

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

ROY STEWART MOORE, an individual
c/o The Foundation for Moral Law
P.O. Box 4086
Montgomery, AL, 36103

And

KAYLA MOORE, an individual
c/o The Foundation for Moral Law
P.O. Box 4086
Montgomery, AL, 36103

Plaintiffs,

v.

SACHA NOAM BARON COHEN, an
individual
c/o CAA
2000 Avenue of the Stars
Los Angeles, CA, 90067

And

SHOWTIME NETWORKS, INC.,
1633 Broadway
New York, NY, 10019

And

CBS CORPORATION
51 W. 52nd Street
New York, NY, 10019

Defendants.

Case No.:

**COMPLAINT FOR DEFAMATION,
INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS AND FRAUD**

I. INTRODUCTION

Plaintiffs Roy Stewart Moore, former Chief Justice of the Supreme Court of Alabama (“Judge Moore”) and his wife Kayla Moore (“Mrs. Moore”) bring this instant action against Sacha Noam Baron Cohen (“Defendant Cohen”), Showtime Networks, Inc. (“Showtime”) and CBS Corporation (“CBS”) for Defamation, Intentional Infliction of Emotional Distress and Fraud.

II. JURISDICTION AND VENUE

1. This Court has diversity jurisdiction over this case pursuant to 28 U.S.C. § 1332, as the parties are completely diverse in citizenship and the amount in controversy exceeds \$75,000.

2. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2) in that a substantial part of the events or omissions giving rise to the claim occurred in this judicial district.

III. PARTIES

3. Judge Moore is an individual, natural person who is a citizen of the state of Alabama, and the husband of Mrs. Moore.

4. Mrs. Moore is an individual, natural person who is a citizen of the state of Alabama, and the wife of Judge Moore.

5. Defendant Cohen is an individual, natural person who is a citizen of the state of California.

6. Defendant Showtime is a corporation with headquarters in New York. Showtime is a wholly-owned subsidiary of Defendant CBS.

7. Defendant CBS is a corporation with headquarters in New York.

IV. STANDING

8. Plaintiffs have standing to bring this action because they have been directly affected by the unlawful conduct complained herein. Their injuries are proximately related to the conduct of Defendants and their agents.

V. FACTS

9. Judge Moore is the former Chief Justice of the Supreme Court of Alabama and a prominent conservative figure who also ran for the U.S. Senate in 2017 as a Republican.

10. Defendant Cohen is an actor, comedian, screenwriter, and producer who is best known for portraying disguised fictional characters such as Ali G, Borat, and Brūno in different shows and movies.

11. Defendant Cohen and his agents including the Defendants Showtime and CBS set up scenarios where Defendant Cohen, while in character, falsely and fraudulently induces unsuspecting victims, such as Judge Moore to be interviewed under dishonest, unethical, illegal and false pretenses, for his works. Defendant Cohen and his agents then set these unsuspecting victims up for ridicule and to severely humiliate them on film to promote his works and to generate large financial returns for himself.

12. Defendant Cohen's latest project is titled "Who is America?"

13. "Who is America?" debuted on the Showtime on July 15, 2018, which is owned and produced by Showtime and CBS.

14. Judge Moore appeared on the third episode of "Who is America?" that originally aired on July 29, 2018.

15. In order to fraudulently induce Judge Moore and Mrs. Moore to travel to Washington, D.C., where filming was to and did take place, and where the majority of acts pled herein occurred, on or about February 14, 2018, Defendant Cohen and his agents falsely and fraudulently represented to Plaintiff that Yerushalayim TV – which does not actually exist - was the producer and broadcaster of the show that Judge Moore would appear on, instead of the actual network that the show that later appeared on Showtime. In addition, Defendant Cohen and his agents falsely and fraudulently represented that Judge Moore and Mrs. Moore were both being invited to Washington, D.C., for Judge Moore to receive an award for his strong support of Israel in commemoration of its 70th anniversary as a nation state. This ceremony, and

presentation of this award, Defendant Cohen falsely and fraudulently represented was to occur during the interview.

16. Had Judge Moore and Mrs. Moore known that Defendant Cohen had fraudulently induced Judge Moore into this interview, which as a “set up” to harm and thus damage Plaintiffs and the rest of their entire family, Judge Moore would not have agreed to appear. Plaintiffs relied on and had reason to rely on Defendant Cohen’s and his agents’ representations including Defendants Showtime and CBS, which he was led to believe were truthful and he had no reason to doubt.

17. Had Plaintiffs known that the promise of a bona fide award was a ruse to trick Judge Moore into appearing on “Who is America?”, Judge Moore would not have agreed to appear on Defendants Cohen’s, Showtime’s and CBS’s show and Mrs. Moore would not have agreed to travel to Washington D.C. to accompany and honor her husband.

18. During the segment that featured Judge Moore, Defendant Cohen – while falsely and fraudulently disguised as the character as Erran Morad, a supposed Israeli anti-terrorism expert and former Mossad agent – falsely painted, portrayed, mocked and with malice defamed Judge Moore as a sex offender, which he is not. Mrs. Moore was forced to endure the effects of this interview.

