

that the legal team advancing those claims was “clownish.”⁴⁶ Barr continued: “I’m a pretty informed legal observer and I can’t fucking figure out what the theory is here.”⁴⁷ Giuliani issued a press release falsely accusing Barr of failing to investigate.⁴⁸

41. By December 9, 2020, all four of the election lawsuits Powell and Wood had filed together had been dismissed.

42. The United States District Court for the Eastern District of Michigan found that Powell and Wood had submitted “nothing but speculation and conjecture that votes for President Trump were destroyed, discarded or switched to votes for Vice President Biden.” Op. & Order at 34, *King v. Whitmer*, No. 20-cv-12134 (E.D. Mich. Dec. 7, 2020) [Dkt. 62].

43. The United States District Court for the District of Arizona found that the evidence put forward by Powell and Wood was “largely based on anonymous witnesses, hearsay, and irrelevant analysis of unrelated elections,” and includes “expert reports” that “reach implausible conclusions, often because they are derived from *wholly unreliable sources*.” Order at 24-25, *Bowyer v. Ducey*, No. 2-20-cv-02321 (D. Ariz. Dec. 9, 2020) [Dkt. 84]. The “wholly unreliable sources” put forward by Powell and Wood in that case included Russell Ramsland and an anonymous purported Venezuelan military officer who claimed to have previously served under the now-deceased Venezuelan dictator Hugo Chávez.

⁴⁶ Jonathan Swan, *Off the Rails: Episode 4: Trump turns on Barr*, Axios (Jan. 18, 2021), available at, <https://www.axios.com/trump-barr-relationship-off-the-rails-b33b3788-e7e9-47fa-84c5-3a0016559eb5.html> (Ex. 125).

⁴⁷ Matt Naham, *Bill Barr Apparently Told Trump the Stolen Election Lie Was a ‘Bullsh*t’ Theory That He Could Not F***ing Figure Out*, Law & Crime (Jan. 18, 2021), available at, https://lawandcrime.com/2020-election/bill-barr-apparently-told-trump-the-stolen-election-lie-was-a-bullsh-t-theory-that-he-could-not-fing-figure-out/?utm_source=mostpopular (Ex. 126).

⁴⁸ See Maggie Haberman (@maggieNYT), Twitter (Dec. 1, 2020), available at, <https://twitter.com/maggieNYT/status/1333862557740888068> (Ex. 127).

44. Even after Powell’s and Wood’s sham litigations had been dismissed, Giuliani continued propagating the demonstrable falsehoods they had advanced. By way of example only, on December 12, 2020, he appeared for a televised interview on *Fox and Friends* and falsely claimed that the “Dominion machine ... was developed to steal elections and [was] being used in the states that are involved.”⁴⁹

Starting with the Claims of a Facially Unreliable Purported Venezuelan Military Officer, Giuliani Deliberately Embellishes His Claims and Misrepresents the Relationship Between Dominion and Smartmatic to Support His Defamatory Falsehoods About Dominion

45. Some of Giuliani’s false claims about Dominion are apparently based on the declaration of an anonymous purported Venezuelan military officer, whose declaration was submitted by Sidney Powell and L. Lin Wood in support of their sham litigations.⁵⁰

46. There are several obvious reasons why Giuliani knew that source was unreliable.

47. **First**, the “anonymous witness’s” explanation for why he purportedly came forward was a near-verbatim recitation from another declaration put forward by Powell, proving that those witnesses did not each write their declarations independently and raising serious questions about the role that Powell and her team played in drafting the declarations.

⁴⁹ *Rudy Giuliani on Trump election fight: We have ‘1,000 affidavits from witnesses in 6 different states,’* Fox News (Dec. 12, 2020), available at, https://video.foxnews.com/v/6215882367001?playlist_id=930909787001 (last visited Jan. 19, 2021) (Ex. 128).

⁵⁰ Declaration of an anonymous source claiming to have been selected for the “national security guard detail of the President of Venezuela,” *Pearson v. Kemp*, No. 1:20-cv-04809 (N.D. Ga. Nov. 25, 2020) [Dkt. 1-2 at ¶ 4], available at, https://defendingtherepublic.org/?page_id=986; Complaint at Ex. 1, *King v. Whitmer*, No. 20-cv-13134 (E.D. Mich. Nov. 25, 2020) [Dkt. 1-1], available at, https://defendingtherepublic.org/?page_id=1015.

