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10 Attorneys for Plaintiff

11 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
12 **IN AND FOR THE COUNTY OF MARICOPA**

13 STEPHEN RICHER,

14 Plaintiff,

15 v.

16 KARI LAKE, KARI LAKE FOR ARIZONA,
17 and SAVE ARIZONA FUND, INC.,

18 Defendants.

No. CV2023-009417

COMPLAINT

19 Now comes Plaintiff Stephen Richer (“Richer”) for his complaint against
20 Defendants Kari Ann Lake (“Lake”), Kari Lake for Arizona (“Lake Campaign”) and Save
21 Arizona Fund, Inc. (“Lake Fund”), hereby alleges as follows:

22 1. Defendant Kari Lake lost the November 2022 gubernatorial election. Instead
23 of accepting that defeat, Lake—together with her campaign and a fundraising entity she
24 controls—accused Plaintiff Stephen Richer of intentionally sabotaging the election.

25 2. Defendants knew or recklessly disregarded the falsity of those accusations.
26 Courts at every level of the Arizona judiciary have concluded that Defendants have no
27 evidence to support their wild claims. But Defendants continued to spread these egregious
28 and harmful falsities to further their own agendas—and line their own pockets—at Richer’s
expense.

1 “bogus” early-vote ballots into the Maricopa County vote count (the “Bogus Ballot
2 Injection”).

3
4 15. Lake’s January 29, 2023 “Save Arizona Rally” provides one clear example
5 of Lake falsely and with actual malice accusing Richer of both the Ballot Size Sabotage
6 and the Bogus Ballot Injection. (Numerous additional examples are provided below—*see*
7 *infra* ¶¶ 25-102—and in Appendix A.)

8
9 16. During that rally, Lake falsely and with actual malice accused Richer of
10 sabotaging the 2022 general election by misprinting Election Day ballots. Lake told the
11 assembled crowd that “Richer and [Maricopa County Supervisor Bill] Gates . . . printed a
12 19-inch image, the wrong image on the ballot, so that the tabulators would jam all day long.
13 That’s exactly what happened. They did not want us to notice this. They didn’t want us
14 to notice it. You know who they want—You know, the only the only person, the only
15 thing they wanted to notice this was the tabulators so that they would jam and spit out
16 ballots, which is exactly what happened all day on Election Day. . . . And Richer and
17 Gates, let’s show those two again, these two men. These two men, we pay their salary, we
18 the people pay their salary, we pay for our elections.”

19
20
21 17. Lake made that false accusation repeatedly. At the same rally, Lake told the
22 crowd that Richer and Gates “intentionally printed the wrong image on the ballot on
23 Election Day so that those ballots would intentionally be spit out of the tabulators. . . . Well
24 these guys are really, really terrible at running elections but I found out they’re really good
25 at lying.”
26
27
28

1 18. During the rally, Lake also accused Richer of the Bogus Ballot Injection—
2 falsely claiming that he was responsible for injecting 300,000 unlawful early voting ballots
3 into the Maricopa County Election Day vote count. Lake stated: “[W]e know that 300,000
4 illegal ballots” were counted in the final Election Day tally.
5

6 19. Lake made the false and defamatory Ballot Size Sabotage and Bogus Ballot
7 Injection claims while photographs of Richer and Gates were prominently displayed
8 behind her, and she pointed to those photographs repeatedly while speaking.
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15 20. Lake made the false Ballot Size Sabotage and Bogus Ballot Injection
16 accusations against Richer weeks *after* the Arizona Superior Court found that Lake had
17 provided nothing more than “speculation” and “conjecture” to support her claims of
18 intentional misconduct and that she had “brought forward no evidence” to contradict
19 testimony that the 2022 election was conducted in accordance with established procedures.
20 For that reason—as well as many others, *see infra* ¶¶ 103-122—Lake knew that her Ballot
21 Size Sabotage and Bogus Ballot Injection claims were false before the January 29, 2023
22 rally or, at minimum, she was reckless as to the truth or falsity of those claims.
23
24

25 21. Save Arizona Fund’s branding appeared on screens during the “Save Arizona
26 Rally” and on posters provided to attendees. On information and belief, Save Arizona
27 Fund, in full or in part, sponsored and paid for the “Save Arizona Rally.”
28

1 22. The defamatory statements made at the “Save Arizona Rally” were part of
2 an ongoing campaign of defamation against Richer by all three Defendants. For the last
3 six months, Defendants have incessantly leveled the false Ballot Size Sabotage and Bogus
4 Ballot Injection claims against Richer. Defendants made such false statements with actual
5 malice through various mediums and spread those statements to new audiences through
6 the Defendants’ social media accounts.
7

8 23. Defendants persisted in making those false accusations, with actual malice,
9 even after they were repeatedly debunked, including by the Arizona courts and independent
10 investigators:
11

- 12 a. On December 24, 2022, the Superior Court of Arizona found “nothing
13 to substantiate [Lake’s] claim of intentional misconduct.”
14
- 15 b. On February 16, 2023, the Arizona Court of Appeals concluded that
16 the Superior Court’s no-intentional-misconduct finding was
17 supported by “ample evidence,” and that Lake’s contrary claims were,
18 “quite simply, sheer speculation;”
19
- 20 c. On March 22, 2023, the Arizona Supreme Court denied Lake’s
21 petition for review related to the Ballot Size Sabotage and Bogus
22 Ballot Injection claims, concluding that the lower courts “aptly
23 resolved these issues, . . . which were the subject of evidentiary
24 proceedings in the trial court, and [Lake’s] challenges on these
25 grounds are insufficient to warrant the requested relief under Arizona
26 or federal law.”
27
28

1 d. On April 10, 2023, former Arizona Chief Justice Ruth V. McGregor
2 issued the findings of a months-long investigation into the Ballot Size
3 Sabotage claims, which concluded—consistent with the Arizona
4 Superior Court’s factual findings—that the Election Day issues most
5 likely resulted from technical problems, not intentional misconduct.
6

7 24. Defendants’ false accusations made with actual malice against Richer
8 concerning the Ballot Size Sabotage and Bogus Ballot Injection claims are summarized
9 below and are set forth in more detail in the attached **Appendix A**.
10

11 25. *Lake’s January 29 Tweet.* On January 29, 2023, Lake’s Twitter account,
12 @KariLake, Tweeted an embedded video clip of the “Save Arizona Rally” and again stated
13 the false Ballot Size Sabotage claim: “@Stephen_Richer, & @billgatesaz, and their crew
14 printed a 19-in image, the wrong image on the ballots, so that the tabulators would jam all
15 day long. That’s exactly what happened.” @ Stephen_Richer is Richer’s personal Twitter
16 account.
17

18 26. Lake’s personal Twitter account is @KariLake, and Lake has approximately
19 1.3 million Twitter followers.
20

21 27. On information and belief, Lake has authority and control over the posts to
22 her Twitter account.
23

24 28. As of June 16, 2023, the Tweet had been viewed more than 427,600 times
25 and retweeted more than 3,600 times.

