UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

PRESIDENT DONALD J. TRUMP, an individual, Plaintiff, v. CBS BROADCASTING INC., a New York corporation and CBS INTERACTIVE INC., a Delaware corporation, Defendants.	Case No.: _____ **COMPLAINT** **JURY TRIAL DEMANDED**

Plaintiff, PRESIDENT DONALD J. TRUMP, by and through undersigned counsel, brings this action against Defendants CBS BROADCASTING INC. and CBS INTERACTIVE INC. (Defendants, together, and with any and all affiliates and subsidiaries, "CBS"), and alleges as follows:

NATURE OF THE ACTION

1. This action concerns CBS's partisan and unlawful acts of election and voter interference through malicious, deceptive, and substantial news distortion calculated to (a) confuse, deceive, and mislead the public, and (b) attempt to tip the scales in favor of the Democratic Party as the heated 2024 Presidential Election—which President Trump is leading—approaches its conclusion, in violation of Tex. Bus. & Comm. Code § 17.46(a), which subjects "[f]alse, misleading, or deceptive acts or practices in the conduct of any trade or commerce" to suit under Tex. Bus. & Comm. Code §17.50(a)(1). *See* Texas Deceptive Trade Practices-Consumer Protection Act (the "DTPA"), Tex. Bus. & Comm. Code § 17.41 *et seq*.

2. From the moment the Democratic Party establishment ousted President Joe Biden in an unprecedented and anti-democratic political coup, and installed Vice President Kamala Harris ("Kamala") as their replacement candidate—ignoring the will of their primary voters who cast zero votes for Kamala—CBS and other legacy media organizations have gone into overdrive to get Kamala elected. Notwithstanding Kamala's well-documented, deep unpopularity even with her own Party, these organizations have tried to falsely recast her as the candidate of "joy," whitewashed her lengthy record of policy failures, and painted over her repeated, disqualifying gaffes.

3. However, even with aid from the Fourth Estate, Kamala's campaign has been unable to conceal embarrassing weaknesses, including her habit of uttering "word salad,"—*i.e.*, jumbles of exceptionally incoherent speech that have drawn disapproval even from dyed-in-the-wool Democratic commentators such as Van Jones, David Axelrod, and other mainstream media contributors. *See* Ian Hanchett, *Van Jones: Harris Had Needless 'Evasions' During CNN Town Hall, 'Word Salad Stuff' Is Annoying*, BREITBART (Oct. 24, 2024), https://www.breitbart.com/clips/2024/10/24/van-jones-harris-had-needless-evasions-during-cnn-town-hall-word-salad-stuff-is-annoying/ (last visited Oct. 31, 2024); Ian Hanchett, *Axelrod: Harris Gives a 'Kind of' 'Word Salad' 'When She Doesn't Want to Answer a Question' Like on Israel*, BREITBART (Oct. 24, 2024), https://www.breitbart.com/clips/2024/10/24/axelrod-harris-gives-a-kind-of-word-salad-when-she-doesnt-want-to-answer-a-question-like-on-israel/ (last visited Oct. 31, 2024); Hanna Panreck, *CNN panel critical of Kamala Harris' town hall performance: 'World salad city'*, CNN (Oct. 24, 2024) https://www.foxnews.com/media/cnn-panel-critical-kamala-harris-town-hall-performance-word-salad-city (last visited Oct. 31, 2024).

4. To paper over Kamala's "word salad" weakness, CBS used its national platform on *60 Minutes* to cross the line from the exercise of judgment in reporting to deceitful, deceptive manipulation of news.

5. On October 5 and 6, 2024, CBS News aired two different versions of its *60 Minutes* interview (the "Interview") with Kamala, conducted by CBS News journalist Bill Whitaker ("Whitaker").

6. In both versions of the Interview (the "October 5 Version" and the "October 6 Version"), Whitaker asks Kamala about Israeli Prime Minister Benjamin Netanyahu. Whitaker says to Kamala: "But it seems that Prime Minister Netanyahu is not listening."

7. In the October 5 Version, aired on the CBS Sunday morning news show *Face the Nation*, Kamala replies to Whitaker with her typical word salad: "Well, Bill, the work that we have done has resulted in several movements in that region by Israel that were very much prompted by or a result of many things, including our advocacy for what needs to happen in the region."

8. In the October 6 Version, aired on CBS's *60 Minutes*, Kamala appears to reply to Whitaker with a completely different, more succinct answer: "We are not gonna [sic] stop pursuing what is necessary for the United States to be clear about where we stand on the need for this war to end."

9. Millions of Americans, including residents of Texas and this District, were confused and misled by the two doctored Interview versions. President Trump commented on the matter, writing on Truth Social: "In normal times, what happened on 60 Minutes, (deceptively 'doctoring' her answers), would be THE END OF ANYONE'S CAMPAIGN! Kamala is slow, incoherent, and in no way qualified to be President of the United States. RELEASE THE TAPES

FOR THE GOOD OF AMERICA. We can do it the nice way, or the hard way!" *See* President Donald J. Trump, TRUTH SOCIAL (Oct. 7, 2024).

10. On October 20, 2024, attempting unsuccessfully to stop the bad press but without providing transparency, CBS News released a statement (the "October 20 Statement") conceding that President Trump was accurate in his assertion that the Interview with Kamala was doctored to confuse, deceive, and mislead the American People in order to try and interfere in the election on behalf of Kamala. *See* CBS News, *A statement from 60 Minutes* (Oct. 20, 2024), https://www.cbsnews.com/news/60-minutes-statement/ (last visited Oct. 31, 2024). As President Trump stated, and as made crystal clear in the video he referenced and attached, "A giant Fake News Scam by CBS & 60 Minutes. Her REAL ANSWER WAS CRAZY, OR DUMB, so they actually REPLACED it with another answer in order to save her or, at least, make her look better. A FAKE NEWS SCAM, which is totally illegal. TAKE AWAY THE CBS LICENSE. Election Interference. She is a Moron, and the Fake News Media wants to hide that fact. An UNPRECEDENTED SCANDAL!!! The Dems got them to do this and should be forced to concede the Election? WOW!"). *See* President Donald J. Trump, TRUTH SOCIAL (Oct. 10, 2024).

11. Indeed, it is a matter of public record that "CBS cut portions of Kamala's answer to a question about the war in Gaza in its initial broadcast, but it later provided [an allegedly] full transcript of her remarks online. *See* Ashleigh Fields, *Trump 'thinks' he will sue over Harris's '60 Minutes' interview*, THE HILL (Oct. 18, 2024), https://thehill.com/homenews/campaign/4942021-trump-thinks-sue-cbs-60-minutes (last visited Oct. 31, 2024).