<p>Declaration of an anonymous source claiming to have been selected for the “national security guard detail of the President of Venezuela,” <i>Pearson v. Kemp</i>, No. 1:20-cv-04809 (N.D. Ga. Nov. 25, 2020) [Dkt. 1-2 at ¶ 4].</p>	<p>Statement by Ana Mercedes Díaz Cardozo, <i>Pearson v. Kemp</i>, No. 1:20-cv-04809 (N.D. Ga. Nov. 25, 2020) [Dkt. 1-3 at ¶ 3].</p>
<p>“I want to alert the public and let the world know the truth about the corruption, manipulation, and lies being committed by a conspiracy of people and companies intent upon betraying the honest people of the United States and their legally constituted institutions and fundamental rights as citizens. This conspiracy began more than a decade ago in Venezuela and has spread to countries all over the world. It is a conspiracy to wrongfully gain and keep power and wealth. It involves political leaders, powerful companies, and other persons whose purpose is to gain and keep power by changing the free will of the people and subverting the proper course of governing.”</p>	<p>“I want to alert the public and let the world know the truth about corruption, manipulation, and lies being committed through a conspiracy of individuals and businesses with the intention of betraying the honest people of the United States and its legally constituted institutions and fundamental rights as citizens. This conspiracy began more than a decade ago in Venezuela and has spread to countries all over the world. It is a conspiracy to unjustly gain and maintain power and wealth. It involves political leaders, powerful companies, and other persons whose purpose is to gain and maintain power by changing people’s free will and subverting the proper course of governing.”</p>

48. **Second**, his declaration has been redacted to conceal his identity and key details about his background.

49. **Third**, even if he were who he purports to be, there are serious reasons to doubt the outlandish claims of someone *who worked for a dictator with an interest in undermining confidence in American democracy*.

50. **Fourth**, American Trump appointees like Chris Krebs and Bill Barr—who, unlike the anonymous Venezuelan military officer, have never worked for a Venezuelan dictator—have confirmed that there was no widespread voter fraud in the 2020 election.

51. But even if one were to credit the incredible claims of the associate of a foreign dictator, even his declaration does not actually claim that Dominion was created in Venezuela for the purpose of rigging elections for Hugo Chávez. Rather, his declaration makes that claim about

Dominion’s competitor, Smartmatic. Although his declaration blithely asserts that Smartmatic software is “in the DNA” of every vote tabulating company’s software and system, it fails to provide any credentials, expertise, or factual basis whatsoever from which the declarant could possibly determine what is “in the DNA” of proprietary software he never even claims to have had access to, which is operated by multiple voting machine companies he never even claims to have worked for.⁵¹ Moreover, as is shown from information readily available in the public domain, voting machine companies’ source code is reviewed by third-party labs that are federally accredited by the EAC and the National Institute of Standards and Technology (“NIST”).⁵² As such, Giuliani knew or recklessly disregarded that that claim was obviously baseless and false.

52. In addition, if the anonymous purported Venezuelan military officer were in fact Leamsy Villafaña José Salazar—as has been reported by the Associated Press and the Caracas Chronicles—that would raise other serious doubts about the veracity of his declaration. After serving Hugo Chávez, Salazar worked for Diosdado Cabello, the alleged head of a Venezuelan drug cartel, before cooperating with the United States Drug Enforcement Agency. He

⁵¹ Declaration of an anonymous source claiming to have been selected for the “national security guard detail of the President of Venezuela,” *Pearson v. Kemp*, No. 1:20-cv-04809 (N.D. Ga. Nov. 25, 2020) [Dkt. 1-2 at ¶ 4], available at, https://defendingtherepublic.org/?page_id=986.

⁵² See, e.g., *How the U.S. Election Assistance Commission Facilitates Fair and Secure Elections*, EAC, available at, <https://www.eac.gov/news/2020/12/03/how-us-election-assistance-commission-facilitates-fair-and-secure-elections/> (Ex. 141) (“Before voting machines and election management systems are used in elections, the systems undergo rigorous hardware and software testing by laboratories accredited by the EAC and the National Institutes of Standards and Technology (NIST). The testing encompasses security, accuracy, functionality, accessibility, usability, and privacy based on requirements in the EAC’s Voluntary Voting System Guidelines (VVSG)”); *Frequently Asked Questions*, EAC, available at, <https://www.eac.gov/voting-equipment/frequently-asked-questions> (Ex. 129) (“the test labs will examine the source code to ensure compliance with the voluntary voting system guidelines”); *Testing & Certification Program Manual, Version 2.0*, EAC (May 31, 2015), available at, https://www.eac.gov/sites/default/files/eac_assets/1/28/Cert%20Manual%207%208%2015%20FINAL.pdf (Ex. 219) (the [Voting System Test Laboratory] must complete the source code review of the software delivered from the manufacturer for compliance with the [Voluntary Voting System Guidelines]).

is quoted in a 2016 book titled *Boomerang Chávez: The Fraud that Led to Venezuela's Collapse*, which alleges that Smartmatic (not Dominion) was involved in rigging elections for Hugo Chávez in Venezuela. That book makes no mention of Dominion. If Salazar actually believed the Smartmatic software were “in the DNA” of Dominion and every other American voting machine company, surely that explosive accusation would have been mentioned in the book for which he was a source, and surely he would have come forward when he arrived in the United States approximately five years ago, instead of waiting until after Trump had lost the presidential election.

