

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JESSICA DENSON, Individually and on
Behalf of All Others Similarly Situated,

Plaintiffs,

v.

DONALD J. TRUMP FOR PRESIDENT, INC.,

Defendant.

No. 20 Civ. 4737 (PGG)

**DECLARATION OF LEAD PLAINTIFF JESSICA DENSON IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

I, Jessica Denson, hereby declare as follows:

1. I am the Plaintiff named as representative plaintiff in this proposed class action lawsuit. I respectfully submit this declaration in support of my motion for certification of a class of individuals consisting of all Donald J. Trump for President, Inc. (the "Campaign") employees, contractors, and volunteers who executed a form employment contract containing non-disclosure and non-disparagement provisions (the "Employment Agreement"), or any contract containing similar non-disclosure and non-disparagement clauses, during the 2016 election cycle.

2. On or about August 18, 2016, I was hired by the Campaign.

3. Prior to beginning work, the Campaign required me to sign a form contract containing non-disclosure and non-disparagement clauses. *See* ECF No. 22 ¶ 6 & Ex. A.

4. After my work with the Campaign ended on or about November 10, 2016, I filed, *pro se*, a lawsuit alleging sex discrimination, harassment, and slander claims against the Campaign.

5. In response, the Campaign initiated an arbitration proceeding against me, claiming that, by filing my lawsuit, I violated the Employment Agreement's non-disclosure and non-disparagement provisions.

6. For more than two years, I fought the Campaign's efforts to enforce its illegal Employment Agreement against me. Notably, I addressed the Campaign's illegal efforts proactively, initially filing a separate federal lawsuit *pro se* seeking to have the contract declared invalid.

7. During that period, the Campaign succeeded in obtaining an award of \$49,507.64 from an arbitrator, which was initially confirmed in New York state court.

8. With the assistance of counsel, including my attorney David K. Bowles and co-counsel Maury Josephson, I succeeded in having that award overturned on appeal.

9. Prior to having the award overturned, I pressed forward with efforts to have the Employment Agreement declared invalid so that it could no longer chill vitally needed public debate. Mr. Bowles and Mr. Josephson prepared a class arbitration demand, and we submitted that demand to the Campaign.

10. The Campaign declined to arbitrate that demand. Describing that decision in a subsequent court filing, the Campaign explained that it "simply exercised its right" to "not arbitrate" that class claim and "that if plaintiff wants to proceed with a class action lawsuit, she must file her purported claims in court, rather than with the AAA."

11. Accordingly, on June 1, 2020, with the assistance of the full counsel team that has litigated this case to date, I filed this class action lawsuit.

12. I chose to file this class action because I experienced firsthand the extent to which the former President and his Campaign will go to silence their critics. The Campaign used the

contract to try to bully me into silence for eternity. It threatened me with ruinous financial sanctions because I had the audacity to seek legal remedy for the Campaign's wrongs and criticize a sitting President. The Campaign flagrantly and publicly sought to punish me and a handful of others for speaking out, but we are far from its only targets. The mere existence of this illegal contract is a sword of Damocles hanging over countless former Campaign workers whose names we have never heard.

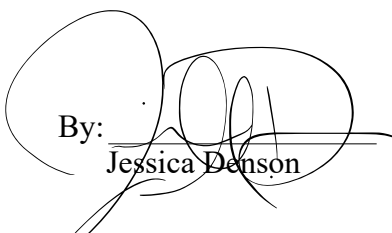
13. I chose to file this class action because the cost of working on a campaign cannot be unwavering allegiance to a man and his family, or silence for life. I thank God that I was born in a free country founded in its allegiance to a principle, an ideal — not a person. Former campaign workers have a right to participate in our democracy, including the freedom to change their minds and criticize the candidate they once supported. And the American public has a fundamental right to hear those criticisms so that they may make informed decisions.

14. I chose to file this class action because the truth matters, now more than ever. Striking down this contract will help ensure that justice can run its course, wherever, and to whomever, it leads.

15. Four more than four years, I have dedicated my life to having the Campaign's illegal contract declared invalid. I started this work on my own and have pressed forward with the help of counsel, which has joined me and expanded as my case has progressed. I remain committed to representing this class and seeing this work through.

WHEREFORE, I respectfully ask that the Court grant class certification so that we may expeditiously put this matter to rest.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 5, 2022, in Los Angeles, CA.

By: 
Jessica Denson