19. Thus, during the taping of the segment, Defendant Cohen was in disguise as Erran Morad, falsely and fraudulently portraying himself as someone else.

20. Had Judge Moore and Mrs. Moore known that “Erran Morad” was Defendant Cohen, Judge Moore would have never agreed to be interviewed and, at a minimum, terminated the interview immediately, and Plaintiffs would not have agreed to travel to Washington D.C.

21. Defendant Cohen's character falsely and fraudulently introduced a false and fraudulent "device" supposedly invented by the Israeli Army to detect pedophiles. During the segment, Defendant Cohen's "device" – as part of the false and fraudulent routine – purports to detect Judge Moore as a sex offender, thus defaming him.

22. This false and fraudulent portrayal and mocking of Judge Moore as a sex offender, on national and international television, which was widely broadcast in this district on national television and worldwide, has severely harmed Judge Moore's reputation and caused him, Mrs. Moore, and his entire family severe emotional distress, as well as caused and will cause Plaintiffs financial damage.

23. After the taping of Judge Moore's segment, when Plaintiffs discovered that they had been fraudulently induced to fly to Washington, D.C. and that Judge Moore's segment was to appear on Showtime and CBS, his Alabama counsel, Melissa Isaak, Esq. sent a preemptive notice to Defendants Showtime, CBS and thus Cohen warning them that Plaintiffs would resort to appropriate legal remedies if they chose to air the segment.

24. In the preemptive notice, Defendants CBS, Showtime and thus Cohen were informed that the release that Judge Moore had signed was obtained through fraud, and was therefore void and inoperative.

25. CBS and Showtime failed to take remedial action for Defendant Cohen's actions, and therefore at a minimum adopted his actions and are jointly and severally liable.

FIRST CAUSE OF ACTION

Defamation Per Se
Plaintiff Roy S. Moore

26. Plaintiffs repeat and re-alleges all of the previous allegations of the entirety of this Complaint, including, but not limited to with the same force and effect, as if fully set forth herein again at length.

27. Defendant Cohen and his agents including Defendants Showtime and CBS made false and defamatory statements concerning Judge Moore by calling, representing and publishing within this district, the nation and the world, with malice, that Judge Moore a pedophile and a sex offender on “Who is America?”

28. These statements are defamatory per se because they falsely accuse Judge Moore of committing a serious crime, which amounts to a crime of moral turpitude. As defamation per se, damage to Judge Moore is presumed as a matter of law.

29. Defendants acted in concert and are therefore jointly and severely liable. The statements were made by Defendant Cohen and his agents including Showtime and CBS and then published and/or broadcast in this district, nationwide and throughout the world by Showtime and CBS.

30. Defendants acted with actual malice insofar as they knew that the statements made against Judge Moore were false and/or recklessly disregarded their falsity.

31. Defendants’ statements and the publishing/broadcasting thereof were made without any privilege.

32. As a direct and proximate result of Defendants and their agents’ extreme, outrageous and malicious defamatory conduct set forth above, Judge Moore has been the subject of widespread ridicule and humiliation and has suffered severe loss of reputation, which has in turn also caused him, Mrs. Moore, and his entire family severe emotional distress and pain and

financial damage, especially given his status as a prominent conservative and a God fearing person of faith.

SECOND CAUSE OF ACTION
Intentional Infliction of Emotional Distress

33. Plaintiffs repeat and re-alleges all of the previous allegations of the entirety of this Complaint, including, but not limited to with the same force and effect, as if fully set forth herein again at length.

34. Defendant Cohen's and his agents' conduct including Showtime and CBS was extreme and outrageous in that they falsely and without any substantiated factual basis, portrayed Judge Moore as a pedophile and a sex offender in this district, on national television and worldwide.

35. Defendant Cohen's and his agents' including Defendants Showtime's and CBS's conduct was clearly willful and intentional.

36. CBS and Showtime's conduct was extreme and outrageous in that it broadcasted the Judge Moore segment, where he was falsely portrayed as a pedophile and sex offender, in this district, on national television and worldwide for tens if not hundreds of millions to see and hear, despite the fact that Judge Moore's Alabama counsel had sent them a preemptive notice.

37. As a result of Defendants and their agents' extreme and outrageous conduct, Plaintiffs have suffered extreme emotional distress as a result of Judge Moore being falsely portrayed, mocked and defamed as a sex offender and pedophile in this district, on national television and worldwide.

38. As a direct and proximate result of Defendants and their agents' extreme and outrageous conduct set forth above, Judge Moore has been the subject of widespread ridicule and has suffered severe loss of reputation, which has in turn also caused him, Mrs. Moore, and his

entire family severe emotional distress and financial damage, especially given his status as a prominent conservative and a God fearing person of faith.

THIRD CAUSE OF ACTION

Fraud

39. Plaintiffs repeat and re-allege all of the previous allegations of the entirety of this Complaint, including with the same force and effect, as if fully set forth herein again at length.