12. The next day, President Trump's counsel demanded via letter that CBS "immediately provide and publicly release the full, unedited transcript of the [Interview]" (**Exhibit A** attached hereto). *See also* Joseph A. Wulfsohn & Brooke Singman, *Trump sends letter to CBS*

demanding unedited '60 Minutes' Harris transcript, teases potential lawsuit,' FOX NEWS (Oct. 21, 2024), https://www.foxnews.com/media/trump-sends-letter-cbs-demanding-unedited-60-minutes-harris-transcript-teases-potential-lawsuit) (last visited Oct. 31, 2024).

13. Instead of doing the right, transparent thing, CBS's counsel retreated from the October 20 Statement and provided a hasty, weakly worded response letter stating that CBS would decline to provide an unedited transcript of the Interview (**Exhibit B** attached hereto). President Trump, in reply, sent a second letter (a) reiterating his demand for public release of the full, unedited transcript of the Interview and (b) serving as his pre-suit notice under Tex. Bus. & Comm. Code § 17.505. (**Exhibit C** attached hereto).

14. CBS remains intransigent even after the Center for American Rights ("CAR") submitted a broadcast distortion complaint to the Federal Communications Commission ("FCC") (**Exhibit D** attached hereto) (the "FCC Complaint"). *See also In re Complaint Against WCBS-TV* (Oct. 16, 2024), https://www.americanrights.org/cases/cbs-accused-of-news-distortion-in-vice-president-kamala-harris-interview-center-for-american-rights-files-formal-fcc-complaint (last visited Oct. 31, 2024). Commenting on the FCC Complaint, FCC Commissioner Nathan Simington observed, "[t]he thing about trust is that once it's lost, it's very difficult to regain." *See* Brian Flood & Alba Cuebas-Fantauzzi, *FCC commissioner explains if CBS could be in hot water over controversial '60 Minutes'*, FOX NEWS (Oct. 18, 2024), https://archive.is/mdpnW#selection-1423.0-1463.8 (last visited Oct. 31, 2024). Simington is not alone in his concern; fellow Commissioner Brendan Carr has publicly urged CBS to release the transcript. *See* Kristen Altus, *FCC Commissioner urges CBS to release the transcript from Harris's '60 Minutes' interview*, FOX BUSINESS (Oct. 22, 2024), https://www.foxbusiness.com/media/fcc-commissioner-cbs-release-transctipt-harris-60-minutes-interview (last visited Oct. 31, 2024).

15. "Rigging or slanting the news is a most heinous act against the public interest—indeed, there is no act more harmful to the public's ability to handle its affairs." *See* FCC Complaint at 2 (quoting *In Re Complaints Covering CBS PROGRAM "HUNGER IN AMERIC*A," 20 F.C.C. 2d 143, 151 (Oct. 15, 1969)). This rings particularly true as "[b]roadcasters are public trustees licensed to operate in the public interest and, as such, may not engage in intentional falsification or suppression of news." *See id*. (quoting *In re Application of KMPA, Inc*., 72 F.C.C. 2d 241, 244 (June 12, 1979)).

16. CBS violated this public trust and, by reason of its recalcitrance, violates and continues to violate Tex. Bus. & Comm. Code § 17.46(a). Accordingly, President Trump brings this action to redress the immense harm caused to him, to his campaign, and to tens of millions of citizens in Texas and across America by CBS's deceptive broadcasting conduct.

THE PARTIES

17. President Trump is a citizen of the United States, a resident of the State of Florida, the 45th President of the United States of America, and the leading candidate in the 2024 Presidential Election.

18. Defendant CBS BROADCASTING INC. is a New York corporation with its principal place of business in New York, New York.

19. CBS BROADCASTING INC. is a nonresident who engages in business in this state. Therefore, the Texas Secretary of State is CBS BROADCASTING INC.'s agent for service of process and the Texas Secretary of State may be served with process and may forward such

process to CBS BROADCASTING INC.'s New York registered agent for service, Corporation Service Company, 80 State Street, Albany, NY 12207-2543.

20. Defendant CBS INTERACTIVE INC. is a Delaware corporation with its principal place of business in New York, New York.

21. CBS INTERACTIVE INC. is a nonresident who engages in business in this state. Therefore, CBS INTERACTIVE INC. may be served via its registered agent for service in the State of Texas, Corporation Service Company d/b/a CSC – Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, TX 78701-3218.

22. CBS, through CBS BROADCASTING INC. and CBS INTERACTIVE INC., operates a media organization with global reach that broadcasts commentary and analysis on politics, finance, business, and other matters of public importance or interest, chiefly through CBS News. The CBS programming portfolio includes *Face the Nation* and *60 Minutes*, the long-running and well-known programs at issue here. CBS engages in extensive advertising in Texas and this District, and CBS's programs, including *Face the Nation* and *60 Minutes*, are broadcast daily in Texas and to Texas residents. *See* https://www.cbsnews.com/texas/program-guide/ (last visited Oct. 31, 2024). CBS maintains a Texas-focused online presence known as CBS News Texas to facilitate this engagement with its Texas audience. *See* https://www.cbsnews.com/texas/live/ (last visited Oct. 31, 2024). CBS also oversees numerous local affiliates in Texas and employs Texas residents at both the corporate and local levels.

JURISDICTION AND VENUE

23. This Court has jurisdiction over this action under 28 U.S.C. §1332(a), as the parties are diverse and the amount in controversy is greater than $75,000.00.

24. The Court possesses personal jurisdiction over CBS under Tex. Civ. Prac. & Rem. Code §17.042 because CBS, during the operative period alleged in this Complaint, engaged in substantial and not isolated business activities in Texas, and more specifically, in this District.

25. The Interview was aired in Texas, remains accessible to the general public in Texas, and has been viewed by individuals in Texas.

26. By statute, this Court has personal jurisdiction over CBS pursuant to: (a) Tex. Civ. Prac. & Rem. Code §17.042(1) on the grounds that CBS "contracts by mail or otherwise with . . . Texas resident[s]" by providing newspapers and website access in exchange for subscription fees, a contractual arrangement being performed "in whole or in part in [Texas]"; (b) Tex. Civ. Prac. & Rem. Code §17.042(2) on the grounds that CBS committed a tortious act in this state (as alleged in this Complaint); and (c) Tex. Civ. Prac. & Rem. Code §17.042(3) on the grounds that CBS "recruits Texas residents, directly or indirectly through an intermediary located in [Texas], for employment inside or outside [Texas]."

27. Venue is proper in this district under 28 U.S.C. §1391(b)(2) and (b)(3) because a substantial part of the events or omissions giving rise to President Trump's claims occurred in this District by virtue of the Interview being transmitted by CBS into this District (and elsewhere) and because CBS is subject to this Court's personal jurisdiction with respect to this action.