53. In any event, Giuliani deliberately embellished the anonymous declarant’s obviously false accusation that Smartmatic software is “in the DNA” of Dominion’s systems, claiming, for example, that “Dominion is a company that’s owned by another company called Smartmatic,”⁵³ that Dominion is “a front for Smartmatic”⁵⁴ and “a shell for Smartmatic,”⁵⁵ and that “Dominion sends everything to Smartmatic.”⁵⁶

54. As evidenced by records on the Georgia Secretary of State’s website and other public information that was readily available to Giuliani before he falsely claimed that Dominion

⁵³ *Lou Dobbs Tonight*, Fox Business (Nov. 12, 2020), available at, <https://twitter.com/LouDobbs/status/1327024215887851521> (last visited Jan. 20, 2021) (Ex. 109).

⁵⁴ Rudy W. Giuliani (@RudyGiuliani), Twitter (Nov. 14, 2020), available at, <https://twitter.com/RudyGiuliani/status/1327616396939948032> (last visited Jan. 18, 2021) (Ex. 111).

⁵⁵ *Uncovering the Truth with Rudy Giuliani & Dr. Maria Ryan: Voter Fraud*, 77WABC (Giuliani’s appearance broadcast from Washington, D.C., Nov. 15, 2020), available at, <https://wabcradio.com/podcast/uncovering-the-truth-with-rudy-giuliani-maria-ryan/> (last visited Jan. 18, 2021) (Ex. 114).

⁵⁶ *Giuliani: Trump is contesting the election ‘vigorously’ in the courts*, Fox News (Giuliani’s interview broadcast from Washington, D.C., Nov. 15, 2020), available at, <https://video.foxnews.com/v/6209933935001> (last visited Jan. 20, 2021) (Ex. 115).

was owned by Smartmatic and was a front for Smartmatic, Dominion is Smartmatic's *competitor*, not its subsidiary.⁵⁷

Giuliani Intentionally Misrepresents What Happened in Antrim County, Michigan to Bolster His False Preconceived Narrative About Dominion

55. On election night, the unofficial result from Antrim County, Michigan, indicated a win for Biden. That happened because of a series of human errors by the Antrim County Clerk: contrary to the instructions provided to her, she mistakenly failed to update all of the voting machines' tabulator memory cards and failed to perform the pre-election logic and accuracy testing that would have caught her first mistake. Because of the checks and balances in place to catch human errors, her mistakes were promptly caught as part of the normal canvass process before the election result was made official. The official results were never impacted by the clerk's promptly corrected mistakes.

56. On November 6, 2020, the Office of Michigan's Secretary of State publicly announced that the "erroneous reporting of unofficial results in Antrim county was a result of accidental error on the part of the Antrim County Clerk. The equipment and software did not malfunction and all ballots were properly tabulated."⁵⁸ And a few days later, a spokesperson for

⁵⁷ See e.g., Georgia Secretary of State, *Elections Security Is Our Top Priority: Security-Focused Tech Company, Dominion Voting to Implement New Verified Paper Ballot System*, available at, <https://sos.ga.gov/securevoting/>; [https://sos.ga.gov/securevoting/#:~:text=Elections%20Security%20is%20Our%20Top%20Priority&text=\(ATLANTA\)%20%2D%2D%20After%20a%20competitive,new%20verified%20paper%20ballot%20system](https://sos.ga.gov/securevoting/#:~:text=Elections%20Security%20is%20Our%20Top%20Priority&text=(ATLANTA)%20%2D%2D%20After%20a%20competitive,new%20verified%20paper%20ballot%20system) (Ex. 1); (listing separate bids from Dominion and Smartmatic for Georgia's voting systems contract, listing Georgia's separate evaluations of Dominion and Smartmatic, and listing the finalized August 9, 2019 contract between Georgia and Dominion); U.S. Election Assistance Commission, *Registered Manufacturers*, available at, <https://www.eac.gov/voting-equipment/registered-manufacturers> (last visited Jan. 20, 2021) (Ex. 130) (listing Dominion Voting Systems Corp. and Smartmatic USA Corporation as *separate* entities with separate addresses).

