

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

-----X	)	
RUBY FREEMAN and	)	
Wandrea Moss	)	
	)	
Plaintiffs,	)	Case No. 1:21-cv-03354 (BAH)
	)	
v.	)	Judge Beryl A. Howell
	)	
RUDOLPH W. GIULIANI,	)	SUPERSEDING NOLO CONTENDRE
STIPULATION	)	
	)	
Defendant.	)	
-----X	)	

WHEREAS, Defendant Giuliani believes that he has legal defenses to this Complaint that he seeks to preserve both in the District Court and for purposes of appeal; and

WHEREAS, Defendant Giuliani is desirous to avoid unnecessary expenses in litigating what he believes to be unnecessary disputes; now

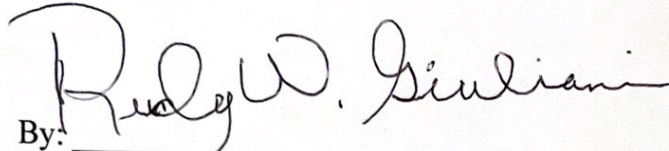
IT IS HEREBY STIPULATED, solely for the purposes of this that Defendant Giuliani, for the purpose of deciding this case on the legal issues, and recognizing that all other defendants previously identified in the complaint have resolved their claims with all plaintiffs and, just like Giuliani, without admitting to the truth of the allegations, hereby does not contest Plaintiffs' factual allegations that he is liable for the causes of action that Plaintiffs complain of, subject to Plaintiffs offering proof of the amount of damages that Giuliani allegedly caused them from his conduct they complain of:

1. Defendant Giuliani concedes solely for purposes of this litigation before this Court and on Appeal: that Defendant Giuliani made the statements of and concerning Plaintiffs, which include all of the statements detailed in Plaintiffs Amended Complaint, ECF No. 22 at §§57-101 and he does not dispute for purposes of this litigation, that the statements carry meaning that is defamatory per se and thus presumed to have caused Plaintiffs damages;

2. That Defendant Giuliani, for the purposes of this litigation only, published those statements to third parties;
3. That Defendant Giuliani, for the purposes of this litigation only, does not contest that, to the extent the statements were statements of fact and otherwise actionable, such actionable factual statements were false. This stipulation does not affect Giuliani's ability to seek setoff, offset or settlement credit, or his argument that his statements are constitutionally protected statements or opinions, or that Giuliani's statements, in fact, caused Plaintiffs any damages, and the amount of any alleged damages which Giuliani's statements may have caused;
4. That Defendant Giuliani does not contest, solely for the purposes of this litigation, including on any appeal in this litigation, the factual elements of liability regarding Plaintiffs' claim for intentional infliction of emotional distress and other related tort claims. This stipulation does not affect Giuliani's ability to seek setoff, offset or settlement credit, or his argument that his statements are constitutionally protected statements or opinions, or that Giuliani's conduct, in fact, caused Plaintiffs any damages, and the amount of any alleged damages Giuliani's conduct may have caused.
5. Defendant Giuliani concedes, for purposes of this litigation only, all factual allegations in Plaintiffs' Amended Complaint as to his liability—but not for damages allegedly caused by him—for Plaintiffs' defamation, intentional infliction of emotional distress, and civil conspiracy claims, and his liability as to Plaintiffs' claim for punitive damages. Giuliani specifically preserves his arguments that the statements complained of are protected and non-actionable opinion for purposes of appeal.
6. Defendant Giuliani concedes, for purposes of this litigation only, that liability in this case on Plaintiffs' causes of action should be treated as though there is default liability. Giuliani specifically preserves his arguments that the statements complained of are protected and non-actionable opinion for purposes of appeal. Giuliani also does not waive his rights to require Plaintiffs to prove the amount of their alleged

damages allegedly caused by Giuliani's conduct. Finally, Giuliani reserves his rights to seek setoff, offset or settlement credit as to any alleged damages that Plaintiffs ultimately may prove that Giuliani caused them.

Dated: August 8, 2023

By: 

Rudolph W. Giuliani