FACTUAL ALLEGATIONS COMMON TO ALL CLAIMS FOR RELIEF

CBS's History of Distortion Belies Its Assertion of Innocent Editing

28. CBS disingenuously asserts that the Interview was "edited for time." *See* **Exhibit B**.

29. However, this alleged innocent refrain is contradicted both by the facts of this malicious doctoring of news and by years of CBS's journalistic animosity toward President Trump

and previous Republican presidential candidates. This is not the first time that CBS has engaged in unethical and unlawful behavior through *60 Minutes* to try to sabotage a Republican presidential candidate.

30. CBS's misconduct here is evocative of the 2004 Dan Rather *60 Minutes* scandal, where Rather presented four forged documents as authentic in an attempt to impugn President George W. Bush's integrity regarding his service in the Texas Air National Guard in 1972-73. *See* Michael Dobbs & Howard Kurtz, *Expert Cited by CBS Says He Didn't Authenticate Papers*, THE WASHINGTON POST, (Sept. 14, 2004), https://www.washingtonpost.com/archive/politics/2004/09/14/expert-cited-by-cbs-says-he-didnt-authenticate-papers/012e601d-b47f-4d4c-974d-599f54963468 (last visited Oct. 31, 2024); Brian Ross and Howard Rosenberg, Document Analysts: *CBS News Ignored Doubts*, ABC NEWS (Sept. 14, 2004), https://abcnews.go.com/WNT/Investigation/story?id=131423&page=1 (last visited Oct. 31, 2024); *CBS Ousts 4 over Bush Guard story*, ASSOCIATED PRESS (January 10, 2005), https://www.nbcnews.com/id/wbna6807825 (last visited Oct. 31, 2024).

31. CBS has recently proven that old habits die hard, frequently indulging in dishonest reporting about President Trump. For example, as reported by FOX NEWS journalist and *Nightcap* anchor Trace Gallagher during a recent panel discussion: "CBS now getting slammed again for airing a thinly sourced [and false] story of Donald Trump disparaging a slain Army Specialist and refusing to pay her funeral expenses. *Family says totally false*." Trace Gallagher, *Nightcap* Panel Discussion, FOX NEWS (Oct. 24, 2024), https://x.com/tracegallagher/status/1849623452245950540 (last visited Oct. 31, 2024) (emphasis added). One of the panelists on Gallagher's program, White House correspondent Kevin Corke, replied: "I think in this case, it has to be intentional, Trace." *See id*. Another panelist, correspondent

Christina Coleman, added: "Absolutely. And that's why I agree with Kevin [and] everybody here. I believe it was intentional. I also believe it's hurtful and disrespectful for the family to politicize this. And you know, it makes me sad because this is why people lose trust in the media." *See id*.

60 Minutes and the Interview

32. According to CBS's online promotion of *60 Minutes*, "*60 Minutes* has been the #1 News show in America for 50 straight years. Watch the biggest interviews and most important stories." *See* https://www.cbsnews.com/60-minutes/ (last visited Oct. 31, 2024).

33. Undeniably, *60 Minutes* has significant viewership both in Texas and nationally. With this considerable reach comes the ability to do great harm through deceptive reporting.

34. In Whitaker's written introduction to the Interview (currently posted on the CBS News website and last updated on October 7, 2024 at 8:01 p.m. EDT), he demonstrated CBS's institutional bias by falsely casting President Trump as an attacker against CBS's preferred candidate. "Kamala Harris has been a candidate for president for just two-and-a-half months and the post convention 'honeymoon' is over. With the election just 29 days away, Harris and her running mate Minnesota Gov. Tim Walz face *unrelenting attacks from Donald Trump*, and the race remains extremely close." *See* Bill Whitaker, *Kamala Harris makes the case in 60 Minutes interview for why she should be president*, CBS NEWS (October 7, 2024), https://www.cbsnews.com/news/kamala-harris-2024-election-interview-60-minutes-transcript (last visited Oct. 31, 2024) (emphasis added).

35. The transcript beneath Whitaker's introduction contains the following exchange with Kamala, using the shorter, deceptively clearer, doctored October 6 Version of her answer, rather than the jumbled October 5 Version:

> Bill Whitaker: We supply Israel with billions of dollars in military aid, and yet Prime Minister Netanyahu seems to be charting his own course. The Biden-

> Vice President Harris: The work that we do diplomatically with the leadership of Israel is an ongoing pursuit around making clear our principles.
> Bill Whitaker: But it seems that Prime Minister Netanyahu is not listening.
> Vice President Harris: *We are not gonna stop pursuing what is necessary for the United States to be clear about where we stand on the need for this war to end*.

Id.

36. The video of the Interview posted above Whitaker's introduction and transcript also contains the shorter, doctored, and wrongful October 6 Version of her answer rather than the jumbled October 5 Version. Indeed, conspicuously and conveniently missing from the transcript and video posted on the *60 Minutes* website is Kamala's real "word salad" answer to Whitaker's statement about Prime Minister Netanyahu.

The Broadcast Distortion Complaint

37. On October 16, 2024, CAR filed the FCC Complaint against CBS for the deceptive editing of the Interview. *See* **Exhibit D**; *In re Complaint Against WCBS-TV*, *supra*.

38. The gravamen of the FCC Complaint was concise yet shrewd: "Same interview, same question, two completely different answers." *See id*. at 2. The FCC Complaint correctly observed that the Interview was "an act of significant and substantial news alteration, made in the middle of a heated presidential campaign." *See id*.

39. Although CBS has the right to exercise reasonable judgment in editing, "CBS crossed a line when its production reaches the point of so transforming an interviewee's answer that it is a fundamentally different answer. This CBS may not do." *See id*.

40. The FCC Complaint highlighted not only CBS's deceptive editing but also its lack of transparency, for "CBS has refused to provide the complete transcript of the show despite numerous requests and precedent for doing so on high-profile interviews." *See id*. at 3.

41. CBS's concealment of the transcript is proof of its corrupt, partisan motives. For example, prominent journalist and FOX NEWS contributor Mollie Hemingway commented: "The fact that CBS @60 Minutes is refusing to release the full, unedited transcript of its interview with Kamala Harris is a huge scandal. Suggests that much of the entire finished product was manipulative and deceitful, and not just the one horrible example that was discovered." *See id.* (citing @MZHEMINGWAY, X.com, (https://x.com/MZHemingway/status/1845170976616583339) (last visited Oct. 31, 2024).