⁵⁸ The Office of Secretary of State Jocelyn Benson, *False claims from Ronna McDaniel have no merit* (Nov. 6, 2020), available at, https://www.michigan.gov/sos/0,4670,7-127-1640_9150-544676--,00.html (Ex. 131).

the Michigan Secretary of State confirmed, “We have not seen any evidence of fraud or foul play in the actual administration of the election ... What we have seen is that it was smooth, transparent, secure and accurate.”⁵⁹

57. Intentionally disregarding the announcement from the Secretary of State, Giuliani seized on the mundane reality of the clerk’s human error and intentionally distorted it to fit the false preconceived narrative that Dominion had fixed the election. For example, he falsely claimed that a “Dominion machine flipped 6000 votes from Trump to Biden” in Antrim County, Michigan and that the “[s]pike of votes by Dominion happened all over the state.”⁶⁰ He also falsely claimed that the error in the county’s initial reported results “[h]ad nothing to do with human error,”⁶¹ that “the machine switched the votes based on some kind of pre-programming,”⁶² and that the Dominion machines in Antrim County were “62% inaccurate,”⁶³ had a “68% error rate” and an “81.9% rejection rate” showing that “the election in Michigan for sure was a fraud,” and that the machines “don’t count ballots” but “calculate ballots” and have “algorithms” that “recalculate” votes to be “half a vote” or a “third of a vote.”⁶⁴ Similarly, he claimed that “Dominion ... machines ... in Michigan produced a 62 percent inaccuracy rate, and an 84 percent adjudication rate which

⁵⁹ Nick Corasaniti, Reid J. Epstein & Jim Rutenberg, *The Times Called Officials in Every State: No Evidence of Voter Fraud*, N. Y. Times (Nov. 10, 2020), available at, <https://www.nytimes.com/2020/11/10/us/politics/voting-fraud.html> (Ex. 16).

⁶⁰ Rudy W. Giuliani (@rudylgiuliani), Twitter (Dec. 4, 2020), available at, <https://twitter.com/RudyGiuliani/status/1335014224532221952> (last visited Jan. 19, 2021) (Ex. 132).

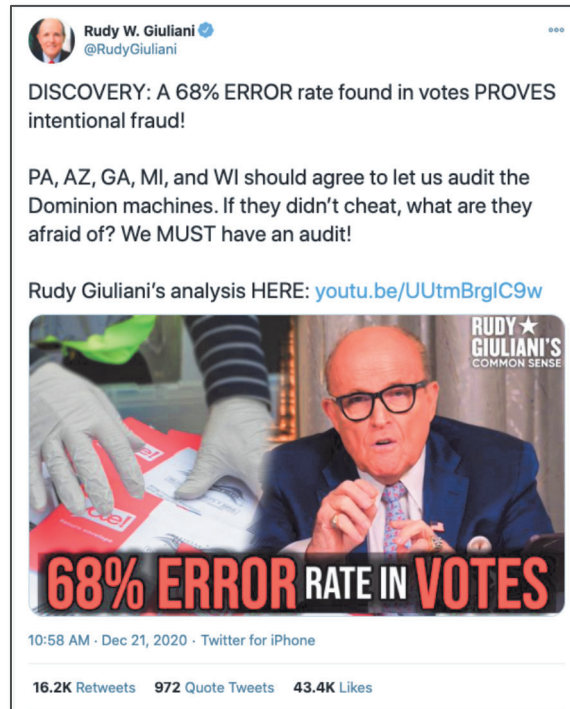
⁶¹ *Joe Pags Show*, Twitch (Dec. 14, 2020), available at, <https://www.twitch.tv/videos/837601732?filter=all&sort=time> (last visited Jan. 19, 2021) (Ex. 133).

⁶² *DISCOVERY: 68% ERROR Rate in Votes PROVES Intentional Fraud*, Rudy Giuliani’s Common Sense (broadcast from Washington, D.C., Dec. 18, 2020), available at, <https://www.youtube.com/watch?v=UUtmBrgIC9w> (last visited Jan. 19, 2021) (Ex. 134).

⁶³ *The Glenn Beck Program*, Blaze TV (Dec. 17, 2020), available at, <https://twitter.com/glennbeck/status/1339722041545555968> (last visited Jan. 19, 2021) (Ex. 135).

⁶⁴ Ex. 133.

means that only 16 percent of the votes in that county were actually cast by people.”⁶⁵ He also falsely proclaimed that, in Antrim County, “[t]he machine flipped the vote. In other words when you pressed down Biden, you got Trump, and when you pressed down Trump you got Biden.”⁶⁶ Giuliani repeated these false claims on his podcast,⁶⁷ his weekday radio show,⁶⁸ his Sunday morning radio show,⁶⁹ and Twitter, garnering over 16,000 retweets and over 43,000 likes.⁷⁰



⁶⁵ *Uncovering the Truth with Rudy Giuliani & Dr. Maria Ryan*, 77WABC (Dec. 20, 2020), available at, <https://wabcradio.com/episode/uncovering-the-truth-12-20-20/> (last visited Jan. 19, 2021) (Ex. 136).