26 29. *Lake’s January 29 Truth.* On January 29, 2023, the @KariLake Truth
27 Social account posted an embedded video clip of the “Save Arizona Rally” and again stated
28

1 the false Ballot Size Sabotage claim: “Stephen Richer, & Bill Gates, and their crew printed
2 a 19-in image, the wrong image on the ballots, so that the tabulators would jam all day
3 long. That’s exactly what happened.”
4

5 30. As of June 16, 2023, that post has been ReTruthed over 1,700 times and liked
6 over 5,330 times.

7 31. Lake’s personal Truth Social account is @KariLake. She has approximately
8 655,000 followers on Truth Social.
9

10 32. On information and belief, Lake has authority and control over the posts to
11 her Truth Social account.

12 33. ***Lake’s January 29 Gettr.*** On January 29, 2023, the @KariLake Gettr
13 account posted an embedded video clip of the “Save Arizona Rally” and again stated the
14 false Ballot Size Sabotage claim: “Stephen Richer, & Bill Gates, and their crew printed a
15 19-in image, the wrong image on the ballots, so that the tabulators would jam all day long.
16 That’s exactly what happened.”
17

18 34. As of June 17, 2023, that post has been reposted 681 times and liked 1,300
19 times.
20

21 35. Lake’s personal Gettr account is @KariLake. She has approximately
22 135,800 Gettr followers.

23 36. On information and belief, Lake has authority and control over the posts to
24 her Gettr account.
25

26 37. ***Lake Campaign’s January 29 Tweet.*** On January 29, @KariLakeWarRoom
27 Tweeted a photo of Richer and Gates and stated: “@Stephen_Richer & @billgatesaz,
28

1 These two clowns sabotaged election day. They knew 75% of @KariLake’s voters would
2 show up on game day, so they programmed the machines to print 19 in images on 20 in
3 ballots. If they had an ounce of integrity they would have resigned long ago.”

4
5 38. The official campaign Twitter account for Lake Campaign is
6 @KariLakeWarRoom. The account has approximately 401,000 followers.

7
8 39. On information and belief, Lake and Lake Campaign have authority and
9 control over the posts to Lake Campaign’s Twitter account.

10 40. As of June 16, 2023, the Tweet had been viewed more than 36,000 times and
11 retweeted nearly 1,100 times.

12 41. ***Lake’s January 30 Rally Post to Rumble.*** On or about January 30, 2023,
13 Lake’s Rumble account posted video of the full “Save Arizona Rally,” which includes both
14 the false Ballot Size Sabotage and Bogus Ballot Injection claims. As of June 16, 2023, the
15 Rumble post had been viewed more than 2,300 times.

16
17 42. Lake’s personal Rumble account is KariLake, which has approximately
18 57,500 followers. On information and belief, Lake has authority and control over the posts
19 to her Rumble account.

20
21 43. ***Lake’s January 30 Press Conference.*** On January 30, 2023, Lake held a
22 press conference and falsely stated that “Richer and Gates intentionally printed the wrong
23 image on the ballot when they knew 75% of the people showing up were Kari Lake voters,
24 were Republican voters. They sabotaged Election Day. They printed the wrong image on
25 the ballot knowing that that would jam the tabulator and it would spit the ballot out
26 uncounted.”
27
28

1 44. ***Lake’s January 30 Press Conference Post to Rumble.*** On January 30, 2023,
2 Lake’s Rumble account posted a video of the press conference she held the same day. That
3 video included Lake’s false Ballot Size Sabotage claim. As of June 16, 2023, the Rumble
4 video had been viewed more than 31,700 times.
5

6 45. ***Lake’s January 30 Press Conference Tweet.*** On January 30, 2023,
7 @KariLake also Tweeted a link to Lake’s defamatory Rumble post containing a video clip
8 of the press conference she held the same day, which included the false Ballot Size
9 Sabotage claim. The Tweet encouraged readers to “WATCH: Kari Lake Holds Press
10 Conference for 1/4 MILLION Ballot Rejections,” and the link preview for the Rumble post
11 asked them to “Help us in our legal battle to Save Arizona: savearizonafund.com.” As of
12 June 16, 2023, the Tweet had been viewed more than 233,100 times and retweeted nearly
13 2,000 times.
14
15

16 46. ***Lake’s January 30 Press Conference Truth.*** On January 30, 2023, the
17 @KariLake Truth Social account posted an embedded video clip of the press conference
18 she held the same day, which included the false Ballot Size Sabotage claim. The post
19 above the embedded video clip encouraged readers to “WATCH: Kari Lake Holds Press
20 Conference For 1/4 MILLION Ballot Rejections.”
21

22 47. As of June 17, 2023, that post has been ReTruthed over 1,010 times and liked
23 over 3,220 times.
24

25 48. ***Lake’s January 30 Press Conference Gettr.*** On January 30, 2023, the
26 @KariLake Gettr account posted a link to the defamatory Rumble post containing a video
27 of the press conference she held the same day, which included the false Ballot Size
28

1 Sabotage claim. The post encouraged readers to “WATCH: Kari Lake Holds Press
2 Conference For 1/4 MILLION Ballot Rejections.”

3 49. As of June 17, 2023, that post has been reposted 167 times and liked 444
4 times.

5
6 50. *Save Arizona Fund’s January 30 Ballot Size Sabotage Rally Post.* On
7 January 30, 2023, the @savearizonafund YouTube account posted an excerpt of the video
8 of Lake’s January 29, 2023 rally entitled “Save Arizona Rally (1/29/2023): Printed Wrong
9 Image on Ballots.” That video contains the false Ballot Size Sabotage claim. As of June
10 16, 2023, the YouTube video has been viewed at least 46 times.

11
12 51. On information and belief, Save Arizona Fund posts videos to YouTube from
13 the @savearizonafund account, and Lake and Save Arizona Fund have authority and
14 control over the @savearizonafund account.

15
16 52. *Save Arizona Fund’s January 30 Bogus Ballot Injection Rally Post.* On
17 January 30, 2023, the @savearizonafund YouTube account posted an excerpt of the video
18 of Lake’s January 29, 2023 rally entitled “Save Arizona Rally (1/29/2023): Chain Of
19 Custody.” That video contains the false Bogus Ballot Injection claim. As of June 16, 2023,
20 the YouTube video has been viewed at least 19 times.

21
22 53. *Lake Campaign’s January 31 Tweet.* On January 31, 2023, Lake
23 Campaign’s official Twitter account @KariLakeWarRoom posted a Tweet accusing
24 Richer of “intentionally print[ing] the wrong image on the ballot on election day so that
25 those ballots would intentionally be spit out of the tabulators, and then, they lied and said
26 the problem was fixed early in the day.”
27
28

1 54. As of June 16, 2023, this Tweet had been viewed more than 12,300 times
2 and retweeted more than 300 times.