42. As Hemingway observed, CBS's misconduct goes even further than the deceptive editing and concealment of the transcript. An additional problem arises from CBS's deception: it is reasonable to infer that other parts of the Interview were also deceptively edited. *See id.*

43. Accordingly, the FCC Complaint sought as relief what was necessary to examine CBS's deceit: "Direct CBS to release the complete transcript of the Vice President's interview with 'Sixty Minutes.' The need for the Commission's action is strengthened by CBS's refusal thus far to release the transcript, which it has done in similar interviews in the past." *See* FCC Complaint at 5; *accord*. Daniel Schorn, *Transcript: Tom Brady, Part 1* (November 4, 2005), https://www.cbsnews.com/news/transcript-tom-brady-part-1/ (last visited Oct. 31, 2024); Daniel Kohn, *Transcript: Saddam Hussein Interview, Part 1* (February 26, 2003), https://www.cbsnews.com/news/transcript-saddam-hussein-interview-pt-1/ (last visited Oct. 31, 2024).

44. The favorable public reactions to the FCC Complaint by two FCC Commissioners also speak volumes. CBS is hiding its tortious misconduct and the truth.

'60 Minutes' becomes '21 Minutes'

45. Neither the FCC Complaint nor correspondence from President Trump's counsel changed CBS's intransigence about releasing an accurate transcript.

46. In President Trump's first letter to CBS, his counsel made a straightforward and fair demand for CBS to provide the unedited transcript of the Interview. *See* **Exhibit A**. Besides concealing the truth, CBS lacks any justification to decline such a reasonable demand. Any sensible news organization should welcome the opportunity to set the record straight—unless doing so would embarrass and expose that organization—or its preferred candidate.

47. So, CBS hid behind the predictable and unsubstantiated defense that "the Interview was edited for time with the aim of allowing the public to hear from the Vice President on as many subjects as possible in a 21-minute interview." *See* **Exhibit B**. Accordingly, CBS's counsel wrote, "we decline" to "provide you with the unedited transcript of the Interview . . . ." *See id*.

48. CBS's explanation that the Interview was edited for time defies common sense and logic. Inclusion of the complete, real, and unintelligible version of Kamala's answer would have added, at most, mere seconds to the Interview. Instead, viewers were left with the fake October 6 Version of Kamala's answer, which was doctored to such an extent that the meaning of the answer was fundamentally altered in order to make Kamala seem concise and intelligent, which she is not. Indeed, this was not a case in which the edited answer captured the "gist" of the interviewee's response. The editing here left viewers with two completely different answers, a real one and a fake one.

CLAIM FOR RELIEF

COUNT I

Violation of the DTPA - Tex. Bus. & Comm. Code § 17.46(a), Actionable Pursuant to Tex. Bus. & Comm. Code §17.50(a)(1)

49. President Trump realleges his allegations contained in paragraphs 1 through 48 as if set fully forth herein.

50. This action is brought pursuant to the DTPA and its relevant provisions, Tex. Bus. & Comm. Code §§ 17.46(a), 17.46(b), 17.50(a)(1), and 17.50(b).

51. Tex. Bus. & Comm. Code § 17.46(a) provides: "[f]alse, misleading, or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful and are subject to action by the consumer protection division . . . ."

52. DTPA § 17.46(b) provides, in pertinent part: "the term 'false, misleading, or deceptive acts or practices' includes, but is not limited to, the following acts: "(2) causing confusion or misunderstanding as to the source, sponsorship, approval, or certification of goods or services" and (3) causing confusion or misunderstanding as to affiliation, connection, or association with, or certification, by another."

53. DTPA § 17.50(a)(1) provides: "(a) A consumer may maintain an action where any of the following constitute a producing cause of economic damages or damages for mental anguish: (1) the use or employment by any person of a false, misleading, or deceptive act or practice that is: (A) specifically enumerated in a subdivision of Subsection (b) of Section 17.46 of this subchapter; and (B) relied on by a consumer to the consumer's detriment . . . . [or] (3) any unconscionable action or course of action by any person . . . . "

54. In a suit filed under DTPA § 17.50(a)(1), "each consumer who prevails may obtain [*inter alia*]: (b)(1) the amount of economic damages found by the trier of fact . . . (b)(2) an order

enjoining such acts or failure to act . . . [and] (d) "court costs and reasonable and necessary attorneys' fees." *See* DTPA § 17.50(b).

55. President Trump is a "consumer" within the meaning of the DTPA, since he is an individual who sought and received CBS's broadcast services. Moreover, as the leading presidential candidate, President Trump will be evaluated by the Texas electorate – and the electorate in all states—on November 5, 2024. As such, President Trump stands in the shoes of each Texas voter entitled to the honest services expected from CBS-owned and affiliated television stations in Texas. CBS, through its CBS Stations Group of Texas LLC, owns television station KTVT in Fort Worth–Dallas, Texas, which has a license with the FCC. *See* https://publicfiles.fcc.gov/tv-profile/ktvt (last visited Oct. 31, 2024). Because the FCC licenses CBS-owned and operated stations in Texas, the FCC requires those stations to broadcast the news in an honest and transparent manner. As the FCC has stated, "rigging or slanting the news is a most heinous act against the public interest." *See* https://www.fcc.gov/media/radio/public-and-broadcasting#DISTORT (last visited Oct. 31, 2024). CBS failed in its duty to provide honest services by engaging in false, misleading, deceptive, and, therefore, unconscionable and detrimental news distortion.

56. Here, CBS engaged in multiple false, misleading, and deceptive acts, including (a) doctoring Kamala's answer in order to attempt and improve Kamala's electoral chances and try to damage President Trump's electoral chances, (b) intentionally creating the appearance in the October 6 Version that Kamala gave a concise answer to Whitaker's question about Prime Minister Netanyahu, which she did not, for the same purpose of aiding Kamala and damaging President Trump; (c) deceptively editing Kamala's answer in the October 5 Version to create the appearance that she was articulate and decisive, when in reality her full answer to the question was a jumbled

"word salad" that further exposes her and harms her electoral chances; (d) posting the fake, October 6 Version of the Interview on the *60 Minutes* website, again to try and tip the electoral scales in Kamala's favor; and (e) doubling down and refusing to release an accurate transcript of the Interview, ensuring that the deception continues.

57. CBS and its *60 Minutes* producers intentionally misled the public by broadcasting and posting a carefully, deceptively edited Interview and transcript while opting to release other portions online. Such manipulative editing aimed to confuse the electorate regarding Kamala's lack of abilities, intelligence, and appeal.

58. News organizations such as CBS are responsible for accurately representing the truth of events, not distorting an interview to try and falsely make their preferred candidate appear coherent and decisive, which Kamala most certainly is not. Due to CBS's actions, the public could not distinguish which Kamala they saw in the Interview: the candidate or the actual puppet of a behind-the-scenes editor.