⁶⁶ *Chat with the Mayor: Major Challenges*, 77WABC (broadcast from Washington, D.C., Nov. 13, 2020), available at, <https://wabcradio.com/episode/major-challenges-11-13-2020/> (last visited Jan. 18, 2021) (Ex. 110).

⁶⁷ See, e.g., Ex. 134; *This Has NEVER Occurred in U.S. History*, Rudy Giuliani’s Common Sense (Jan. 15, 2021), available at, <https://www.iheart.com/podcast/867-rudy-giulianis-common-sens-72908742/episode/this-has-never-occurred-in-us-76308324/> (last visited Jan. 19, 2021) (Ex. 137).

⁶⁸ *Chat with the Mayor: Capital Riot Aftermath*, 77WABC (broadcast from Washington, D.C., Jan. 8, 2021), available at, <https://wabcradio.com/podcast/rudy-giuliani/> (last visited Jan. 19, 2021) (Ex. 138).

⁶⁹ Ex. 114.

⁷⁰ Rudy W. Giuliani (@RudyGiuliani), Twitter (Dec. 21, 2020), available at, <https://twitter.com/RudyGiuliani/status/1341050325751492608> (last visited Jan. 21, 2021) (Ex. 139).

58. To bolster his lies about Dominion, Giuliani intentionally misrepresented that his accusations were supported by a “forensic examination” conducted by “forensic experts” with “a very reputable company.”⁷¹

59. As Giuliani was well aware when he made those false claims, the purported “forensic expert” was Russell Ramsland—a “Deep State” conspiracy theorist in cahoots with Sidney Powell who was selected not because Ramsland had election security expertise, but because he was determined to promote the false preconceived narrative that the election had been fixed.

60. Before Giuliani touted Ramsland’s expertise, Ramsland had publicly claimed, among other things, that George Soros helped form the “Deep State” in Nazi Germany in the 1930s—along with President George H.W. Bush’s father, the Muslim Brotherhood, and “leftists.”⁷² Mr. Soros was born in 1930.

61. Moreover, by the time Giuliani touted Ramsland as a “forensic expert” and specifically referenced the “forensic review” from Ramsland and his “very reputable company,”⁷³ Ramsland had been publicly discredited for making false claims of overvoting in Michigan, which Ramsland based on vote counts from an entirely different state—Minnesota.⁷⁴ Indeed, a Delaware judge determined that Ramsland provided “materially false information” in support of his claims

⁷¹ Ex. 134.

⁷² John Savage, *Texas Tea Partiers Are Freaking Out Over ‘Deep State’ Conspiracy Theories*, Vice (Sept. 20, 2018), available at, <https://www.vice.com/en/article/mbwgxx/texas-tea-partiers-are-freaking-out-over-deep-state-conspiracy-theories> (Ex. 56).

⁷³ Ex. 134.

⁷⁴ Clara Hendrickson, *Affidavit in Michigan lawsuit seeking to overturn election makes wildly inaccurate claims about vote*, PolitiFact (Dec. 4, 2020), available at, <https://www.politifact.com/factchecks/2020/dec/04/russell-james-ramsland-jr/affidavit-michigan-lawsuit-seeking-overturn-electi/> (Ex. 57); *see also*, Louis Jacobson and Noah Y. Kim, *Giuliani cites affidavit with crucial errors in press conference*, PolitiFact (Nov. 20, 2020), available at, <https://www.politifact.com/factchecks/2020/nov/20/rudy-giuliani/giuliani-cites-affidavit-crucial-errors-press-conf/> (Ex. 155).

of vote manipulation⁷⁵ when he referenced and cited locations in Minnesota when alleging voter fraud in Michigan—something that Giuliani either knew or recklessly failed to verify by reference through a basic Google search.⁷⁶

62. Ramsland’s report on the “forensic examination” of the Dominion machines in Antrim County contains a staggering number of inaccuracies; obvious misunderstandings of election procedures, hardware, and software; and other indicia of unreliability.

63. Even though Ramsland cites to “experts” upon whom he purportedly relied in creating his report, he does not identify a single one. Nor does he identify any of their credentials or prior experience—other than the vaguest reference to a handful of government agencies—to justify their designation as “experts.”⁷⁷ And Ramsland does not identify any experience that he, or any of his so-called “experts,” have in elections or election hardware or software.

