

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ALEXANDRIA

CARLTON HUFFMAN, )

Plaintiff, )

v. )

Civil Action No. CL 23001055

MATTHEW A. SCHLAPP )

and )

MERCEDES V. SCHLAPP, )

Defendants. )

PRAECIPE CIVIL MOTIONS DAY

Please place the above case on the MOTIONS DAY docket for April 12, 2023 at 10:00 a.m. The title of the motion is Defendants' Motion for Gag Order.

**Mandatory Remote Hearing Notices:**

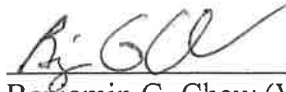
- a. The matter will be heard remotely via Microsoft Teams; and
- b. Opposing counsel/party will receive an email from the Court two (2) days prior to the Motions Day hearing. The Court's email will include a link to the Microsoft Teams meeting and a telephone number to be used by those participants who do not have internet access.

My email address is [bchew@brownrudnick.com](mailto:bchew@brownrudnick.com).

Email addresses for non-moving counsel are [thyland@hylandpllc.com](mailto:thyland@hylandpllc.com) and [tsouthwick@hylandpllc.com](mailto:tsouthwick@hylandpllc.com).

Email addresses for all interested parties are [sbest@brownrudnick.com](mailto:sbest@brownrudnick.com), [acrawford@brownrudnick.com](mailto:acrawford@brownrudnick.com), [cvasquez@brownrudnick.com](mailto:cvasquez@brownrudnick.com), and [smoniz@brownrudnick.com](mailto:smoniz@brownrudnick.com).

I hereby certify that Notice of the foregoing praecipe has been mailed to Timothy Hyland, counsel for the plaintiff, on the 22<sup>nd</sup> day of March, 2023.



---

Benjamin G. Chew (VSB #29113)  
Stephen A. Best (VSB #30215)  
Andrew C. Crawford (VSB #89093)  
BROWN RUDNICK LLP  
601 Thirteenth Street, N.W., Suite 600  
Washington, D.C. 20005  
Telephone: (202) 536-1782  
E-mail: [bchew@brownrudnick.com](mailto:bchew@brownrudnick.com)  
[sbest@brownrudnick.com](mailto:sbest@brownrudnick.com)  
[acrawford@brownrudnick.com](mailto:acrawford@brownrudnick.com)

Camille M. Vasquez (*pro hac vice* forthcoming)  
Samuel A. Moniz (*pro hac vice* forthcoming)  
BROWN RUDNICK LLP  
2211 Michelson Drive, Seventh Floor  
Irvine, CA 92612  
Telephone: (949) 752-7100  
E-mail: [cvasquez@brownrudnick.com](mailto:cvasquez@brownrudnick.com)  
[smoniz@brownrudnick.com](mailto:smoniz@brownrudnick.com)

*Counsel for Defendants*  
*Matthew A. Schlapp and Mercedes V. Schlapp*

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ALEXANDRIA**

**CARLTON HUFFMAN,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **MATTHEW A. SCHLAPP** )  
 )  
 **and** )  
 )  
 **MERCEDES V. SCHLAPP,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**Civil Action No. CL 23001055**

**DEFENDANTS' MOTION FOR GAG ORDER**

Defendants Matthew A. Schlapp and Mercedes V. Schlapp, by and through their undersigned counsel, hereby move this Honorable Court to enter an Order precluding the parties to this action from directly or indirectly issuing public statements about this case by any means, including without limitation statements to news media or posts on social media, during the duration of this litigation. Defendants do not object to such Order applying equally to all parties in this suit.

A memorandum in support of this Motion and proposed Order are filed herewith for the Court's consideration.

Respectfully submitted,



---

Benjamin G. Chew (VSB #29113)  
Stephen A. Best (VSB #30215)  
Andrew C. Crawford (VSB #89093)  
BROWN RUDNICK LLP  
601 Thirteenth Street, N.W., Suite 600  
Washington, D.C. 20005  
Telephone: (202) 536-1782  
E-mail: [bchew@brownrudnick.com](mailto:bchew@brownrudnick.com)  
[sbest@brownrudnick.com](mailto:sbest@brownrudnick.com)  
[acrawford@brownrudnick.com](mailto:acrawford@brownrudnick.com)

Camille M. Vasquez (*pro hac vice* forthcoming)  
Samuel A. Moniz (*pro hac vice* forthcoming)  
BROWN RUDNICK LLP  
2211 Michelson Drive, Seventh Floor  
Irvine, CA 92612  
Telephone: (949) 752-7100  
E-mail: [cvasquez@brownrudnick.com](mailto:cvasquez@brownrudnick.com)  
[smoniz@brownrudnick.com](mailto:smoniz@brownrudnick.com)

*Counsel for Defendants*  
*Matthew A. Schlapp and Mercedes V. Schlapp*

Dated: March 22, 2023

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ALEXANDRIA

CARLTON HUFFMAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. CL 23001055
	)	
MATTHEW A. SCHLAPP	)	
	)	
and	)	
	)	
MERCEDES V. SCHLAPP,	)	
	)	
Defendants.	)	
<hr/>		