3 55. ***Lake’s February 8 Podcast.*** On February 8, 2023, Lake appeared on the
4 “YOUR WELCOME” with Michael Malice podcast.
5

6 56. During her appearance, Lake made the false Ballot Size Sabotage claim,
7 stating that “they the sabotaged election day” by “print[ing] out intentionally” a “19-inch
8 ballot on a 20-inch ballot” so that “a quarter of a million times” ballots were not read. Lake
9 then suggested that system logs reflected that ballots were rejected “because they
10 intentionally printed the wrong image.”
11

12 57. On the podcast, Lake also made the false Bogus Ballot Injection claim,
13 stating that “they really had to pour in a lot of phony ballots to make that happen. And
14 turns out now we know 300,000 with no chain of custody were tossed in and counted.”
15

16 58. Lake made clear that she was making these false accusations against Richer.
17 Only seconds after making the false Ballot Size Sabotage claim, Lake stated: “Let me tell
18 you about the people running Maricopa County elections . . . there are two men by the
19 name of Stephen Richer and Bill Gates” who run “shoddy rigged elections.”
20

21 59. ***Lake’s February 20 Podcast.*** On February 20, 2023, Lake appeared on an
22 episode of “TRIGGERED,” a video podcast hosted by Donald Trump Jr.
23

24 60. In the interview, Lake stated that she was fighting an “intentionally botched”
25 election and repeated the false Ballot Size Sabotage claim:

26 [W]e have the proof and the evidence. . . . This is what’s in our case.
27 They printed intentionally the wrong image on the ballot, knowing
28 that 75% of the people showing up on election day were voting for

1 me. They intentionally print the wrong image on the ballot so it jams
2 the tabulator.

3 61. Further describing the 2022 general election, Lake also repeated the false
4 Bogus Ballot Injection claim, stating: “they couldn’t steal it by just throwing in 300,000
5 bogus ballots with no chain of custody, which they did. They had to sabotage Election
6 Day.”
7

8 62. Moments later, Lake clarified who “they” were: “And so the two guys
9 running Maricopa County, even though they are Republicans, Stephen Richer and Bill
10 Gates are their names.”
11

12 63. The podcast interview, titled “It’s Worse Than You Think: Kari Lake on
13 What Really Happened in Arizona,” has been viewed at least 646,000 times on Rumble as
14 of June 16, 2023.
15

16 64. **Lake’s February 20 Truth.** On February 20, 2023, Lake’s Truth Social
17 account, @KariLake posted an embedded video of Lake’s interview with Donald Trump
18 Jr. where she repeats the false Ballot Size Sabotage and Bogus Ballot Injection claims. The
19 post stated, in part: “WATCH: @KariLake joins @DonaldTrumpJr to discuss what really
20 happened in Arizona.”
21

22 65. As of June 16, 2023, that post has been ReTruthed 455 times and liked over
23 2,000 times.
24

25 66. **Lake’s February 20 Gettr.** On February 20, 2023, the @KariLake Gettr
26 account posted a link to a Rumble post containing video of Lake’s interview with Donald
27 Trump Jr. where she repeats the false Ballot Size Sabotage and Bogus Ballot Injection
28

1 claims. The post stated, in part, “We did a deep dive on what really happened in Arizona
2 Tune in. You’re not going to want to miss it.”

3
4 67. As of June 17, 2023, that post has been reposted 140 times and liked 463
5 times.

6 68. *Lake’s February 22 Podcast.* On February 27, 2023, the “LINDELL
7 REPORT” podcast posted an interview of Lake by Brannon Howse that had been
8 previously recorded on February 22, 2023. During the interview, Lake made the false
9 Ballot Size Sabotage claim, stating:
10

11 I mean talk about diabolically genius if you want to mess with
12 Election Day [T]hey did it in a way that was so subtle that the
13 good people of Arizona who showed up to vote on Election Day they
14 wouldn’t even detect it. They made the image on the ballot just a
15 little bit smaller than normal and when that got fed into the tabulator
machine the tabulator read it as a paper jam and that’s why a quarter
of a million ballots were spit out.

16 69. On the podcast, Lake also accused Richer of “sabotaging our election day”
17 by “pumping 300,000 invalid ballots in for the count in Arizona. . . .”

18
19 70. Like the prior interviews, Lake made clear that her false accusations were
20 targeted at Richer:

21 [I]t’s about all voters being disenfranchised intentionally these
22 monsters who run our election at Maricopa County; two men by the
23 name of Stephen Richer and Bill Gates . . . and they’re in charge of
the election.

24 71. *Lake’s March 19 Tweet.* On March 19, 2023, Lake’s Twitter account,
25 @KariLake, posted an embedded video of the January 30, 2023 press conference, during
26 which she made the false Ballot Size Sabotage claim. The Tweet stated, in part: “This
27 wasn’t an accident. This was the deliberate disenfranchisement of Arizona voters.” In the
28

1 clip, Lake falsely stated that “Richer and Gates intentionally printed the wrong image on
2 the ballot when they knew 75% of the people showing up were Kari Lake voters They
3 printed the wrong image on the ballot knowing that that would jam the tabulator.”
4

5 72. As of June 16, 2023, the Tweet had been viewed more than 2.7 million times
6 and retweeted more than 19,100 times.

7 73. **Lake’s March 19 Truth.** On March 19, 2023, Lake’s Truth Social account,
8 @KariLake posted an embedded video of the January 30, 2023 press conference during
9 which she made the false Ballot Size Sabotage claim. The post stated, in part: “This wasn’t
10 an accident. This was the deliberate disenfranchisement of Arizona voters.” In the clip,
11 Lake falsely stated that “Richer and Gates intentionally printed the wrong image on the
12 ballot when they knew 75% of the people showing up were Kari Lake voters They
13 printed the wrong image on the ballot knowing that that would jam the tabulator”
14
15

16 74. As of June 16, 2023, that post has been ReTruthed over 3,720 times and liked
17 over 9,070 times.

18 75. **Lake’s March 19 Gettr.** On March 19, 2023, the @KariLake Gettr account
19 posted an embedded video clip of the January 30, 2023 press conference during which she
20 made the false Ballot Size Sabotage claim. The post stated, in part, “This wasn’t an
21 accident. This was the deliberate disenfranchisement of Arizona voters.” In the clip, Lake
22 falsely stated that “Richer and Gates intentionally printed the wrong image on the ballot
23 when they knew 75% of the people showing up were Kari Lake voters They printed
24 the wrong image on the ballot knowing that that would jam the tabulator.”
25
26
27
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1 76. As of June 17, 2023, that post has been reposted 1,300 times and liked 2,300
2 times.

3 77. ***Lake’s April 10 Speech.*** On or about April 10, 2023, Lake spoke to the
4 Republican Party of San Diego County, California, and she stated:
5

6 [T]hey intentionally printed the wrong image on the ballot. . . .
7 Everyone knows this, they intentionally printed the wrong image on
8 the ballot, it jammed the machines. . . . This was a
9 disenfranchisement It was outrageous. And they thought we
10 were going to crawl away from that stolen election We’re not
11 quitting. . . . So we decided to sue them.

12 78. Lake named Richer as a defendant in that lawsuit. In the same San Diego
13 speech, Lake also later confirmed that she was accusing “the Republicans running
14 Maricopa County.” Lake was referring to Richer and Gates, and a reasonable listener
15 would have understood her as referring to them.

16 79. ***Lake’s April 17 Tweet.*** On or around April 17, 2023, Lake’s Twitter account
17 retweeted a post from January 31, 2023, where she implored readers that “[e]very
18 American should watch this video. SHARE!” The Tweet embedded a video of the January
19 30, 2023 press conference during which she made the false Ballot Size Sabotage claim.

20 80. As of June 16, 2023, the Tweet had been viewed more than 737,000 times
21 and retweeted more than 10,800 times.