64. Additionally, Ramsland references the “allowable election error rate established by the Federal Election Commission.” The Federal Election Commission does not regulate voting machines or software. It regulates campaign finance.⁷⁸ Ramsland confused—or did not bother to research the differences between—the FEC and the EAC.⁷⁹ Dominion’s election voting system suite is, of course, certified by the EAC.⁸⁰

⁷⁵ Rule to Show Cause, *Page v. Oath Inc.*, No. S20C-07-030 (Del. Super. Ct. Dec. 18, 2020).

⁷⁶ Ex. 57.

⁷⁷ Pet. Notice of Suppl. Authority, *King v. Whitmer*, No. 20-815 (S. Ct. Dec. 13, 2020), available at, https://www.supremecourt.gov/DocketPDF/20/20-815/163875/20201215164905775_Final%20Michigan%20Notice%20of%20Supplemental%20Authority.pdf.

⁷⁸ *Mission and history*, FEC, available at, <https://www.fec.gov/about/mission-and-history/> (Ex. 140).

⁷⁹ *How the U.S. Election Assistance Commission Facilitates Fair and Secure Elections*, EAC, available at, <https://www.eac.gov/news/2020/12/03/how-us-election-assistance-commission-facilitates-fair-and-secure-elections/> (Ex. 141).

⁸⁰ Certificate of Conformance, EAC (Sept. 14, 2018), available at, https://www.eac.gov/sites/default/files/voting_system/files/DSuite55_CertConf_Scope%28FINAL%29.pdf (Ex. 142).

65. Apart from these red flags indicating he is no expert at all, Ramsland also illustrates a gross misunderstanding of the machines and software in the details of his report. For example, he claims that his “forensics team” “perform[ed a] forensic duplication of the Antrim County Election Management Server running Dominion Democracy Suite 5.5.3-002.” But there is no Democracy Suite 5.5.3-002. Instead, 5.5.3-002 is the version of the ImageCast Precinct tabulator (*i.e.*, the actual scanner), not the election management server or software.⁸¹ This demonstrates that Ramsland is incapable of telling the difference between the relevant hardware, software, and servers involved—or simply did not take care to do so.

66. Ramsland also fails to understand the difference between—or intentionally distorted—adjudication software (which is an optional component of Dominion’s voting system suite) and the process of adjudicating a ballot. In fact, Antrim County only purchased (and therefore only used) certain components of Dominion’s voting system suite; critically, Antrim County neither purchased nor used—nor possessed the hardware required to use—the adjudication software.⁸² This did not prevent Ramsland from falsely claiming that “[b]allots sent to adjudication can be altered by administrators,” and that “all adjudication log entries for the 2020 election cycle are missing” and must have been “manually removed.”

67. Finally, Ramsland’s specific claim of a 68% “error rate” evidences a fundamental misunderstanding of election software. Ramsland claims to have used the tabulation logs as the source for his supposed “error rate.” But the tabulation logs do not reflect the machine’s tabulation of votes. They record activities logged by the machine during the tabulation process.⁸³ So

⁸¹ Declaration of Ryan Macias, FactCheck.org, available at, https://cdn.factcheck.org/UploadedFiles/Rebuttal_ASOG-Antrim_Report.pdf (Ex. 143).

⁸² *Id.*

⁸³ See, Paul Egan & Clara Hendrickson, *Trump tweet wrongly suggests there were defects with Michigan voting machines*, The Detroit Free Press (Dec. 15, 2020), available at, <https://www.free>

Ramsland’s claim that “these ... tabulation totals were used as the official results” is false (because they are a recording of machine activity, not votes). Simply put, Ramsland does not understand what he is looking at.

68. While Ramsland claims that a huge percentage of machine activity reflected in the tabulation logs were “errors” or “warnings,” he gives no explanation of how he identified or defined an “error” or “warning.”

69. Ramsland references three settings—“reverse,” “divert,” and “override”—as examples of these so-called “critical errors” or “warnings.” But these are not “errors.” They are parameters used in the tabulator to handle ballots that—for example—include write-in candidates or ballots that contain votes for two candidates for the same office. Calling these “errors” is analogous to claiming that the low fuel indicator light turning on in a car is an “error”—it is of course not an error; the car is operating precisely how it is supposed to. Similarly, just because the tabulator recorded, for example, “divert” does not mean that there was error with the ballot or the vote; precisely the opposite—it means that the machine operated properly in response to that ballot.⁸⁴ This shows that Ramsland does not understand—or did not take care to distinguish—the difference between an actual error and proper functioning.