**MEMORANDUM OF LAW IN SUPPORT OF  
DEFENDANTS' MOTION FOR GAG ORDER**

Defendants Matthew A. Schlapp (“Mr. Schlapp”) and Mercedes V. Schlapp (“Mrs. Schlapp”) (collectively, the “Schlapps” or “Defendants”), by and through their undersigned counsel, respectfully request that this Honorable Court enter an Order preventing the parties to this action or their counsel from directly or indirectly issuing public statements about this case by any means, including without limitation statements to news media or posts on social media, during the pendency of this litigation. In further support of their motion (the “Motion”), Defendants state as follows:

**INTRODUCTION AND FACTUAL SUMMARY**

This case involves false claims of sexual battery made by Plaintiff Carlton Huffman (“Plaintiff”), along with defamation claims based on statements that are neither false nor defamatory. Mr. Huffman has not been harmed and has no case. Nonetheless, because the

Defendants are high profile figures in the rough game of American politics, Mr. Huffman's allegations ignited a predictable media firestorm, which Mr. Huffman has sought to exacerbate at every turn. Mr. Huffman's ongoing efforts to litigate this case in the media are wholly inappropriate and pose a very real risk of tainting the jury pool. The Court should enter an Order constraining all parties from litigating these issues in the press.

A gag Order is necessary as a result of Mr. Huffman's persistent efforts to smear the Schlapps in the public eye. Indeed, immediately upon filing his anonymous Complaint, Plaintiff launched a highly inappropriate public campaign against the Schlapps, including by attacking Mr. Schlapp by name in the media and calling him a "sexual predator" (*see Exhibit A*). Articles quoting Plaintiff's counsel appeared in countless publications and news outlets ranging from the *New York Times* to *Fox News*.

Mr. Huffman's media campaign against the Schlapps escalated when the Court granted the Schlapps' Motion for Identification, ruling that he could not proceed anonymously in this action. Indeed, *on the very same morning* that the Court ruled he was required to disclose his identity, Mr. Huffman announced himself to the world through a blatantly pre-planned profile in *The Washington Post* under the (rather misleading) title: "GOP Operative Comes Forward as Accuser in Sexual Misconduct Claim against CPAC Head" (*Exhibit B*). That profile, which was complete with posed pictures and self-aggrandizing statements that "I'm not backing away" and that the Defendants need "to be held accountable," made it clear that the Plaintiff had engaged in "multiple interviews" with the *Post* "in the weeks before the judge's ruling."

Mr., Huffman's campaign then escalated again when unsavory aspects of his past came to light, including evidence of his involvement with repugnant white supremacist ideas, at which point Mr. Huffman posted an eleven-minute video attacking the Schlapps on social media. That

video has received many tens of thousands of views. It remains pinned at the top of Mr. Huffman's Twitter profile and remains available on YouTube to this day (*see Exhibit C*).

Mr. Huffman is likely to become more desperate, and more prone to litigate in the media and taint the jury pool, now that news broke that two young women, aged 19 and 22, credibly accused him of sexual assault that occurred only five weeks ago, on February 15, 2023 (*see Exhibit D*). The Court in Wake County, North Carolina, reportedly issued an Order requiring Mr. Huffman to stay away from his 19 year old victim for one full year.

This should stop. The proper place for Mr. Huffman to present his case is in Court, not on Twitter, YouTube, or media interviews. Mr. Huffman, with whose counsel the Schlapps have conferred, opposes this Motion. The Schlapps respectfully request that the Court enter an Order directing Mr. Huffman to refrain from further inappropriate efforts to smear them in the public eye and taint the jury pool.

## ARGUMENT

### **A. Plaintiff's Actions Will Likely Influence the Outcome of the Trial and Taint the Jury Pool if He Continues to Litigate this Case in the Media**

There can be no serious question that if allowed to continue unchecked, Mr. Huffman's ongoing media campaign against the Schlapps poses a very real risk of tainting the jury pool. That alone is a legitimate basis for the Court to impose limits on Mr. Huffman's extrajudicial statements. Restrictions on litigants' speech under such circumstances are warranted if the extrajudicial statements pose a reasonable likelihood of influencing the outcome of the trial or might influence the jury pool. *See In re Morrissey*, 168 F.3d 134, 140 (4<sup>th</sup> Cir. 1999) (noting that restrictions on attorney speech are appropriate when aimed at "the two evils that threaten the integrity of the judicial system," – "(1) comments that will likely influence the outcome of a trial and (2) statements that will prejudice the jury venire even if an untainted jury panel can eventually be

found”) (citations omitted); *U.S. ex rel. Davis v. Prince*, 753 F. Supp.2d 561 (E.D. Va. 2010) (“courts may restrict extrajudicial statements by parties and counsel only if those comments present a “reasonable likelihood” of prejudicing a fair trial.”). The order requested by this Motion simply seeks to prevent the “two evils” described in *Morrissey*. Mr. Huffman has repeatedly attacked the Schlapps and aggressively sought to spread his story far and wide to the public, without cross examination and unmediated by the rules of evidence, including by referring to Mr. Schlapp as a “sexual predator” and a liar. Mr. Huffman has blatantly made numerous comments that go “directly to the merits of the case” and are likely – and probably designed – to bias potential jurors against the Schlapps. *Id.* These statements have already impacted the Schlapps’ potential for an impartial trial and should not be allowed to continue.