22 81. ***Lake’s April 18 Rumble Post.*** On April 18, 2023, a video of Lake’s San
23 Diego speech with the false Ballot Size Sabotage claim was posted to her Rumble account.
24 As of June 16, 2023, it had been viewed over 20,200 times.

25 82. Lake’s Rumble post was accompanied by a link asking visitors to “Join our
26 movement: KariLake.com,” a website sponsored by Save Arizona Fund.
27
28

1 83. **Lake’s April 18 Truth.** On April 18, 2023, Lake’s Truth Social account
2 @KariLake posted an embedded video of Lake’s San Diego speech with the false Ballot
3 Size Sabotage claim. The post stated, in part: “You can watch the rally here!”
4

5 84. As of June 16, 2023, that post has been ReTruthed 927 times and liked over
6 3,690 times.

7 85. **Lake’s April 18 Gettr.** On April 18, 2023, the @KariLake Gettr account
8 posted a link to the Rumble post containing a video of Lake’s San Diego speech with the
9 false Ballot Size Sabotage claim. The post stated, in part: “You can watch the rally here!”
10

11 86. As of June 17, 2023, that post has been reposted 121 times and liked 485
12 times.

13 87. **Lake’s April 21 Speech.** On April 21, 2023, Lake gave a speech at the True
14 Texas Project Gala, where she stated: “So they sabotaged election day. . . . [T]hey
15 intentionally printed the wrong image on the ballot, a quarter of a million ballots were spit
16 out, unreadable on election day” Lake was referring to Richer and Gates, and a
17 reasonable listener would have understood her as referring to them.
18

19 88. **Lake’s April 30 Twitter Speech.** On April 30, 2023, Lake appeared in a
20 Twitter Space hosted by Mario Nawfal, where she accused “the people running Maricopa
21 County who were in charge of our election,” including Richer, of “mess[ing] with the count
22 of more than 2 million” votes. She further stated that Richer and others “mess[ed]” with
23 the election by doing the following:
24
25

26 They realize that they couldn’t cheat in some of the other ways that
27 they cheated before so they had to do something as diabolical as
28 intentionally printing the wrong image on the ballot on election day
only. They had a 20-inch piece of paper, ballot paper, and they

1 printed a 19-inch ballot rather than the 20-inch image on that ballot
2 and that's just a slight enough change that the voter would never
3 detect that there was a problem. But you know what did detect a
4 problem? The tabulator machines. . . . And that was intentional. . .
5 . [T]hey knew they couldn't win . . . and so the only way they can
6 win these days is to cheat in elections.

7 89. As of June 16, 2023, Lake's appearance on Nawfal's Twitter Space had
8 245,000 listeners. The Tweet publicizing the Twitter Space has been viewed 439,700 times
9 and retweeted more than 300 times.

10 90. **Lake's May 4 Rumble Post.** On May 4, 2023, a video of Lake's Texas
11 speech with the false Ballot Size Sabotage claim was posted to her Rumble account. As
12 of June 16, 2023, it has been viewed over 12,300 times.

13 91. Lake's Rumble post was accompanied by a link asking visitors to "Join our
14 movement: KariLake.com," a website sponsored by Save Arizona Fund.

15 92. **Lake's May 4 Truth.** On May 4, 2023, Lake's Truth Social account
16 @KariLake posted an embedded video of Lake's Texas speech with the false Ballot Size
17 Sabotage claim. The post stated, in part: "Watch my speech here!"

18 93. As of June 16, 2023, that post has been ReTruthed 597 times and liked over
19 2,440 times.

20 94. **Lake's May 4 Gettr.** On May 4, 2023, the @KariLake Gettr account posted
21 a link to the defamatory Rumble post containing a video of Lake's Texas speech with the
22 false Ballot Size Sabotage claim. The post stated, in part: "Watch my speech here!"

23 95. As of June 17, 2023, the post has been reposted 72 times and liked 350 times.
24
25
26
27
28

1 96. **Lake’s May 16 Twitter Speech.** On a May 16, 2023 Twitter Space hosted
2 by Grant Cardone, Lake stated that, in the 2022 general election, “[t]hey intentionally
3 print[ed] the wrong image on the ballots. It’s disgusting what they did to the people.”
4

5 97. Lake added one minute later: “they intentionally printed the wrong image on
6 the ballot on Election Day knowing that our voters were showing up on Election Day. They
7 printed a 19-inch image rather than the 20-inch image and that jammed the machines.”
8

9 98. Lake then again repeated the claim that “they intentionally printed the wrong
10 image on the ballot,” and she detailed the purported sabotage.

11 99. Lake was referring to Richer and Gates, and a reasonable listener would have
12 understood those statements as referring to Richer and Gates.

13 100. As of June 16, 2023, the Twitter Space had been listened to 4,100 times. The
14 Tweet announcing the Twitter Space had been viewed by more than 86,000 accounts and
15 retweeted 55 times.
16

17 101. **Lake’s May 30 Tweet.** On May 30, 2023, Lake’s official Twitter account
18 @KariLake re-published an embedded video of her entire “Save Arizona Rally” from
19 January 29, 2023, repeating the false Ballot Size Sabotage and Bogus Ballot Injection
20 claims.
21

22 102. As of June 16, 2023, the Tweet had been viewed more than 75,900 times and
23 retweeted more than 500 times.
24

25 **Defendants’ Defamatory Statements Were Made With Actual Malice**

26 ***I. Defendants published their statements with knowledge of their falsity or with***
27 ***reckless disregard for the truth***
28

1 103. Defendants’ accusations against Richer are self-evidently false.

2 104. **Ballot Size Sabotage.** Defendants’ accusations that Richer intentionally set
3 Election Day printers to print a 19-inch ballot image on a 20-inch ballot are false on their
4 face because, under Arizona law, Richer does not have responsibility for Election Day
5 operations. As County Recorder, Richer is responsible for recording public records,
6 maintaining voter files, registering voters, and administering the *mail voting process* in the
7 County. The Maricopa County Board of Supervisors has responsibility for Election Day
8 and “emergency voting”—in-person voting during the weekend before Election Day.
9

10 105. **Bogus Ballot Injection.** Equally fanciful is Defendants’ assertion that
11 Richer “sabotaged” or “stole” the election by unlawfully injecting 300,000 supposedly
12 “illegal” early voting ballots received on Election Day. Lake testified in a declaration
13 submitted in her election contest that the total number of early voting ballots was 298,942.
14 Thus, in claiming that Richer illegally injected approximately 300,000 “illegal,” “invalid,”
15 “phony,” and/or “bogus” early ballots received on Election Day into the final vote count,
16 Lake implied that *every early voting ballot* that Maricopa County received at voting
17 locations on Election Day 2022 was illegal.
18
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21 106. Defendants’ accusation that Richer used early voting ballots to “steal” or
22 “sabotage” the election to prevent Lake from winning office is false and illogical. The
23 early vote ballots dropped off on Election Day—the ones the Defendants claim were
24 injected in order to sway the election away from Lake—*actually broke in her favor.*
25
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1 107. Lake’s election contest—which, on information and belief, the Lake
2 Campaign funded—further confirms that Defendants, at the very least, acted with reckless
3 disregard for the falsity of their accusations.
4