40. Defendant Cohen and his agents including Defendants Showtime and CBS knowingly made false material representations that the show segment that Judge Moore was to appear on was being produced by Yerushalayim TV, when in fact, it was being produced by Showtime and CBS as part of their latest project “Who is America?”

41. Defendant Cohen and his agents including Defendants Showtime and CBS made false material representations that Judge Moore and Mrs. Moore were being flown to Washington D.C. to receive an award for his support of Israel and to commemorate the 70th anniversary of its founding as a Jewish nation state.

42. Defendant Cohen and his agents including Defendants Showtime and CBS knowingly made this false material representation to fraudulently induce Judge Moore to appear on the program, with Mrs. Moore present, where Defendant Cohen and Defendants Showtime and CBS would falsely portray, mock and defame Judge Moore as a pedophile and a sex offender, which if true, which it was not, is a crime of moral turpitude.

43. Plaintiffs justifiably relied on Defendant Cohen’s and the other Defendants false representations and, as a direct and proximate result of these false representations, agreed to appear and be present on and at Defendant Cohen’s and Showtime’s and CBS’s show.

44. Defendant Cohen, while in disguise, further made false and fraudulent representations that he was “Erran Morad” in order to trick Judge Moore into speaking with and to be interviewed by him.

45. Had Plaintiffs known that “Erran Morad” was Defendant Cohen, Judge Moore would never have agreed to the interview and for Mrs. Moore to be present and, at a minimum, have terminated the interview immediately.

46. Defendants CBS, Showtime and Cohen failed to take remedial action for Defendant Cohen’s actions despite being on notice and therefore Defendants Showtime and CBS at a minimum adopted Defendant Cohen’s actions, and all of them are jointly and severally liable as joint tortfeasors.

47. As a direct and proximate result of Defendant Cohen’s and his agents’ including Defendants Showtime’s and CBS’s false and fraudulent representations, Judge Moore, Mrs. Moore, and his entire family have suffered extreme emotional distress as a result of Judge Moore being falsely portrayed as a sex offender and pedophile in this district, on national television and worldwide.

48. As a direct and proximate result of Defendant Cohen’s and his agents’ including Defendants Showtime’s and CBS’s fraudulent representations, Plaintiffs been the subject of widespread ridicule and Plaintiffs’ entire family, including Mrs. Moore, have suffered loss of reputation, financial loss, and loss of time spent going to and being in Washington D.C.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for relief and judgment against Defendants Cohen, Showtime and CBS as follows, all of whom acted in concert as joint tortfeasors: actual,

compensatory, and punitive damages in excess of \$95,000,000 USD, as well as attorneys' fees and costs, and any other relief that this Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury on all counts, as to all issues so triable.

DATED: September 6, 2018

Respectfully submitted,

/s/ Larry Klayman

Larry Klayman, Esq.
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Washington, DC, 20006
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Tel: 310-595-0800
Counsel for Plaintiffs

<input type="radio"/> G. Habeas Corpus/ 2255 530 Habeas Corpus – General 510 Motion/Vacate Sentence 463 Habeas Corpus – Alien Detainee	<input type="radio"/> H. Employment Discrimination 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) *(If pro se, select this deck)*	<input type="radio"/> I. FOIA/Privacy Act 895 Freedom of Information Act 890 Other Statutory Actions (if Privacy Act) *(If pro se, select this deck)*	<input type="radio"/> J. Student Loan 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> K. Labor/ERISA (non-employment) 710 Fair Labor Standards Act 720 Labor/Mgmt. Relations 740 Labor Railway Act 751 Family and Medical Leave Act 790 Other Labor Litigation 791 Empl. Ret. Inc. Security Act	<input type="radio"/> L. Other Civil Rights (non-employment) 441 Voting (if not Voting Rights Act) 443 Housing/Accommodations 440 Other Civil Rights 445 Americans w/Disabilities – Employment 446 Americans w/Disabilities – Other 448 Education	<input type="radio"/> M. Contract 110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 153 Recovery of Overpayment of Veteran’s Benefits 160 Stockholder’s Suits 190 Other Contracts 195 Contract Product Liability 196 Franchise	<input type="radio"/> N. Three-Judge Court 441 Civil Rights – Voting (if Voting Rights Act)

V. ORIGIN
 1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify)
 6 Multi-district Litigation
 7 Appeal to District Judge from Mag. Judge
 8 Multi-district Litigation – Direct File

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)

VII. REQUESTED IN COMPLAINT	CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 <input checked="" type="checkbox"/>	DEMAND \$ _____	JURY DEMAND: YES <input type="checkbox"/> NO <input type="checkbox"/>
VIII. RELATED CASE(S) IF ANY	(See instruction)	YES <input type="checkbox"/> NO <input type="checkbox"/>	If yes, please complete related case form

DATE: _____	SIGNATURE OF ATTORNEY OF RECORD _____
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INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the cover sheet.

- I.** COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.
- III.** CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV.** CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.
- VI.** CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII.** RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk’s Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Civil Action No. _____

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Other *(specify)*: _____

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