Furthermore, without a gag order, there is an increased danger that the jury pool will be tainted. Plaintiff has already spoken to national media outlets, making it more difficult to find impartial jury pools. Alternative remedies, such as change of venue and trial postponement, are inadequate since Mr. Huffman’s media campaign is nationwide. *See* Craig D. Johnson, *Gag Orders*, VA. PRAC. TRIAL HANDBOOK § 2:27 (Feb. 2022) (citing *Application of Dow Jones & Co., Inc.*, 842 F.2d 603, 15 Media L. Rep. (BNA) 1105 (2d Cir. 1988)). Without a restriction on Plaintiff and his attorney’s extrajudicial statements, the task of finding impartial jurors may become exponentially more difficult. This is a high-profile case that is already being covered in the media, and Plaintiff will almost certainly continue to engage in public and wholly inappropriate attacks on the Schlapps absent Court intervention.

**B. The Schlapps’ Request for a Gag Order Strikes a Balance and Will Protect the Right to a Fair Trial Without Infringing on the First Amendment**

The Schlapps’ request for a gag order is narrowly tailored to avoid any infringement on First Amendment Rights. The U.S. Supreme Court has held that “[f]ew, if any, interests under the



Constitution are more fundamental than the right to a fair trial by ‘impartial’ jurors, and an outcome affected by extrajudicial statements would violate that fundamental right.” *Gentile v. State Bar of Nevada*, 501 U.S. 1030, 1075 (1991). Here, the Schlapps’ request is narrow; they are requesting a restriction that (1) would apply equally to all parties without regard of point of view, (2) be applied equally to all participating attorneys in the case, (3) would only apply until after the trial, and (4) only be applied to speech that will “[be] substantially likely to have a materially prejudicial effect.” *Morrissey*, 168 F.3d at 139. The requested order strikes an appropriate balance between protecting the parties’ First Amendment rights and the Schlapps’ right to a fair trial.

**C. This Court Has Already Indicated that a Gag Order is Appropriate in this Action**

During the Hearing on the Motion for Identification on March 8, 2023, the Honorable Lisa Bendareff Kemler, Chief Judge, raised the highly public nature of this litigation and asked whether the parties have considered a gag order (Tr. 32:16-20) (**Exhibit E**, p. 1). The Court also noted the risk of contaminating any potential jury pool if this case were to proceed to trial (Tr. 44:1-10). (**Exhibit E**, p. 2). Although the Court did not impose such an order at that time (and neither party had yet requested it) Mr. Huffman’s escalating media campaign makes clear the need for such an order.

**CONCLUSION**

Defendants respectfully request that the Court enter an Order substantially in the form filed herewith.

Respectfully submitted,

  
\_\_\_\_\_  
Benjamin G. Chew (VSB #29113)

Stephen A. Best (VSB #30215)  
Andrew C. Crawford (VSB #89093)  
BROWN RUDNICK LLP  
601 Thirteenth Street, N.W., Suite 600  
Washington, D.C. 20005  
Telephone: (202) 536-1782  
E-mail: [bchew@brownrudnick.com](mailto:bchew@brownrudnick.com)  
[sbest@brownrudnick.com](mailto:sbest@brownrudnick.com)  
[acrawford@brownrudnick.com](mailto:acrawford@brownrudnick.com)


Camille M. Vasquez (*pro hac vice* forthcoming)  
Samuel A. Moniz (*pro hac vice* forthcoming)  
BROWN RUDNICK LLP  
2211 Michelson Drive, Seventh Floor  
Irvine, CA 92612  
Telephone: (949) 752-7100  
E-mail: [cvasquez@brownrudnick.com](mailto:cvasquez@brownrudnick.com)  
[smoniz@brownrudnick.com](mailto:smoniz@brownrudnick.com)

*Counsel for Defendants*  
*Matthew A. Schlapp and Mercedes V. Schlapp*

Dated: March 22, 2023

# **EXHIBIT A**

# 'Matt Schlapp Is a Sexual Predator': Accuser Sues Over Sexual Battery

 [thedailybeast.com/accuser-sues-matt-schlapp-for-sexual-battery](https://www.thedailybeast.com/accuser-sues-matt-schlapp-for-sexual-battery)

Roger Sollenberger, Matt Fuller

January 17, 2023



**What to Watch, Binge,  
See, & Skip**

The former Herschel Walker staffer who came forward to The Daily Beast earlier this month to detail a sexual assault allegation against conservative icon Matt Schlapp is now suing the powerful chairman of the American Conservative Union—for battery, defamation, and conspiracy.

The lawsuit, which the staffer's attorneys filed Tuesday in the circuit court of Alexandria, Virginia, accuses Schlapp of "sexual battery" after "aggressively fondling" his "genital area in a sustained fashion" while the staffer drove Schlapp home from an evening of drinks at Atlanta bars in October.

The complaint also accuses Schlapp—as well as his wife, conservative commentator and former Trump White House communications adviser, Mercedes Schlapp—of defamation, ~~citing efforts to "impugn" the accuser's character in response to media reports of the~~ allegation. It further alleges a conspiracy count where the couple worked to denigrate the accuser with the help of conservative fundraiser Caroline Wren, who has acted as a representative for the Schlapps in the matter.

The lawsuit claims that Schlapp, who oversees the Conservative Political Action Conference, made "repeated unsolicited and undesired advances" toward the campaign staffer for Herschel Walker. The staffer previously told The Daily Beast that Schlapp "groped" his crotch while he drove the conservative organizer back to his hotel after a day of campaign events.