59. CBS misled President Trump and would-be voters, including millions in Texas and this District, by violating the news distortion policy contained in 47 U.S.C. § 309(a). "[T]o violate the news distortion policy, the distortion must be about a significant matter and not merely something trivial or incidental." *See* **Exhibit D**, FCC Complaint at 4 (quoting Lili Levi, *Reporting the Official Truth: The revival of the FCC's news distortion policy*, 78 Wash. U.L. Q. 1005, 1023 (2000)).

60. Here, Whitaker's question to Kamala was of the utmost public significance—U.S. foreign policy on the matter of the Israel/Gaza war—at a time of immense importance, mere weeks before the most critical presidential election in American history. Whitaker's question was even

more significant because Kamala has mostly ducked interviews and other media opportunities that require her to speak without prepared lines.

61. CBS further misled and deceived President Trump and millions of people in Texas and this District—and violated the broadcast distortion policy—because the source of Kamala's edited answer in the Interview was not, in fact, Kamala, but CBS taking its editorial pen to confuse viewers as to what she said. The edited broadcast created confusion because that was CBS's intent: to do whatever it took to portray Kamala as intelligent, well-informed, and confident when, in fact, she is none of the above.

62. Where, as here, CBS and its employees know the false, deceptive, or misleading acts or practices, liability attaches. Here, CBS and the producers of *60 Minutes* knew they were doctoring the interview and its transcript to try and help Kamala and confuse the electorate.

63. Put simply, CBS's editorial misconduct here gives rise to liability under the DTPA in three respects:

(a) CBS's misconduct "caus[ed] confusion or misunderstanding" to millions of Americans, and in particular residents of Texas, "as to the source, sponsorship, approval, or certification of" CBS's broadcast "services," rendering it impossible for even the most discerning viewers to determine whether the *60 Minutes* interview was independent journalism or de facto advertising for the Kamala Campaign;

(b) CBS's misconduct "caus[ed] confusion or misunderstanding as to" CBS's "affiliation, connection, or association with" Kamala and her Campaign and caused "confusion or misunderstanding" as to the Interview's "certification by" CBS given its legal obligation to broadcast news in a non-distortive manner; and

(c) CBS's misconduct was unconscionable because it amounts to a brazen attempt to interfere in the 2024 U.S. Presidential Election.

64. Because of CBS's false, misleading, and deceptive conduct, President Trump has sustained damages in an amount greater than $75,000.00, and reasonably believed to be at least $10,000,000,000,[1] that will be determined upon trial of this action.

65. Additionally, pursuant to DTPA § 17.50(b)(2), President Trump is entitled to an order enjoining CBS from continuing to post the deceptively edited October 6 Version on its *60 Minutes* website and elsewhere, as well as requiring CBS to post the full video version and unedited transcript of Kamala's actual answer about Prime Minister Netanyahu, and the full version of the Interview altogether both in video and transcript form.

DEMAND FOR JURY TRIAL

President Trump demands a jury trial as to all issues so triable.

WHEREFORE, Plaintiff PRESIDENT DONALD J. TRUMP demands judgment against Defendants CBS BROADCASTING INC. and CBS INTERACTIVE INC. as follows:

(a) On Count One, compensatory damages in an amount to be determined upon the trial of this action but greater than $75,000.00 and approximated at $10,000,000,000.00;

(b) On Count One, an order enjoining CBS's ongoing false, misleading, and deceptive acts;

(c) The attorneys' fees and costs associated with this action; and

(d) Such other relief as the Court deems just and proper.

Date: October 31, 2024 Respectfully submitted,

[1] CBS's distortion of the *60 Minutes* Interview damaged President Trump's fundraising and support values by several billions of dollars, particularly in Texas.

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Chris D. Parker

EXHIBIT A

BOCHNER PLLC
Edward Andrew Paltzik, Esq.
BOCHNER PLLC
1040 Avenue of the Americas, 15TH Floor, New York, NY 10018
o 516.526.0341 e edward@bochner.law w bochner.law

October 21, 2024

Via Email and Expedited Mail

Gayle C. Sproul
Senior Vice President, Legal Affairs
CBS News
555 West 57th Street
New York, NY 10019
Gayle.Sproul@CBS.com

Re: Litigation Hold and Demand for CBS to Immediately Provide and Publicly Release the Full, Unedited Transcript of *60 Minutes* Interview with Vice President Kamala Harris

Dear Ms. Sproul:

We write on behalf of our client, President Donald J. Trump.

On October 20, 2024, CBS News released a statement (the "October 20 Statement")[1] conceding that President Trump was accurate in his assertion that the *60 Minutes* interview with Vice President Kamala Harris (the "Interview"), which aired in two different versions on October 5 and 6, 2024 broadcasts, was doctored in order to mislead the American People ahead of the Presidential Election.[2] It is a matter of public record that "CBS cut portions of Harris's answer to a question about the war in Gaza in its initial broadcast, but it later provided [an allegedly] full transcript of her remarks online."[3] The open question is whether such posted transcript is original or whether it has also been doctored, edited, or manipulated in any way that is helpful to Kamala Harris' failing campaign. The October 20 Statement clearly admits that edits were done in order to make Harris' answers appear more "succinct."[4]

[1] CBS News, *A statement from 60 Minutes* (Oct. 20, 2024), https://www.cbsnews.com/news/60-minutes-statement/.
[2] *See e.g.*, President Donald J. Trump, TRUTH SOCIAL (Oct. 7, 2024) ("In normal times, what happened on 60 Minutes, (deceptively 'doctoring' her answers), would be THE END OF ANYONE'S CAMPAIGN! Kamala is slow, incoherent, and is in no way qualified to be President of the United States. RELEASE THE TAPES FOR THE GOOD OF AMERICA. We can do it the nice way, or the hard way!").
[3] Ashleigh Fields, *Trump 'thinks' he will sue over Harris's '60 Minutes' interview*, THE HILL (Oct. 18, 2024), https://thehill.com/homenews/campaign/4942021-trump-thinks-sue-cbs-60-minutes.
[4] CBS News, *A statement from 60 Minutes* (Oct. 20, 2024), https://www.cbsnews.com/news/60-minutes-statement/.