5 108. *Superior Court Proceedings.* The evidence presented during the December
6 2022 evidentiary hearing in Lake’s election contest clearly established the falsity of
7 Defendants’ claims that Richer intentionally sabotaged the 2022 Arizona election by
8 misprinting ballots or injecting 300,000 bogus or unlawful early voting ballots.
9

10 109. Maricopa County Election Director Scott Jarrett testified that no 19-inch
11 configuration was programmed into Maricopa’s Election Management System (EMS).
12

13 110. Ryan Macias—the former Acting Director of the Voting Systems Testing
14 and Certification Program for the United States Election Assistance Commission—also
15 testified that there was no basis to conclude that there had been intentional sabotage by an
16 election official, and he rejected the idea that there was any evidence that any printer issues
17 on Election Day were anything other than an accident.
18

19 111. Richer testified in that proceeding that he “[a]bsolutely [did] not” do
20 “anything to sabotage the election, the 2022 Election, including some type of activity
21 performed on the printers to make the printers not print correctly.” In his testimony, Richer
22 explained that he is *not* responsible for Election Day operations, emergency voting, or
23 ballot tabulation:
24

25 **[Richer]:** We are not responsible for Election Day operations or
26 emergency voting, which is the weekend before Election Day, or for
27 ballot tabulation.

28 **[Lake’s Counsel]:** *All right.* And so those responsibilities lie with
the Maricopa County Board of Supervisors, *correct?*

1
2 **[Richer]:** That’s correct, and that’s true of all 15 counties.

3 112. On December 24, 2022, the Superior Court found “nothing to substantiate
4 [Lake’s] claim of intentional misconduct.” The Superior Court explained that Lake had
5 brought forward no witnesses with any personal knowledge of any misconduct and no
6 evidence to support her claim: “Every one of [Lake’s] witnesses—and for that matter,
7 Defendants’ witnesses as well—was asked about any personal knowledge of both
8 intentional misconduct and intentional misconduct directed to impact the 2022 General
9 Election. Every single witness before the Court disclaimed any personal knowledge of
10 such misconduct.”
11

12
13 113. The Superior Court rejected any suggestion by Lake that ballot printing
14 issues caused ballots to be miscounted. It likewise found that Lake had presented “no
15 evidence at Trial” that “voters were turned away or refused a ballot,” and it found that Lake
16 did not “show by clear and convincing evidence that alleged misconduct surrounding BOD
17 printers influenced the election outcome,” and furthermore that her own expert at trial
18 admitted that any voters whose ballots were affected by printer issues *nevertheless had*
19 *their votes counted.*
20

21
22 114. The Superior Court likewise determined that Lake’s allegation of unlawful
23 ballot insertions was implausible. It noted that the testimony of Lake’s primary trial
24 witness was “of limited use” because “while [that witness] has not received the Maricopa
25 County Delivery Receipt forms [which she sought through public records requests]—[the
26 witness] knows that these forms do, in fact, exist.”
27
28

1 115. *Court of Appeals Proceedings.* On February 16, 2023, the Arizona Court of
2 Appeals affirmed the Superior Court’s rejection of Lake’s election challenge.

3 116. The Court of Appeals held that Lake could not demonstrate that the Superior
4 Court’s rejection of her allegations that Maricopa County officials intentionally printed the
5 wrong image on the ballot was clearly erroneous. To the contrary, the Court of Appeals
6 found that “ample evidence supported the superior court’s conclusion that the
7 printer/tabulator issues resulted from mechanical malfunctions that were ultimately
8 remedied.” It observed that Lake’s suggestion that any printer issues caused
9 disenfranchisement “were baseless,” and that her “only purported evidence . . . was, quite
10 simply, sheer speculation,” and that she presented no evidence showing that any ballots
11 went uncounted.

12 117. The Court of Appeals likewise affirmed the Superior Court’s findings
13 relating to Lake’s Bogus Ballot Injection claim, noting that even if technical chain-of-
14 custody errors had occurred, they would not render the counted votes “illegal.”

15 118. *Supreme Court Proceedings.* On March 22, 2023, the Arizona Supreme
16 Court denied review of, among other things, Lake’s petition for review on issues related to
17 her false Ballot Size Sabotage and Bogus Ballot Injection claims.

18 119. In relevant part, the Arizona Supreme Court noted: “The Court of Appeals
19 aptly resolved these issues, most of which were the subject of evidentiary proceedings in
20 the trial court, and Petitioner’s challenges on these grounds are insufficient to warrant the
21 requested relief under Arizona or federal law.”

1 120. **McGregor Report.** In January 2023, the Maricopa County Attorney’s Office
2 retained former Arizona Supreme Court Chief Justice Ruth V. McGregor “to conduct a
3 focused, fact-specific independent review to determine why printers that performed
4 successfully during the primary election evidenced problems during the general election.”

5
6 121. On April 10, 2023, former Chief Justice McGregor and her team of experts
7 issued a 38-page report, finding no basis for Defendants’ claims that mis-sized ballots were
8 used to intentionally interfere with Election Day voting. This independent investigation
9 found that the issues with the printers on Election Day were most likely the result of
10 printers not being able to reliably print a 20-inch ballot image on 100-pound paper under
11 Election Day conditions.
12

13 122. On information and belief, Lake was aware of former Chief Justice
14 McGregor’s Report and its findings as of April 15, 2023, if not earlier.
15

16 **II. Defendants had a financial incentive to defame Richer**

17 123. Defendants have made false statements about Richer to raise money.

18 124. Many of the alleged defamatory statements were accompanied by URLs that,
19 when visited, solicited donations for Save Arizona Fund. See Appendix A, Ex. at
20 Statement Nos. 2, 6, 8, 25, 30.
21

22 125. Moreover, Save Arizona Fund’s webpage presently features a 6-minute
23 video of Lake discussing the 2022 election and accusing Richer of intentionally sabotaging
24 the election.
25

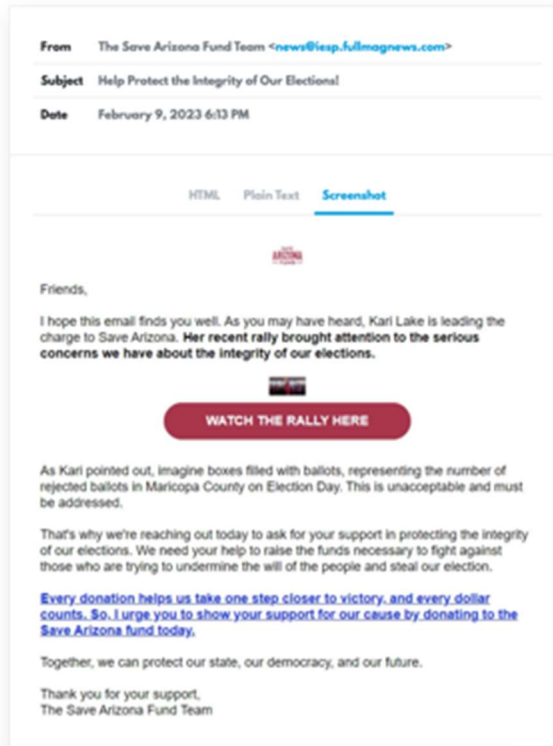
26 126. The website asks visitors to “donate to support Kari Lake and Save Arizona,”
27 and seeks donations from \$25 to \$100,000.
28

1 127. On January 7, 2023, Lake sent an email seeking \$10 donations for Save
2 Arizona Fund that repeats the false assertion that the tabulator issues evidenced “intentional
3 sabotage” of the election.
4

5 128. The next day, Lake sent a mass email stating, in part: “In a short, two-day
6 trial, my team uncovered a treasure trove of evidence proving that the November election
7 was blatantly influenced and disenfranchised Republican voters to help Katie Hobbs win.”
8 The e-mail then repeatedly asks recipients to donate money, including: “Every dollar you
9 give right now buys my team much-needed time to uncover the truth about our rigged
10 election. Can you spare ANYTHING to help me and my team fight for YOU?”
11

12 129. On February 9, 2023, Save Arizona Fund paid for the transmission of an
13 email that included a link to the “Save Arizona Rally,” where defamatory statements about
14 Richer were made, and asked for donations.
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Help Protect the Integrity of Our Elections!