The staffer filed the lawsuit under the alias of "John Doe," citing privacy concerns and fear of retaliation. He has vowed to come forward with his real name should Schlapp deny the allegations.

But according to the complaint, the retaliation is already underway. The lawsuit cites text messages Mercedes Schlapp sent to a "neighborhood group chat or text," where she called the staffer a "troubled individual" who had been fired "for lying and lying on his resume"—a claim the lawsuit says is untrue and defamatory.

The complaint also cites a series of tweets from Wren, who orchestrated high-dollar fundraising efforts behind the Jan. 6 rally. In those tweets, Wren outed the accuser by name following media reports in which he chose to remain anonymous out of privacy concerns. She accused him of being fired from campaigns because he was a “habitual liar”—claims the lawsuit also says are false and defamatory.

The lawsuit seeks a total of \$9.4 million in damages: \$3.85 million against Schlapp for the alleged assault, \$1.85 million from both Schlapp and his wife for the alleged defamation, and an additional \$1.85 million from the couple for the conspiracy charge—and “such other and further relief as the Court may deem appropriate.”

*The New York Times* first reported the lawsuit Wednesday afternoon.

In a letter, the staffer’s attorney, Tim Hyland of Hyland Law, called Schlapp a “sexual predator.”

“Mr. Schlapp has not directly denied our client's allegations, and with good reason—they are unmistakably true, and corroborated by extensive contemporaneous evidence,” the letter read.

“We intend to keep a singular focus: to demonstrate that Matt Schlapp is a sexual predator who assaulted our client,” the letter also said.

Schlapp, for his part, once again indirectly denied the allegations through a lawyer.

“This anonymous complaint demonstrates the accuser's real agenda, working in concert with [The] Daily Beast to attack and harm the Schlapp family,” a statement from Schlapp's lawyer, Charlie Spies, read. “The complaint is false, and the Schlapp family is suffering unbearable pain and stress due to the false allegation from an anonymous individual. No family should ever go through this, and the Schlapps and their legal team are assessing counter-lawsuit options.”

But to the Schlapps, the accuser is not anonymous. They know his identity, a fact the lawsuit further evinces in their alleged smear campaign against him.

The staffer’s account has now been independently confirmed by NBC News and CNN since The Daily Beast first reported on it on Jan. 5. The lawsuit says The Daily Beast “accurately recounted, in all material aspects, the facts surrounding Mr. Schlapp’s sexual battery of Mr. Doe.”

# **EXHIBIT B**

The Washington Post

# GOP operative comes forward as accuser in sexual misconduct claim against CPAC head

By [Beth Reinhard](#) and [Isaac Arnsdorf](#)

Updated March 8, 2023 at 5:43 p.m. EST    Published March 8, 2023 at 1:21 p.m. EST



Carlton Huffman, a longtime aide to Republican campaigns, outside his home in Raleigh, N.C. (Eamon Queeney for The Washington Post)

The man who has accused Matt Schlapp, the influential leader of the Conservative Political Action Conference, of sexual misconduct came forward publicly Wednesday after a judge said he must use his real name to proceed with a lawsuit.

Carlton Huffman, 39, a longtime aide to Republican campaigns who lives in Raleigh, N.C., said he plans to amend the previously anonymous lawsuit, which seeks \$9.4 million in damages for alleged sexual battery and defamation.

"I'm not backing away," Huffman said in an interview with The Washington Post. "I'm not going to drop this. Matt Schlapp did what he did and he needs to be held accountable."

Schlapp, 55, has denied Huffman's claims that he groped his crotch and invited him to his hotel room during an October trip to Atlanta to campaign for Georgia Senate candidate Herschel Walker. Schlapp's lawyer argued Wednesday that by proceeding anonymously, Huffman was trying to avoid scrutiny of his own record — including expressing extremist views on a white-supremacist blog and radio show more than a decade ago.

"I strongly believe we cannot defend this case — and it's a multimillion-dollar case — without being able to use his name," said Benjamin Chew, Schlapp's lawyer.

Alexandria Circuit Court Chief Judge Lisa Bondareff Kemler described "balancing" the request for anonymity with the public's interest in knowing the accuser's identity and the ability of Schlapp and his wife, Mercedes, to defend themselves. Mercedes Schlapp is also accused of defamation in the suit.

Kemler noted an absence of specific threats against Schlapp's accuser.

"The plaintiff has not established I think the heavy burden of establishing both a concrete need for secrecy and identifying the consequences that would likely befall him if forced to proceed in his own name," she said. The judge said she would issue an order requiring Huffman to add his name to the suit.

By putting his name on the record, Huffman will test anew Schlapp's support with the board of CPAC's parent organization, the American Conservative Union, and with other Republican allies at a time when he faces a wide range of challenges, including heavy staff turnover and reduced turnout at CPAC's flagship conference in the Washington area last week. The Republican power broker and leading booster of former president Donald Trump has declined to respond to questions from The Post about those issues and Huffman's allegations.





Matt Schlapp, chairman of the American Conservative Union and leader of CPAC, arrives for an interview at CPAC on March 2. (Jabin Botsford/The Washington Post)

“We are confident that when his full record is brought to light in a court of law, we will prevail,” Mark Corallo, a spokesman for Schlapp, said in a statement on Twitter, hours after Wednesday’s hearing. “Out of respect for the court, we have no further comment at this time.”