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In a recent news distortion complaint filed before the Federal Communications Commission ("FCC"), the Center for American Rights stated that your company has been "engaging in significant and intentional news distortion" through broadcasts of the *60 Minutes* interview on both "Face the Nation" and "60 Minutes".[5] In response to the complaint, FCC commissioner Nathan Simington said, "the Commission has certainly contemplated the possibility of distortionary reporting taking place via splicing. That's one reason I don't think that this complaint is facially ridiculous, and it would not be inappropriate for the commission to take it up."[6]

CBS and its *60 Minutes* producers intentionally misled the public by broadcasting a skillfully edited Interview transcript, while opting to release other portions online. Such manipulative editing was aimed at causing confusion among the electorate regarding Vice President Kamala Harris's abilities, intelligence, and appeal. News organizations such as CBS have a responsibility to accurately represent the truth of events, not distort an interview to try and make their preferred candidate appear coherent and decisive, which Harris most certainly is not. Due to CBS' actions, the public cannot distinguish which Kamala Harris they are seeing: the candidate or the puppet of a behind-the-scenes editor.

President Trump is rightly alleging that CBS's "doctoring" of Harris's answers on *60 Minutes* was deceptive. The allegation is not simply that CBS was dishonest; it is that CBS deceived viewers into thinking Harris' answer was, at the very least—as CBS put it—more "succinct" than the word salad it actually was.[7]

The executives and producers at CBS, and *60 Minutes* in particular, are unquestionably aware that the purpose behind editing the Interview was to confuse the electorate and portray the Vice President in a better light than a full, unedited transcript would reveal. Responsible news sources must be held accountable to the highest standards. This is not the first time that CBS has engaged in similar unethical and unlawful behavior through *60 Minutes* in an effort to sabotage a Republican presidential candidate. CBS's misconduct here is evocative of the 2004 Dan Rather *60 Minutes* scandal, where Rather presented four forged documents as authentic in an effort to impugn President George W. Bush's integrity regarding his service in the Texas Air National Guard in 1972-73.[8]

---

[5] *In re Complaint Against WCBS-TV* (Oct. 16, 2024), https://www.americanrights.org/cases/cbs-accused-of-news-distortion-in-vice-president-kamala-harris-interview-center-for-american-rights-files-formal-fcc-complaint

[6] Brian Flood and Alba Cuebas-Fantauzzi, *FCC commissioner explains if CBS could be in hot water over controversial '60 Minutes'*, Fox News (Oct. 18, 2024), https://archive.is/mdpnW#selection-1423.0-1463.8

[7] CBS News, *A statement from 60 Minutes* (Oct. 20, 2024), https://www.cbsnews.com/news/60-minutes-statement/.

[8] Michael Dobbs and Howard Kurtz, *Expert Cited by CBS Says He Didn't Authenticate Papers*, The Washington Post (September 14, 2004), https://web.archive.org/web/20110514062505/http://www.washingtonpost.com/ac2/wp-dyn/A18982-2004Sep13?language=printer; Brian Ross and Howard Rosenberg, *Document Analysts: CBS News Ignored Doubts*, ABC News (September 14, 2004), https://abcnews.go.com/WNT/Investigation/Story?id=131423&page=1; *CBS Ousts 4 over Bush Guard story*, Associated Press (January 10, 2005), https://www.nbcnews.com/id/wbna6807825

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We therefore demand that you immediately provide and publicly release the full, unedited transcript of the *60 Minutes* Interview with Kamala Harris. Additionally, in contemplation of possible litigation, we demand that you preserve all communications and documents relating to this Interview, together with any edits of the Interview's content, and that you refrain from destroying any relevant communications or documents. Kindly confirm receipt of this letter within 48 hours and further confirm your intention to cooperate with these demands. We appreciate your anticipated cooperation.

Sincerely,

Edward Paltzik

Edward Andrew Paltzik
Counsel to President Donald J. Trump

EXHIBIT B

CBS NEWS

GAYLE C. SPROUL
SENIOR VICE PRESIDENT
LEGAL AFFAIRS

555 West 57th Street
New York, New York 10019

October 23, 2024

By Email

Edward Andrew Paltzik, Esquire
Bochner PLLC
1040 Avenue of the Americas, 15th Floor
New York, New York 10018
edward@bochner.law

Re: Demand Letter on Behalf of former President Donald J. Trump

Dear Mr. Paltzik:

Your letter on behalf of Mr. Trump is based on the faulty premise that 60 MINUTES distorted its interview with Vice President Kamala Harris ("the Interview") in order to present her in a positive light. That, as 60 MINUTES has said in its Statement, is false.

You begin by claiming that 60 MINUTES has "conced[ed]" that Mr. Trump accurately stated that 60 MINUTES "doctored [the Interview] in order to mislead the American People ahead of the Presidential election." This is incorrect:

- 60 MINUTES made no such concession;
- The Interview was not doctored; and
- 60 MINUTES did not hide any part of the Vice President's answer to the question at issue.

It begs logic to argue that 60 MINUTES hid the first part of the Vice President's answer to the question. It did not. The public is aware of that part of her answer because 60 MINUTES itself publicly distributed it by providing it to FACE THE NATION for *promotional* purposes *and* posting it on X and other 60 MINUTES-branded social media for the same reason.

60 MINUTES fairly presented the Interview to inform the viewing audience, and not to mislead it. Indeed, your contention that 60 MINUTES acted nefariously is entirely unfounded. Instead, the Interview was edited for time with the aim of allowing the public to hear from the Vice President on as many subjects as possible in a 21-minute interview. Editing is a necessity for all broadcasters to enable them to present the news in the time available, and that is what 60 MINUTES did here, as it does with its other reports.

The First Amendment fiercely protects these editorial judgments. *E.g.*, *Miami Herald Publ'g Co. v. Tornillo*, 418 U.S. 241, 258 (1974) ("The choice of material to go into a newspaper, and the decisions made as to limitations on the size and content of the paper, and treatment of public issues and public officials – whether fair or unfair – constitute the exercise of editorial control and judgment."); *CBS v. Democratic Nat'l Comm.*, 412 U.S. 94, 124 (1973) (noting in the context of a claim pursuant to the Federal Communications Act, "editing is what editors are for; and editing is selection and choice of material"). For that reason, no private right of action exists here and I note that you do not identify one. Nor is there any legal basis for your demand that we provide you with the unedited transcript of the Interview, which we decline to do.

In light of your letter, we request that any documentation related to its subject matter be preserved by your client for production to us if necessary. We further reserve all claims, privileges and defenses not explicitly stated here, including the right to seek attorneys' fees or assert counterclaims under any applicable anti-SLAPP statute.

Sincerely,

Gayle C. Sproul

EXHIBIT C

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October 29, 2024

Via Email and Expedited Mail

Gayle C. Sproul
Senior Vice President, Legal Affairs
CBS News
555 West 57th Street
New York, NY 10019
Gayle.Sproul@CBS.com

Re: Response to Your Reply Letter dated October 23, 2024 regarding *60 Minutes* Interview of Vice President Harris (the "Interview")

Dear Ms. Sproul:

I write once again on behalf of my client, President Donald J. Trump.