130. On May 23, 2023, Lake Campaign's official Twitter Account @KariLakeWarRoom posted a Tweet stating that "Your election officials may betray you," and included a link to Save Arizona Fund's website, where visitors are solicited to donate money.

131. On information and belief, between December 5, 2022 and December 24, 2022 alone, Lake raised hundreds of thousands of dollars into the Save Arizona Fund.

132. On information and belief, Lake has used funds raised by Save Arizona Fund to help boost her future political ambitions.

133. For example, Save Arizona Fund has paid for campaign events in Iowa where Lake has met with voters.

1 134. That follows a prior pattern where Lake has told her supporters that
2 fundraising money was needed to contest the election, but then spent the money raised on
3 other items, including more than \$35,000 on travel and hotel accommodations.
4

5 ***III. Defendants’ defamatory falsehoods are part of a pre-existing false narrative of***
6 ***stolen elections to which Defendants are committed***

7 135. Lake has shown herself to be committed to a false narrative concerning stolen
8 elections. She has pressed that false narrative in statements related to at least three
9 elections—the 2020 general election, the 2022 primary election, and the 2022 general
10 election—and has a history of stating falsehoods on social media, in speeches, through
11 court filings, and elsewhere to perpetuate that false narrative.
12

13 136. Lake has repeatedly made the false public assertion that former President
14 Donald Trump prevailed in the 2020 presidential election.

15 137. Lake has falsely claimed that the 2020 election was “undeniably STOLEN,
16 CORRUPT and RIGGED” and that “President Trump was the true winner.” Similarly,
17 Lake has stated that “Governor Ducey . . . shouldn’t have certified the 2020 election”
18 because “[e]very indication showed corruption,” and that, if Lake had been Governor, she
19 would not have certified President Biden’s electoral victory because of unspecified
20 “serious irregularities and problems with the election.”
21

22 138. Lake likewise built a false narrative that her electoral results would also be
23 rigged.
24

25 139. Before the August 2022 primary election, which Lake ultimately won, was
26 even underway, for example, Lake claimed that she “was already detecting some stealing
27 going on” in the election.
28

1 140. Lake also has brought her pre-existing narrative of stolen elections to
2 judicial proceedings. In an April 2022 lawsuit in federal court, Lake sought, among other
3 things, “a preliminary and permanent injunction prohibiting Defendants from requiring or
4 permitting voters to have votes cast or tabulated using any electronic voting system.” The
5 federal district court dismissed Lake’s case and granted a motion for sanctions against
6 Lake, the other plaintiff in that case, and their counsel. The dismissal is presently on appeal
7 to the United States Court of Appeals for the Ninth Circuit, and the federal district court
8 has held an evidentiary hearing as to the amount of sanctions.
9

10
11 141. Similarly, after losing her election challenge in Arizona Superior Court in
12 December 2022, Lake continued to perpetuate her narrative of a rigged system with false
13 accusations of government malfeasance. For example, @KariLake posted on Truth Social
14 that “[l]egal experts believe [Maricopa County Superior Court Judge Peter A. Thompson’s]
15 decision was ghostwritten, they suspect top left-wing attorneys like Marc Elias emailed
16 him what to say.”
17

18 ***IV. Defendants’ personal spite against Richer also evidences actual malice***
19

20 142. Lake and Lake Campaign have a history of directing personal vitriol and
21 spite at Richer. Those additional statements provide further evidence of Defendants’ actual
22 malice.
23

24 143. For example, on November 10, 2022, Lake Campaign’s Twitter account
25 posted a photo of Richer and then-governor-elect Katie Hobbs under the message: “They
26 told us to look for the root causes of @MaricopaVote’s election problems. Found them.”
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28 144. Lake has likened Richer to an arsonist and accused him of perjury:

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145. Lake Campaign’s official Twitter account @KariLakeWarRoom also has implied that Richer should be arrested by the sheriff’s office:



146. In the past year alone, Lake’s and Lake Campaign’s Twitter accounts have repeatedly targeted Richer and called him an “incompetent, corrupt fool,” a “corrupt moron[,]” and a “reprehensible human being.”

147. Lake and Lake Campaign’s Twitter accounts also retweeted an article from far-right conspiracy theorist Laura Loomer instructing readers how to file bar complaints against Richer (which several people did, and the Arizona bar dismissed them all).

1 **Defendants’ Barrage Of Defamatory Statements Has Caused Richer**
2 **Substantial Injuries**

3 148. While Defendants have raised money and benefited from their defamatory
4 falsehoods regarding Richer, they have caused Richer substantial reputational, financial,
5 physical, emotional, and professional harm.

6 149. These harms flow in part from the widespread vitriol and threats that are
7 directly traceable to Defendants’ defamatory statements. For instance, on January 29,
8 2023, Lake posted to social media platform Truth Social a video clip of her “Save Arizona
9 Rally,” during which she made the false Ballot Size Sabotage claim.

10 150. Replies from Truth Social users included:

- 11
- 12 a. “Why aren’t these mother fuckers in jail?!?!? We’ve seen this time
13 after time. They did it in 2020!!! And God only knows how many
14 other times!! I am SO done. I don’t even live in AZ. Take them out.
15 NOW”
- 16
- 17 b. “So lock some asses up already what is the hold up people need to pay
18 with their life it’s that simple set an example”
- 19
- 20 c. “If that’s proven then someone needs to be dismembered”
- 21

22 151. On January 30, 2023, Lake posted a link to a video of her January 30 Press
23 Conference to Gettr, during which she made the false Ballot Size Sabotage claim.

24 152. Replies from Gettr users included:

- 25 a. “Ellection [sic] fraud is a form of treason and should dealt with as so”
- 26
- 27
- 28

1 153. On February 20, 2023, Lake posted a link to a video of her podcast interview
2 with Donald Trump Jr. to Gettr, during which she made the false Ballot Size Sabotage and
3 Bogus Ballot Injection claims.
4

5 154. Replies from Gettr users included:

6 a. “TREASON=EXECUTION”
7

8 155. On March 19, 2023, Lake posted an embedded video on Truth Social of the
9 January 30, 2023 press conference, during which she made the false Ballot Size Sabotage
10 claim.
11

12 156. Replies from Truth Social users included:

13 a. “HANG THESE MOTHER FUCKERS!”