In interviews with *The Post* in the weeks before the judge’s ruling, Huffman added new detail to his claims against Schlapp and provided texts, phone logs and videos that broadly match his accounts of quickly sharing the allegation. Six family members and friends and three Walker campaign officials confirmed to *The Post* that Huffman told them about the alleged incident that night or the next day.

But Huffman’s reputation suffered a major blow earlier this year, when his past racist writings were exposed by an anonymous email account. Huffman had frequently glorified the Confederate flag, blamed Black people and illegal immigrants for violent crime, and called for “preserving the European American culture of the United States.” Huffman immediately resigned from his job with the North Carolina General Assembly in late January after the email with links to his commentary was circulated.

“That was an ugly chapter of my life that I am personally ashamed of,” Huffman said. “That is not who I am anymore.”

Schlapp’s allies have dismissed the sexual misconduct allegation as an attack from the political left. Republican fundraiser Caroline Wren, a Schlapp ally who named Huffman on Twitter weeks ago, tweeted that he has been “spreading false allegations against conservatives.” A formal statement from two ACU members posted on the organization’s website cast the accusation against Schlapp as a plot by liberals “to scorch the earth in their quest to cancel those with whom they disagree.”

Huffman also has been an outspoken critic of the [Jan. 6, 2021](#), attack on the U.S. Capitol by a pro-Trump mob, texting White House Chief of Staff Mark Meadows that day to say he'd "earned a special place in infamy." Huffman had worked on Meadows's 2012 congressional campaign.

Other Republicans have vouched for the conservative bona fides of Huffman, a lifelong Republican who has spent his entire career working in GOP politics.

"Carlton is known by many Republicans in North Carolina as a hardworking campaign professional who has helped elect conservatives across our state and country," Sen. Thom Tillis (R-N.C.), who has known Huffman for more than a decade, said in a statement to The Post released before Huffman's past extremist commentary was revealed.



Huffman at his home in Raleigh in January. (Eamon Queeney for The Washington Post)

Huffman had been working for Walker's campaign as a regional field director for more than two months when he was asked to drive a VIP campaign supporter from out of town on Oct. 19.

This account of what Huffman says happened next is based on multiple interviews with him, his confidants and Walker campaign officials, as well as phone logs, texts and social media reviewed by The Post. Some people spoke on the condition of anonymity to discuss private matters or because of a fear of retaliation. In court filings, Schlapp admits texting and calling Huffman and spending time with him at two bars but denied the rest of Huffman's claims.

On that day in October, Huffman rented a sedan because he didn't want to drive his guest in his disheveled 2018 Ford Focus. Schlapp, that morning, [tweeted a photo](#) of himself and Walker on the campaign bus.

The two men met after Schlapp spoke at Walker's rally that day in Perry, Ga., and Huffman drove Schlapp to his Atlanta hotel.

In a text later that afternoon, Schlapp thanked Huffman for the ride and invited him to meet for a drink at the Capital Grille in the city that night.

Huffman had to return the rental car, so he took his own car to get washed. "I found a seat at the bar to watch the ball game," Huffman texted at 8:30 p.m.

Huffman said they talked sports over drinks and on Schlapp's suggestion, moved to another bar called Manuel's Tavern. At that bar, Huffman alleged, Schlapp's leg made what felt like intentional contact with his own. Schlapp also bumped into his side, where Huffman was carrying a Sig Sauer pistol under his jacket.

After Huffman said Schlapp suggested another drink, he told Schlapp it was time to get back to his hotel. A few minutes into the drive back to his hotel, Schlapp rested his hand on Huffman's leg, Huffman said.

Huffman's mind raced as Schlapp's hand remained on his thigh for most of the ride to his hotel. "What do I say to this guy?" Huffman recalled wondering. "Or is he going to get pissed and say something bad about me because he's Matt Schlapp and I am John Q staffer for Herschel Walker?"

Before getting out of the car, Schlapp rubbed Huffman's genitals, Huffman said. Then he invited Huffman to his hotel room.

Huffman said he declined, as waves of shame and revulsion were starting to wash over him. At 11:26 p.m., he started texting an acquaintance with years of experience in Republican politics for advice.

"Matt Schlapp ... Hc litcrally just fondled my junk ... Like I'm Over here shaking ... Idk what to do."

A couple of minutes after midnight, Schlapp called Huffman to confirm a ride the next morning to another rally. Huffman said he was in shock when he agreed.

By 12:30 a.m., Huffman was home and called a close friend. He told her he needed to record a statement to document what happened with Schlapp.

In the seven-minute video, a visibly anguished Huffman says it's about 12:45 a.m., gives his full name and describes the incident. Huffman also sent the video to a college friend, who watched it and spoke to him a few hours later, and to his wife, Jessica Huffman, whom he separated from last year.

"You can't make up the emotion he recorded in the video — the way he reacted and the shame he felt," his wife said in an interview weeks ago. "He knows that I was the victim of a sexual assault, and he would never make something like that up."

The next morning, Schlapp texted Huffman that he was in the hotel lobby. Huffman quickly shared his account of the night before with three Walker campaign officials. In the early-morning rush before the day's events, the campaign team conferred about the situation.