70. Given Giuliani’s tenure as a federal prosecutor, he is well aware of how to evaluate the credentials of a purported expert and the reliability of a purported expert report; he realized beforehand that Ramsland was not an expert in the subject matter and that his opinion was worthless and designed from the outset to reach a conclusion to support a false preconceived

[p.com/story/news/politics/elections/2020/12/15/trump-fact-check-defect-voting-machines-michigan/3902951001/](https://www.washingtonpost.com/story/news/politics/elections/2020/12/15/trump-fact-check-defect-voting-machines-michigan/3902951001/) (Ex. 144).

⁸⁴ Angelo Fichera, *Audit in Michigan County Refutes Dominion Conspiracy Theory*, FactCheck.org (Dec. 18, 2020), available at, <https://www.factcheck.org/2020/12/audit-in-michigan-county-refutes-dominion-conspiracy-theory/> (Ex. 145).

narrative about the election. Despite these facts, Giuliani falsely passed Ramsland off as a reputable forensic expert with the expertise needed to produce a legitimate forensic report on Dominion's machines.

***Even After Ramsland's Bogus Forensic Report Is Conclusively Disproven,
Giuliani Persists in Promoting False Claims About Dominion***

71. People who are actually knowledgeable about election security and procedures in Antrim County promptly, publicly, and forcefully rebutted Ramsland's report.

72. Antrim County officials determined—and publicly announced—that Ramsland's report was “riddled with false and unsupported claims, baseless attacks, and incorrect use of technical terms.”⁸⁵

73. Similarly, the former acting director of the EAC's Voting System Testing and Certification program said that Ramsland's report showed a “grave misunderstanding” of Antrim County's voting system and “a lack of knowledge of election technology and process.”⁸⁶

74. Michigan's Attorney General and Secretary of State issued a joint statement that Ramsland's report was “critically flawed, filled with dramatic conclusions without any evidence to support them.”⁸⁷

⁸⁵ See Ali Swenson, *Report spreads debunked claims about Dominion machines in Michigan county*, Associated Press (Dec. 15, 2020), available at, <https://apnews.com/article/fact-checking-afs:Content:9847904839> (Ex. 58).

⁸⁶ See Todd Spangler, *Former election security chief for Trump knocks down Antrim County report*, The Detroit Free Press (Dec. 16, 2020), available at, <https://www.freep.com/story/news/politics/elections/2020/12/16/antrim-county-report-debunked-by-former-trump-election-official/3923499001/> (Ex. 59).

⁸⁷ *AG, SOS: Plaintiff's Report in Antrim County Election Lawsuit Demonstrates Lack of Credible Evidence in Widespread Fraud or Wrongdoing*, Michigan Dep't of Attorney General (Dec. 14, 2020), available at, https://www.michigan.gov/ag/0,4534,7-359-92297_47203-547422--,00.html (Ex. 42).

75. The Republican county clerk who made the mistake that resulted in the inaccurate unofficial results stated that Ramsland’s report contained “many misleading statements” and was “simply not accurate.”⁸⁸

76. But there is no need for a battle of the experts: *the paper ballots in Antrim County were recounted by hand*—conclusively disproving the lie that Dominion machines had erroneously tabulated 68% of the votes.⁸⁹

77. Following a bipartisan investigation into the vote in Antrim County, Michigan, the state’s Republican Senate Majority Leader Mike Shirkey announced, “[o]ur investigation, which has been very intense, discovered none, none of the allegations and accusations against Dominion [are] true.”⁹⁰

78. Yet even after the hand recount confirmed that “Dominion’s voting machines accurately tabulated the votes cast for president in Antrim County,”⁹¹ Giuliani continued to repeat the lie. For example:

- (a) the day after the hand recount, Giuliani proclaimed on his podcast that the Dominion voting machines had “6,000 votes switched from Trump to Biden,” that the Dominion machines “switched the votes based on some kind of pre-programming,” and that there was a “68% error rate.”⁹²
- (b) On his December 20, 2020 radio show, Giuliani falsely claimed that “Dominion ... machines ... in Michigan produced a 62 percent inaccuracy rate, and an 84

⁸⁸ Craig Mauger, *Michigan election officials slam report on votes in Antrim County*, The Detroit News (Dec. 14, 2020), available at, <https://www.detroitnews.com/story/news/politics/2020/12/14/michigan-judge-allows-release-report-antrim-county-voting/6537394002/> (Ex. 146).

⁸⁹ See Ex. 15.

⁹⁰ Abigail Censky, *How Misinformation Lit The Fire Under A Year Of Political Chaos In Michigan*, NPR (Jan. 1, 2021), available at, <https://www.npr.org/2021/01/01/952528193/how-misinformation-lit-the-fire-under-a-year-of-political-chaos-in-michigan> (Ex. 17).