14 b. “They need to pay ! Time !

15 Or Stretch some Rope from an Oak Tree !!!”

16 c. “We should hang anyone who steals an election. That would stop it.”
17

18 157. On March 19, 2023, Lake posted an embedded video on Gettr of the January
19 30, 2023 press conference, during which she made the false Ballot Size Sabotage claim.
20

21 158. Replies from Gettr users included:

22 a. “ELECTION TREASON MUST BE EXECUTIONABLE!!!

23 TIME FOR HEADS TO ROLL...LITERALLY! ENOUGH OF THIS

24 BULL-SH!T-VIC NONSENSE!!!”

25 b. “The only way this changes is by going after the Republicans that are
26 blocking we the people. We need to identify and crucify each one.”
27
28

1 164. In light of threats to their physical safety caused by Defendants’ defamatory
2 statements, Richer and his wife spent thousands of dollars of their own money installing
3 additional security features at their home.
4

5 165. Both the Maricopa County Sheriff’s Office and the Phoenix Police
6 Department do regular patrols of Richer’s and his wife’s home and places of work.
7

8 166. Richer and his wife have changed their personal and professional routines,
9 aware that people spurred on by Defendants’ falsehoods about the November 2022 election
10 wish to do them harm.

11 167. Additional security cannot, however, prevent the torrent of vitriol Richer
12 experiences day in and day out, which comes in the form of emails, direct messages on
13 Twitter, voicemails, and even in-person confrontations.
14

15 168. Defendants’ defamatory statements have damaged Richer’s reputation by
16 cutting him off from Republican networks and donors who once supported his career and
17 future ambitions for elected office.
18

19 169. Predictably, this decline in his career prospects and constant calls for his
20 resignation, prosecution, and even execution have taken a toll on Richer’s physical and
21 mental health and required him to spend time and money on additional medical treatment
22 and medication.
23

24 170. Richer’s injuries are traceable to Defendants’ attacks on Richer.

25 **Claim 1: Defamation regarding Ballot Size Sabotage**
26 (Against All Defendants)

27 171. Richer incorporates by reference the allegations of the preceding paragraphs
28 and the Appendix as if fully set forth herein.

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172. Lake made the following defamatory statements of fact accusing Richer of ***Ballot Size Sabotage***, each of which is reproduced in Appendix A:

- a. Statement at the January 29 Rally (*supra* ¶¶ 15-21, Appendix A, No. 1);
- b. Statement in the January 29 Lake Tweet (*supra* ¶¶ 25-28, Appendix A, No. 2);
- c. Statement in the January 29 Lake Truth (*supra* ¶¶ 29-32, Appendix A, No. 3).
- d. Statement in the January 29 Lake Gettr (*supra* ¶¶ 33-36, Appendix A, No. 4).
- e. Statement in the January 30 Rally Rumble Video (*supra* ¶¶ 41-42, Appendix A, No. 6);
- f. Statement in the January 30 Press Conference (*supra* ¶ 43, Appendix A, No. 7);
- g. Statement in the January 30 Press Conference Rumble Video (*supra* ¶ 44, Appendix A, No. 8);
- h. Statement in the January 30 Press Conference Tweet (*supra* ¶ 45, Appendix A, No. 9);
- i. Statement in the January 30 Press Conference Truth (*supra* ¶¶ 46-47, Appendix A, No. 10);
- j. Statement in the January 30 Press Conference Gettr (*supra* ¶¶ 48-49, Appendix A, No. 11);

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- k. Statement in the February 8 Podcast (*supra* ¶¶ 55-58, Appendix A, No. 15);
- l. Statement in the February 20 Podcast (*supra* ¶¶ 59-63, Appendix A, No. 16);
- m. Statement in the February 20 Truth (*supra* ¶¶ 64-65, Appendix A, No. 17);
- n. Statement in the February 20 Gettr (*supra* ¶¶ 66-67, Appendix A, No. 18);
- o. Statement in the February 22 Podcast (*supra* ¶¶ 68-70, Appendix A, No. 19);
- p. Statement in the March 19 Tweet (*supra* ¶¶ 71-72, Appendix A, No. 20);
- q. Statement in the March 19 Truth (*supra* ¶¶ 73-74, Appendix A, No. 21);
- r. Statement in the March 19 Gettr (*supra* ¶¶ 75-76, Appendix A, No. 22);
- s. Statement in the April 10 Speech (*supra* ¶¶ 77-78, Appendix A, No. 23);
- t. Statement in the April 17 Tweet (*supra* ¶¶ 79-80, Appendix A, No. 24);
- u. Statement in the April 18 Rumble Post (*supra* ¶¶ 81-82, Appendix A, No. 25).

- 1 v. Statement in the April 18 Truth (*supra* ¶¶ 83-84, Appendix A, No.
2 26).
- 3 w. Statement in the April 18 Gettr (*supra* ¶¶ 85-86, Appendix A, No. 27).
- 4 x. Statement in the April 21 Speech (*supra* ¶ 87, Appendix A, No. 28);
- 5 y. Statement in the April 30 Twitter Speech (*supra* ¶¶ 88-89, Appendix
6 A, No. 29);
- 7
- 8 z. Statement in the May 4 Rumble Post (*supra* ¶¶ 90-91, Appendix A,
9 No. 30);
- 10
- 11 aa. Statement in the May 4 Truth (*supra* ¶¶ 92-93, Appendix A, No. 31);
- 12 bb. Statement in the May 4 Gettr (*supra* ¶¶ 94-95, Appendix A, No. 32).
- 13 cc. Statement in the May 16 Twitter Speech (*supra* ¶¶ 96-100, Appendix
14 A, No. 33);
- 15
- 16 dd. Statement in the May 30 Tweet (*supra* ¶¶ 101-02, Appendix A, No.
17 34).

18 173. Lake's statements about Richer were false.

19 174. Lake made those false and defamatory statements to one or more third
20 person(s) with the knowledge and intent that her statements would be released to the public.

21 175. Lake's false and defamatory statements accused Richer of, among other
22 things, intentionally sabotaging the 2022 election by intentionally having ballot-on-
23 demand printers print the wrong sized ballot.

24 176. Lake's false and defamatory statements damaged Richer, the nature,
25 magnitude, and extent of which will be addressed in discovery and at trial.