"None of us had any reason to believe that he would make this story up," said one of the campaign staffers involved in the discussion. "We believed him then, and we believe him now. ... We were going to have his back."

Huffman was told he did not have to pick up Schlapp for the one-hour drive to that day's rally in Macon, Ga., and the campaign arranged for an outside chauffeur. Huffman was advised to send Schlapp the driver's contact information and tell him why he would not be picking him up.

"I did want to say I was uncomfortable with what happened last night," Huffman texted Schlapp at 7:46 a.m.

"Pls give me a call Thx," Schlapp replied immediately. Schlapp also called him three times: twice at 7:53 a.m. and a third time at 8:09 a.m. Huffman didn't answer.

At 12:12 p.m., Schlapp sent a final text to Huffman. "Carlton If you could see it in your heart to call me at end of day. I would appreciate it," he wrote. "If not I wish you luck on the campaign and hope you keep up the good work."

Campaign staffers that day asked Huffman if he wanted to talk to a lawyer, therapist or law enforcement. He was worried about disrupting the Walker campaign, which was already in crisis over an allegation that the candidate had paid for a girlfriend's abortion in 2009. Huffman talked to the campaign's lawyer but decided that if he did come forward, it would be after the election. He did not file a police report for the same reason.

"They never questioned my honesty," he said of the Walker staffers. "They listened to my story and reacted in a very human way to it."

That evening, Huffman spoke to his parents. “He was a basket case,” said his mother, Pamela Huffman, in an interview last month. “I was so hurt because he was so hurt.”

Four days after Walker lost, Huffman lashed out on social media. “Don’t let @mschlapp get too many vodkas in him. It doesn’t end well,” he wrote in a tweet he later deleted. Less than two weeks later, Huffman tweeted directly at Schlapp, writing, “you know exactly what you did.” He also deleted the Dec. 23 post because, he said, he wasn’t ready for “all hell to break loose before Christmas.”

About two weeks later, the Daily Beast published Huffman’s allegations without identifying him by name. Huffman’s lawyer, Tim Hyland, had argued in court papers that Huffman filed the lawsuit anonymously out of fear of “an undue risk of retaliatory physical or mental harm.”

*Alice Crites, Dylan Wells and Josh Dawsey contributed to this report.*

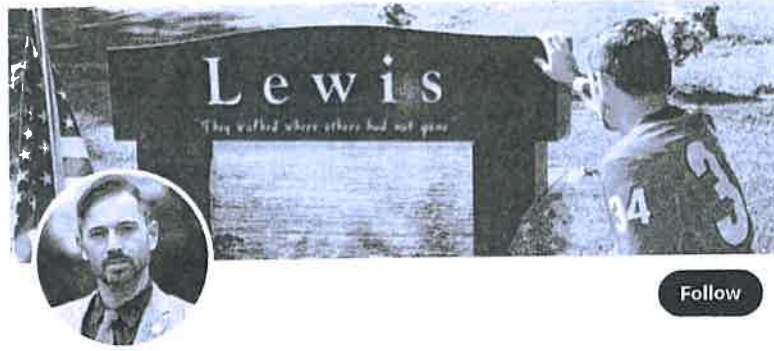
# **EXHIBIT C**



# Explore

Settings

← Carlton Huffman 45.2K Tweets



Carlton Huffman @CarltonHuffman

Christ follower | NC Native | Beloved Community Citizen | Reagan Republican | @DUKEMBB Fan | Adopted Florida Man | Blocked by @MFA\_China.

Raleigh, NC linkedin.com/feed/ Joined April 2011

2,020 Following 2,264 Followers

Tweets Replies Media Likes

Pinned Tweet

Carlton Huffman @CarltonHuffman · Mar 8 On October 19, 2022 @mschlapp attempted to take my dignity, but he didn't take my voice. Today I reclaim my voice, and say to every victim of sexual assault that there is justice and accountability. #MeToo



youtube.com The Truth about Matt Schlapp/October 19, 2022

00 157 363 77.5K

Carlton Huffman Retweeted

Marco Rubio @marcorubio · 2h On a scale of 1-10 #Ukraine isn't a 10, but it isn't a zero either And either giving them a blank check or doing nothing are NOT our only options



Search Twitter

New to Twitter?

Sign up now to get your own per:

Sign up with G

Sign up with A

Create account

By signing up, you agree to the Twitter Privacy Policy, including Cookies

You might like

Patrick Testin @patricktestin

Judge Shelley Grogan @JudgeGrogan

Waukesha Young I @WaukeshaYR

Show more

What's happening

March Madness - Starts at 12:15 PM Mountainers at Terrapins

Gaming Trending #GildedSweepstakes 1,714 Tweets

Trending in United States Fort Hood 1,438 Tweets

Celebrities Trending Ben Affleck Trending with Gunn

Politics Trending Dinesh 28.2K Tweets

Show more

Terms of Service Privacy Policy Accessibility Ads info More © 2023 Twitter, Inc.

Don't miss what's happening

People on Twitter are the first to know.

