONE: Plaintiffs' claims are barred in whole or in part by the First Amendment.
- 230. AFFIRMATIVE DEFENSE TWO: Plaintiffs' claims are barred in whole or in part by the applicable statute of limitations (the single publication rule).

231. AFFIRMATIVE DEFENSE THREE: Plaintiffs' claims are barred in whole or in part by the litigation privilege and/or attorney immunity.

232. AFFIRMATIVE DEFENSE FOUR: Plaintiffs' claims are barred in whole or in part by the legislative proceeding privilege and/or official proceeding privilege.

233. AFFIRMATIVE DEFENSE FIVE: Plaintiffs' claims are barred in whole or in part because some and/or all of Giuliani's statements complained of are substantially true.

234. AFFIRMATIVE DEFENSE SIX: Plaintiffs' claims are barred in whole or in part because some and/or all of any alleged damages suffered by Plaintiffs were not caused by Giuliani and were, in fact, caused intervening and/or supervening causes independent of Giuliani's conduct.

235. **PRAYER FOR RELIEF**

236. Defendant prays that Plaintiffs take nothing, that Defendant be awarded his costs, and for all other relief to which Defendant shows himself entitled.

Dated: March 25, 2022

By: /s/ Joseph D. Sibley IV

CAMARA & SIBLEY L.L.P.

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ATTORNEYS FOR RUDOLPH W. GIULIANI

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of March, 2022, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system, which I understand to have caused service on all counsel of record.

/s/ Joseph D. Sibley IV

Joseph D. Sibley IV