1 177. Lake's false and defamatory statements constituted defamation per se by
2 injuring Richer in his profession, trade, or business and by accusing him of criminal
3 offenses and acts of moral turpitude.
4

5 178. Lake published those defamatory statements with actual malice, namely with
6 knowledge of the statements' falsity and/or with reckless disregard of whether the
7 statements were false or not, as demonstrated by, among other things:
8

- 9 a. The publication of the accusation after it had been disproven in Lake's
10 election challenge, of which she had knowledge, and in other unbiased
11 and reputable sources, including the McGregor report and public
12 reporting;
- 13 b. Lake's financial incentive to defame Richer;
- 14 c. Lake's attachment to a preconceived narrative; and/or
- 15 d. Lake's pre-existing personal spite towards Richer.
16

17 179. Lake Campaign and Save Arizona Fund are vicariously liable for Lake's
18 defamatory statements because:
19

- 20 a. Lake is an employee, officer, or agent of Lake Campaign and Save
21 Arizona Fund, and
- 22 b. Lake made the defamatory statements reproduced in Appendix A
23 within the scope of her employment or while acting on behalf of or to
24 benefit Lake Campaign and/or Save Arizona Fund.
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1 187. Lake Campaign published those defamatory statements with actual malice,
2 namely with knowledge of the statements' falsity and/or with reckless disregard of whether
3 the statements were false or not, as demonstrated by, among other things:
4

- 5 a. The publication of the accusation after it had been disproven in Lake's
6 election challenge, of which Lake Campaign had knowledge, and in
7 other unbiased and reputable sources;
- 8 b. Lake Campaign's financial incentive to defame Richer;
- 9 c. Lake Campaign's attachment to a preconceived narrative; and/or
- 10 d. Lake Campaign's pre-existing spite towards Richer.

11
12 **Claim 3: Defamation regarding Ballot Size Sabotage**
13 (Against Save Arizona Fund)

14 188. Richer incorporates by reference the allegations of the preceding paragraphs
15 and the Appendix as if fully set forth herein.

16
17 189. Save Arizona Fund made the following defamatory statement of fact
18 accusing Richer of ***Ballot Size Sabotage***, which is also reproduced in Appendix A:

- 19 a. Statement in the January 30 "Save Arizona Rally (1/29/2023): Printed
20 Wrong Image on Ballots" YouTube video (*supra* ¶¶ 50-51, Appendix
21 A, No. 12);

22
23 190. Save Arizona Fund's statement about Richer was false.

24 191. Save Arizona Fund made that false and defamatory statement to one or more
25 third person(s) with the knowledge and intent that its statements would be released to the
26 public.
27
28

1 192. Save Arizona Fund’s false and defamatory statement accused Richer of,
2 among other things, intentionally sabotaging the 2022 election by intentionally having
3 ballot-on-demand printers print the wrong sized ballot.
4

5 193. Save Arizona Fund’s false and defamatory statement damaged Richer, the
6 nature, magnitude, and extent of which will be addressed in discovery and at trial.
7

8 194. Save Arizona Fund’s false and defamatory statement constituted defamation
9 per se by injuring Richer in his profession, trade, or business and by accusing him of
10 criminal offenses and acts of moral turpitude.

11 195. Save Arizona Fund published that defamatory statement with actual malice,
12 namely with knowledge of the statement’s falsity and/or with reckless disregard of whether
13 the statement was false or not, as demonstrated by, among other things:
14

- 15 a. The publication of the accusation after it had been disproven in Lake’s
16 election challenge, of which Save Arizona Fund had knowledge, and
17 in other unbiased and reputable sources, including public reporting;
- 18 b. Save Arizona Fund’s financial incentive to defame Richer; and/or
- 19 c. Save Arizona Fund’s attachment to a preconceived narrative.
20

21 **Claim 4: Defamation regarding *Bogus Ballot Injection***

22 (Against All Defendants)

23 196. Richer incorporates by reference the allegations of the preceding paragraphs
24 and the Appendix as if fully set forth herein.

25 197. Lake made the following defamatory statements of fact accusing Richer of
26 ***Bogus Ballot Injection***, each of which is also reproduced in Appendix A:
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- a. Statement at the January 29 Rally (*supra* ¶¶ 15-21, Appendix A, No. 1);
- b. Statement in the January 30 Rumble Video (*supra* ¶¶ 41-42, Appendix A, No. 6);
- c. Statement in the February 8 Podcast (*supra* ¶¶ 55-58, Appendix A, No. 15);
- d. Statement in the February 20 Podcast (*supra* ¶¶ 59-63, Appendix A, No. 16);
- e. Statement in the February 20 Truth (*supra* ¶¶ 64-65, Appendix A, No. 17);
- f. Statement in the February 20 Gettr (*supra* ¶¶ 66-67, Appendix A, No. 18);
- g. Statement in the February 22 Podcast (*supra* ¶¶ 68-70, Appendix A, No. 19);
- h. Statement in the May 30 Tweet (*supra* ¶¶ 101-02, Appendix A, No. 34).

198. Lake’s statements about Richer were false.

199. Lake made those false and defamatory statements to a third person with the knowledge and intent that her statements would be released to the public.

200. Lake’s false and defamatory statements accused Richer of, among other things, intentionally sabotaging the 2022 election by injecting 300,000 illegal ballots into the final vote tally for Maricopa County, Arizona.

1 201. Lake's false and defamatory statements damaged Richer, the nature,
2 magnitude, and extent of which will be addressed in discovery and at trial.

3 202. Lake's false and defamatory statements constituted defamation per se by
4 injuring Richer in his profession, trade, or business and by accusing him of criminal
5 offenses and acts of moral turpitude.

6 203. Lake published those defamatory statements with actual malice, namely with
7 knowledge of the statements' falsity and/or with reckless disregard of whether the
8 statements were false or not, as demonstrated by, among other things:
9

- 10
- 11 a. The publication of the accusation after it had been disproven in Lake's
12 election challenge, of which she had knowledge, and in other unbiased
13 and reputable sources, including public reporting;
 - 14 b. Lake's financial incentive to defame Richer;
 - 15 c. Lake's attachment to a preconceived narrative; and/or
 - 16 d. Lake's pre-existing personal spite towards Richer.
- 17

18 204. Lake Campaign and Save Arizona Fund are vicariously liable for Lake's
19 defamatory statements because:
20

- 21 a. Lake is an employee, officer, or agent of Lake Campaign and Save
22 Arizona Fund, and
 - 23 b. Lake made the defamatory statements reproduced in Appendix A
24 within the scope of her employment or while acting on behalf of or to
25 benefit Lake Campaign and/or Save Arizona Fund.
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- 1 a. The publication of the accusation after it had been disproven in Lake's
2 election challenge, of which Save Arizona Fund had knowledge, and
3 in other unbiased and reputable sources, including public reporting;
4
5 b. Save Arizona Fund's financial incentive to defame Richer; and/or
6
7 c. Save Arizona Fund's attachment to a preconceived narrative.

7 **PRAYER FOR RELIEF**

8 Richer prays for relief as follows:

- 9
10 A. Nominal damages;
11
12 B. Compensatory damages, including general, actual, pecuniary, consequential,
13 and special damages, in an amount to be determined at trial;
14
15 C. Punitive damages;
16
17 D. Reasonable and necessary attorneys' fees;
18
19 E. Reasonable and necessary costs of suit;
20
21 F. Prejudgment and post-judgment interest at the highest lawful rates;
22
23 G. Declaratory relief stating that the defamatory statements authored, published,
24 and otherwise made by the defendants identified within this complaint, individually and
25 collectively, were and are false;
26
27 H. Injunctive relief enjoining Defendants to remove the false and defamatory
28 portions of the statements about Richer from any website and/or social media accounts
under their control or under the control of parties in privity with Defendants; and
I. Such other and further relief as this Court deems just and appropriate.

1 **Jury Demand**

2 Richer demands a jury trial of all issues so triable.

3
4 DATED this 22nd day of June, 2023.

5 **MAYNARD CRONIN ERICKSON**
6 **& CURRAN, P.L.C.**

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