Log in

S



# Explore

Settings



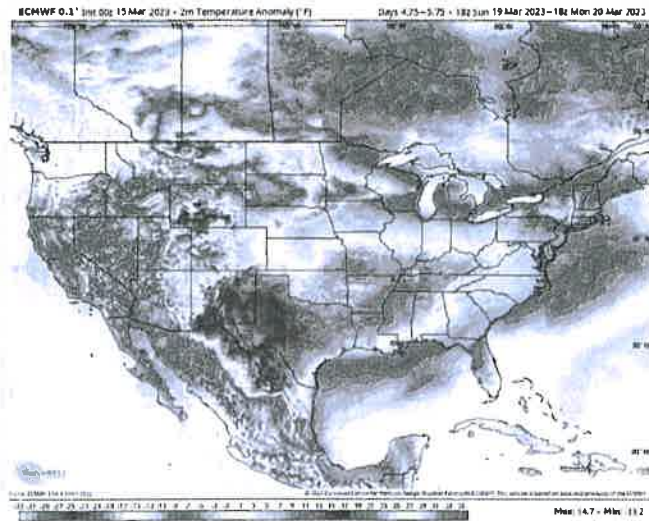
166 61 336 64.5K



Retweeted

Joe Bastardi @BigJoeBastardi · Mar 15

Could be one of the coldest arrival of springs for the US on record. Look at this



31 75 293 35K



@CarltonHuffman · 15h

Memo to the @Buccaneers....y'all were supposed to learn from the @Panthers mistake with Baker....

JB Biunno #HeyJB @WFLAJB · 21h

Baker Mayfield to the @Buccaneers!

And just like that, the #NFL100 commercial takes on new meaning for @TomBrady & @bakermayfield.



1 268



Retweeted

Adam B. Coleman, President of Aintbla... @wrong\_s... · Mar 15

If you want to understand the dynamic between China & Taiwan:

Taiwan been left China for being controlling but China refuses to acknowledge that they split up.

China gets pissed if you call Taiwan its ex.

Don't miss what's happening

People on Twitter are the first to know.

Log in

S





# Explore

⚙ Settings



Carlton Huffman @CarltonHuffman · 22h

There goes @CPAC's 2024 sponsor



Brent Erickson @BErickson\_BIO · 22h

Exiled Chinese billionaire Guo Wengui, an ally of Steve Bannon, arrested by FBI yahoo.com/gma/exiled-chi... via @Yahoo #Bannon #FBI #China



1



3



5



495



Don't miss what's happening

People on Twitter are the first to know.

Log in



# **EXHIBIT D**

# Man claiming sexual misconduct by CPAC leader accused of sexual battery

By [Beth Reinhard](#) and [Isaac Arnsdorf](#)

March 10, 2023 at 12:16 p.m. EST

The longtime Republican campaign aide who has leveled sexual misconduct allegations against Matt Schlapp, the influential leader of the Conservative Political Action Conference, was accused last month of sexual battery.

Carlton Huffman, 39, was recently ordered by a judge to stay away for one year from a Raleigh, N.C., housemate who alleged he performed unwanted sex acts on her and another woman, according to court documents filed in Wake County Superior Court.

The Feb. 27 protective order was issued about one month after Huffman filed a lawsuit in Virginia alleging sexual battery and defamation by Schlapp. Schlapp has denied the claims.

Huffman was accused of performing sex acts on two women, ages 19 and 22, inside his Raleigh apartment without their consent. The younger woman had recently moved into the apartment with Huffman before the alleged incident on Feb. 15. The women said they felt unsafe in part because they knew Huffman had a gun in the house.

Raleigh police said the case was investigated and closed; an incident report shows no charges were filed.

The 19-year-old woman was granted the year-long restraining order against Huffman, while the 22-year-old obtained a protective order for 10 days; a judge then dismissed her complaint. In an interview with The Washington Post, the 22-year-old — whom The Post is not naming as an alleged victim of sexual violence — said she was offended by Huffman's portrayal of himself in recent weeks as a sexual battery victim.

Huffman told WRAL News, which first reported the protective order, that he was "innocent of improper conduct." His attorney, Tim Hyland, declined to comment.

Huffman sued Schlapp anonymously in mid-January, seeking \$9.4 million in damages. An Alexandria Circuit Court judge on Wednesday said he needed to identify himself in the lawsuit to proceed, leading Huffman to come forward publicly.

Schlapp's lawyer argued that by proceeding anonymously, Huffman was trying to avoid scrutiny of his own record — which includes expressing extremist views on a white supremacist blog and radio show more than a decade ago.

In the lawsuit, Huffman says that as a staffer for Georgia Senate candidate Herschel Walker, he was asked to drive Schlapp when he came to Atlanta for an Oct. 19 campaign rally. According to Huffman, Schlapp groped his crotch in the car after they went to two bars that night. Schlapp acknowledges going to bars with Huffman but denies the rest of his account.

*Leigh Tauss contributed to this story.*

# **EXHIBIT E**

1 and served is accompanied by a copy, let's say it  
2 was a protective order, I think --

3 THE COURT: Okay. Have you -- and, so, I  
4 might have cut you off, Mr. Hyland. Was there  
5 any -- or did you have additional points you  
6 wanted to argue?

7 MR. HYLAND: I don't believe I do, your  
8 Honor, unless your Honor has any particular  
9 questions or if there's something else you'd like  
10 me to address.

11 THE COURT: No, but I was going to ask  
12 you, and I can always ask Mr. Chew, as well, have  
13 you all discussed the parameters of a protective  
14 order.