I am in receipt of your reply letter dated October 23, 2024, in which you falsely stated, *inter alia*, that "there [is no] legal basis for your demand that we provide you with the unedited transcript of the [60 MINUTES] Interview, which we decline to do." You also wrongly asserted that our "contention [] 60 MINUTES acted nefariously is entirely unfounded." Instead, you incorrectly claim, "the Interview was edited for time with the aim of allowing the public to hear from the Vice President on as many subjects as possible in a 21-minute interview."

Your obvious stonewalling is unpersuasive for three reasons, among many others: (1) The false and deceptive manner in which CBS edited Vice President Harris's answer to Mr. Whitaker's question regarding Prime Minister Netanyahu materially changed the content and meaning of her answer, (2) Broadcasting Vice President Harris's full response to Mr. Whitaker's question would have added mere seconds to the Interview, and (3) CBS's refusal to release the unedited transcript—a simple act of transparency that could be performed at no cost—confirms that CBS knows it committed a wrong, and wants to hide it. Indeed, if CBS believes it doesn't have any exposure, why not release the unedited transcript? By refusing to release the transcript, you've already answered that question—CBS is liable for one of the worst, most deceptive acts in broadcast history.

Given your refusal to resolve this matter without litigation, this letter serves as President Trump's pre-suit notice under the Texas Deceptive Trade Practices-Consumer Protection Act (the

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"DTPA"), Tex. Bus. & Comm. Code § 17.41 *et seq*., specifically § 17.505, that CBS's actions with respect to the Interview have caused President Trump to sustain economic damages,[1] together with attorneys' fees in an amount to be determined.

Pursuant to § 17.46(a), CBS has engaged in unlawful "[f]alse, misleading, or deceptive acts or practices in the conduct of [its] trade" in that, as laid out in § 17.46(b), CBS "caus[ed] confusion or misunderstanding as to the source, sponsorship, approval, or certification of [its] services" and "caus[ed] confusion or misunderstanding as to affiliation, connection, or association with, or certification, by another." Indeed, among other harmful effects of your wrongdoing, CBS's deceptive editing of the Interview has made it impossible for viewers of *60 Minutes*, including members of the American public as a whole, and residents of Texas, in particular, to discern whether CBS was acting in its capacity as a news organization or on behalf of Vice President Harris's failing presidential campaign. Accordingly, CBS's editorial misconduct is actionable under §17.50(a)(1), and President Trump is entitled to economic damages (§17.50(b)(1)), an order enjoining CBS's ongoing misconduct (§17.50(b)(2)), and attorneys' fees (§17.50(d)).

We therefore once again demand that you immediately provide and publicly release the full, unedited transcript of the Interview, and that you pay President Trump damages as set forth above. Additionally, I remind you that in contemplation of possible litigation, we demand that you preserve all communications and documents relating to the Interview, together with any edits of the Interview's content, and that you refrain from destroying any relevant communications or documents. We appreciate your anticipated cooperation.

Sincerely,

Edward Paltzik

Edward Andrew Paltzik
Counsel to President Donald J. Trump

[1] CBS's distortion of the *60 Minutes* Interview damaged President Trump's fundraising and support values by several billions of dollars, particularly in Texas.

EXHIBIT D

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

In re Complaint Against WCBS-TV

COMPLAINT

INTRODUCTION

"Rigging or slanting the news is a most heinous act against the public interest -- indeed, there is no act more harmful to the public's ability to handle its affairs. In all cases where we may appropriately do so, we shall act to protect the public interest in this important respect." *In Re Complaints Covering CBS PROGRAM "HUNGER IN AMERICA*," 20 F.C.C.2d 143, 151 (Oct. 15, 1969). "Broadcasters are public trustees licensed to operate in the public interest and, as such, may not engage in intentional falsification or suppression of news." *In Re Application of KMAP, Inc.,* 72 F.C.C.2d 241, 244 June 12, 1979). "[T]the Commission endeavors to balance the licensee's obligation to operate in the public interest with the licensee's editorial judgment." *In re applications of Stockholders of CBS,* 11 FCC Rcd 3733, 3746 (Nov. 22, 1995). The Commission investigates "extrinsic evidence" such as "outtakes" to determine whether "the licensee has deliberately suppressed or altered a news report." *Id.*

This complaint concerns an act of significant and substantial news alteration, made in the middle of a heated presidential campaign. Moreover, in this instance we have the clear external evidence of outtakes necessary for this Commission to act. *Hunger in America*, 20 F.C.C.2d at 151; *In re Application of WGPR, Inc.*, 10 FCC Rcd 8140, 8148 (July 17, 1995).

WCBS TV aired the Sunday CBS morning news show "Face the Nation" on Sunday, October 5. It also aired the CBS program "Sixty Minutes" on Monday, October 6. The two programs featured the same question asked to Vice President Kamala Harris, with two completely different answers.

In the first clip, CBS journalist Bill Whitaker asks the Vice President about Israeli Prime Minister Benjamin Netanyahu: "But it seems that Prime Minister Netanyahu is not listening."

In that clip, Harris replies: "Well, Bill, the work that we have done has resulted in a number of movements in that region by Israel that were very much prompted by or a result of many things, including our advocacy for what needs to happen in the region."

In the second clip, Whitaker asks the exact same question. But in this clip, Harris replies: "We are not gonna stop pursuing what is necessary for the United States to be clear about where we stand on the need for this war to end."

Same interview, same question, two completely different answers.

Under this Commission's long-standing precedent, CBS retains the right to exercise news judgment when editing its material. And that kind of editing is normal in the context of a news magazine style show like "Sixty Minutes."

However, CBS crosses a line when its production reaches the point of so transforming an interviewee's answer that it is a fundamentally different answer. This CBS may not do. *See In Re COMPLAINT CONCERNING THE CBS PROGRAM "THE SELLING OF THE PENTAGON,"* 30 F.C.C.2d 150 (April 28, 1971); *In re Application of WGPR, Inc.*, 10 FCC Rcd at 8148. Here, CBS has taken a single question and transformed Harris' answer such the general public no longer has any confidence as to what the Vice President actually said in response to the query.

Moreover, CBS has refused to provide the complete transcript of the show despite numerous requests and precedent for it doing so on high-profile interviews. This has led journalist Mollie Hemingway to write, "The fact that CBS 60 Minutes is refusing to release the full, unedited transcript of its interview with Kamala Harris is a huge scandal. [It s]uggests that much of the entire finished product was manipulative and deceitful, and not just the one horrible example that was discovered."[1] Strong and prompt action by the Commission is necessary to restore

[1] https://x.com/MZHemingway/status/1845170976616583339

public confidence in the broadcast and to clarify this matter of national interest and importance.