15 MR. HYLAND: We have not.

16 THE COURT: Okay. And has either counsel  
17 considered a gag order in a case involving this  
18 kind of publicity attention that might unduly, you  
19 know, taint a potential jury pool? Have you  
20 talked about that?

21 MR. HYLAND: We have not, although I think  
22 Judge Howell sort of unilat -- more or less,

1 resides. I would prohibit in any order Defendants  
2 from doing that and -- but -- and I -- I, you  
3 know, am not at this time inclined to issue a gag  
4 order, but I think that this is the kind of case  
5 that, you know, the media attention can really  
6 spiral out of control here and -- and I would be  
7 concerned about tainting any potential jury pool  
8 if this case were to go to trial. So, counsel may  
9 want to, you know, see what you might be able to  
10 work out with respect to that.

11 But, essentially, the Court is going to  
12 grant the Defendants' motion, finding that the  
13 Plaintiff has failed to meet the special  
14 circumstances laid out in the statute for being  
15 able to proceed under a pseudonym.

16 MR. CHEW: Thank you, your Honor. May we  
17 shoot you a proposed order later this afternoon?

18 THE COURT: Sure.

19 Mr. Hyland, did you want to say something?

20 MR. HYLAND: Well, yeah, I wanted to, just  
21 for purposes of the order, I suppose what needs to  
22 happen under the statute is we need to file an

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ALEXANDRIA**

<b>CARLTON HUFFMAN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 23001055</b>
	)	
<b>MATTHEW A. SCHLAPP</b>	)	
	)	
<b>-and-</b>	)	
	)	
<b>MERCEDES V. SCHLAPP,</b>	)	
	)	
<b>Defendants.</b>	)	
<hr/>		

**ORDER**

The Court having read and considered the Motion for Gag Order filed by Defendants Mathew A. Schlapp and Mercedes V. Schlapp (“Defendants”), any opposition thereto by Plaintiff Carlton Huffman (collectively with the Defendants, the “Parties”), and having heard argument of counsel and good causing appearing, it is, this 22<sup>nd</sup> day of March, 2023, hereby ORDERED as follows:

1. The Parties shall not knowingly make any substantive statement, directly or indirectly, whether orally or in writing, to any member of the media (“Media”) concerning this action (“Action”) or the subject matter thereof, unless and until the Action is resolved by settlement, Court order, or jury verdict.



2. The Parties shall not, directly or indirectly, share with the Media any documents concerning this Action or the subject matter thereof, including without limitation any documents produced by any Parties or witnesses in this Action.

3. The Parties shall not, directly or indirectly, make any public statements about this Action or the subject matter thereof, including without limitation by issuing a press release, posting on social media accounts, or reposting or commenting on social media posts by others, unless and until the Action is resolved by settlement, Court order, or jury verdict.

4. The restrictions set forth in paragraphs 1 through 3 shall apply with equal force to counsel for the parties and to any professionals or vendors working on behalf of the Parties or their counsel, except as necessary to perform legal work for the Action itself.

---

The Honorable Lisa Bendareff Kemler  
CHIEF JUDGE

*Compliance with Rule 1:13 requiring the endorsement of counsel of record is modified by the court, in its direction, to permit the submission of the following electronic signatures of counsel in lieu of an original endorsement or dispensing with the endorsement.*

WE ASK FOR THIS:

---

Benjamin G. Chew (VSB #29113)  
Stephen A. Best (VSB #30215)  
Andrew C. Crawford (VSB #89093)  
BROWN RUDNICK LLP  
601 Thirteenth Street, N.W.  
Suite 600  
Washington, D.C. 20005  
Telephone: (202) 536-1782  
E-mail: [bchew@brownrudnick.com](mailto:bchew@brownrudnick.com)

Camille M. Vasquez (*pro hac vice* forthcoming)  
Samuel A. Moniz (*pro hac vice* forthcoming)  
BROWN RUDNICK LLP  
2211 Michelson Drive, Seventh Floor  
Irvine, CA 92612  
Telephone: (949) 440-0234  
e-mail: [cvasquez@brownrudnick.com](mailto:cvasquez@brownrudnick.com)

*Counsel for Defendants*  
*Matthew A. Schlapp and*  
*Mercedes V. Schlapp*

SEEN AND OBJECTED TO:

---

Timothy B. Hyland, Esq.  
Tyler Southwick, Esq.  
HYLAND LAW PLLC  
1818 Library Street, Ste 500  
Reston, VA 20190  
Telephone: (703) 956-3566  
E-mail: [thyland@hylandpllc.com](mailto:thyland@hylandpllc.com)  
[tsouthwick@hylandpllc.com](mailto:tsouthwick@hylandpllc.com)

*Counsel for Plaintiff*  
*Carlton Huffman*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 22day of March, 2023, I sent a true and correct copy of the foregoing Praecipe/Notice, Defendants' Motion for Gag Order, memorandum in support, and proposed Order via email and first-class mail, postage prepaid to the following:

Timothy B. Hyland, Esq.  
Tyler Southwick, Esq.  
HYLAND LAW PLLC  
1818 Library Street, Suite 500  
Reston, VA 20190  
Telephone: (703) 956-3566  
E-mail: thyland@hylandpllc.com  
tsouthwick@hylandpllc.com



---

Benjamin G. Chew (VSB #29113)