DEFENDANT STATION

WCBS is a licensed television broadcast station in New York, facility number 9610. It is owned by CBS Broadcasting Inc. Its address is 524 West 57th Street, New York, NY 10019.

WCBS's VIOLATION OF 47 U.S.C. § 309(a)

News distortion is incorporated in the public-interest standard for broadcasters, 47 U.S.C. § 309(a). "[T]o violate the news distortion policy, the distortion must be about a significant matter and not merely something trivial or incidental." Lili Levi, *Reporting the Official Truth: The revival of the FCC's news distortion policy*, 78 Wash. U. L. Q. 1005, 1023 (2000). Here, the question is incredibly consequential—U.S. foreign policy toward the Middle East in the middle of a war—and the timing is also significant: weeks before a presidential election, and with a candidate who has sat for very few news interviews.

The Complainant is not asking the Commission to censor CBS News or to invade CBS News' free speech. *See* 42 U.S.C. § 326. The U.S. Supreme Court has squarely held that Commission does not transgress Section 326 by reviewing licensees' past conduct under the public-interest standard. *FCC v. Pacifica Found.*, 438 U.S. 726, 735 (1978). Rather, the Court has held that the Commission acts

appropriately in executing Congress's desire "to assure that the public receives through this medium a balanced presentation of information on issues of public importance." *FCC v. League of Women Voters*, 468 U.S. 364, 377 (1984). *Accord Columbia Broadcasting System, Inc. v. Democratic Nat'l Committee*, 412 U.S. 94, 125 (1973) ("the public interest in being informed requires periodic accountability on the part of those who are entrusted with the use of broadcast frequencies"). Here, accountability is necessary when the public is disserved by news distortion.

RELIEF SOUGHT

Direct CBS to release the complete transcript of the Vice President's interview with "Sixty Minutes." The need for the Commission's action is strengthened by CBS's refusal thus far to release the transcript, which it has done in similar interviews in the past. The Commission's directive to first approach the station or sponsor for resolution of news distortion claims, *see, e.g.*, *Hunger in America*, 20 FCC 2d at 151, has already proven inadequate in this instance.[2]

[2] Complainant reserves the right to request the recusal of any FCC commissioner who reviews this matter in the future who prejudged this issue without seeing any evidence or legal argument. *See* Mike Snider, "FCC chair condemns Trump's call for CBS to lose license.," USA Today (Oct. 11, 2024). *See also In re "Selling of the Pentagon*," 30 F.C.C.2d at 155 (Statement of Chairman Burch) ("Commissioner Johnson has a perfect right to speak out on this or any other controversial issue. But he cannot have it both ways. He cannot be both a public advocate -- defending the program in print -- and then sit as a judge on charges alleging unfairness and distortion in the program.").

CONCLUSION

"The FCC has had a policy against 'news distortion' in over-the-air broadcast (local TV and radio stations) news for over 50 years." FCC Consumer Guide, *Broadcast News Distortion* (2024). Here, CBS engaged in news distortion by editing its news program to such a great extent that the general public cannot know what answer the Vice President actually gave to a question of great importance on a matter of national security policy.

/s/Daniel R. Suhr
Daniel R. Suhr
Center for American Rights
747 N. LaSalle St., Suite 210
Chicago, IL 60654
dsuhr@americanrights.org
Attorney licensed in Wisconsin

DATE: October 16, 2024

APPENDIX A

FACE THE NATION PREVIEW CLIP:

Whitaker: "We supply Israel with billions of dollars in military aid, and yet Prime Minister Netanyahu seems to be charting his own course. The Biden-Harris administration has pressed him to agree to a cease-fire. He's resisted. You urged him not to go into Lebanon. He went in anyway. He has promised to make Iran pay for the missile attack, and that has the potential of expanding the war. Does the U.S. have no sway over Prime Minister Netanyahu?"

Harris: "The aid that we have given Israel allowed Israel to defend itself against 200 ballistic missiles that were just meant to attack the Israelis and the people of Israel. And when we think about the threat that Hamas, Hezbollah, presents, Iran, I think that it is without any question our imperative to do what we can to allow Israel to defend itself against those kinds of attacks. Now, the work that we do diplomatically with the leadership of Israel is an ongoing pursuit around making clear our principles, which include the need for humanitarian aid, the need for this war to end, the need for a deal to be done which would release the hostages and create a cease-fire. And we're not gonna stop in terms of putting that pressure on Israel and in the region including Arab leaders."

Whitaker: "But it seems that Prime Minister Netanyahu is not listening."

Harris: "Well, Bill, the work that we have done has resulted in a number of movements in that region by Israel that were very much prompted by, or a result of, many things including our advocacy for what needs to happen in the region."

Whitaker: "Do we have a real close ally in Prime Minister Netanyahu?"

Harris: "I think, with all due respect, the better question is, 'Do we have an important alliance between the American people and the Israeli people'? And the answer to that question is, 'Yes.'"

APPENDIX B

SIXTY MINUTES CLIP:

Whitaker: "We supply Israel with billions of dollars in military aid, and yet Prime Minister Netanyahu seems to be charting his own course. The Biden-Harris administration has pressed him to agree to a cease-fire. He's resisted. You urged him not to go into Lebanon. He went in anyway. Does the U.S. have no sway over Prime Minister Netanyahu?"

Harris: "The work that we do diplomatically with the leadership of Israel is an ongoing pursuit around making clear our principles."

Whitaker: "But it seems that Prime Minister Netanyahu is not listening."

Harris: "We are not gonna stop pursuing what is necessary for the United States to be clear about where we stand on the need for this war to end."

JS 44 (Rev. 04/21) (TXND 4/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service 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. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

President Donald J. Trump, an Individual

(b) County of Residence of First Listed Plaintiff Palm Beach County, Fl
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
See Attached

DEFENDANTS

CBS Broadcasting Inc., a New York Corporation and CBS Interactive Inc., a Delaware Corporation

County of Residence of First Listed Defendant New York County, New
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☒ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☒ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☒ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

INTELLECTUAL PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☒ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

V. ORIGIN *(Place an "X" in One Box Only)*

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District *(specify)* ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing ***(Do not cite jurisdictional statutes unless diversity)***:
28 U.S.C. Section 1332(a)

Brief description of cause:
DTPA Claim for Distortion of News

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.

DEMAND $ Greater than $75,000.(

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE
October 31, 2024

SIGNATURE OF ATTORNEY OF RECORD
Edward Ballzk

FOR OFFICE USE ONLY

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