⁹¹ See *Trump still wins small Michigan county after hand recount*, Associated Press (Dec. 17, 2020), available at, <https://apnews.com/article/election-2020-joe-biden-donald-trump-michigan-elections-07e52e643d682c8033a0f26b0d863387> (Ex. 15).

⁹² *DISCOVERY: 68% ERROR Rate in Votes PROVES Intentional Fraud*, Rudy Giuliani’s Common Sense (broadcast from Washington, D.C., Dec. 18, 2020), available at, <https://www.youtube.com/watch?v=UUtmBrgIC9w> (last visited Jan. 19, 2021) (Ex. 134).

percent adjudication rate which means that only 16 percent of the votes in that county were actually cast by people ... the machine was 62 percent inaccurate. ... [T]hey belong to a crooked company called Dominion ... they've been caught cheating in so many elections These machines, you have to realize, come from a company that developed machines in order to cheat on elections. And that's why it can do things like change votes, have fractional votes.⁹³

- (c) On December 23, 2020, Giuliani said on his podcast, “[T]hese Dominion crooked machines are calculating machines. ... [W]e can go into the memory of the machine and we can show that Trump actually got 6,000 votes, and Biden actually got 3,000 votes; the way you cheated in Antrim County and got caught. You didn’t just do it in Antrim County, you did it throughout America in order to change the result of this election.”⁹⁴
- (d) On January 8, Giuliani again repeated the disproven claim on his weekday radio show.⁹⁵

***As Repeatedly Proven by Independent Audits and Hand Recounts of Paper Ballots,
Giuliani’s Claims About Dominion Fixing the Election Are False***

79. Giuliani’s claims about Dominion fixing the election by manipulating vote counts are demonstrably false and have been repeatedly disproven by independent audits and hand recounts of paper ballots.

80. The voter-verified paper ballots are the hard evidence that can be easily used to verify the accuracy of the Dominion machine counts. If Dominion or anyone else had rigged the election by manipulating the vote counts in the Dominion machines, the number of paper ballots

⁹³ *Uncovering the Truth with Rudy Giuliani & Dr. Maria Ryan*, 77WABC (Dec. 20, 2020), available at, <https://wabcradio.com/episode/uncovering-the-truth-12-20-20/> (last visited Jan. 19, 2021) (Ex. 136).

⁹⁴ *Christmas is NOT CANCELLED, It’s Vital This Year*, Rudy Giuliani’s Common Sense (broadcast from Washington, D.C., Dec. 23, 2020), available at, https://www.youtube.com/watch?v=FkvvtuVsyUA&list=PLIMn0a7NgIUZIGjQVofrk1M3U1qdc7_-4&index=5 (last visited Jan. 19, 2021) (Ex. 147).

⁹⁵ *Chat with the Mayor: Capital Riot Aftermath*, 77WABC (broadcast from Washington, D.C., Jan. 8, 2021), available at, <https://wabcradio.com/podcast/rudy-giuliani/> (last visited Jan. 19, 2021) (Ex. 138) (“Dominion is an extremely sophisticated cyber-attack. And it, you know, it’ll, it’ll take a whole county and it will adjust the vote by 1%, 2%, in every, in every machine. It’s not going to, like, they made a mistake in Antrim county, Michigan where they got caught, where they made a 600, 6,000 switch, too fast in one machine ... and then you could see the numbers switched in the machine and you could see what phony machines Dominion machines are.”).

that were verified and cast by voters would not match the machine counts. In fact, independent 100% hand audits and recounts of paper ballots have repeatedly verified the accuracy of the vote counts from Dominion machines.

81. After a 100% hand audit of all the ballots cast in Georgia in the 2020 election, Georgia's Republican Secretary of State Brad Raffensperger explained that "Georgia's historic first statewide audit reaffirmed that the state's new secure paper ballot voting system accurately counted and reported results."⁹⁶

82. At the request of the Trump Campaign, in addition to the hand audit, Georgia also conducted a subsequent machine recount, which again affirmed the original outcome of the presidential race in Georgia.

83. As Secretary of State Raffensperger explained after a signature match audit affirmed the outcome of the 2020 presidential race in Georgia for a *third time*, "[t]he Secretary of State's office has always been focused on calling balls and strikes in elections and, in this case, three strikes against the voter fraud claims and they're out."⁹⁷

84. Similarly, as Secretary Raffensperger explained to Giuliani's client, Donald Trump, during a telephone call that was reported by *The Washington Post*, "I don't believe that you're really questioning the Dominion machines. Because we did a hand re-tally, a 100 percent re-tally of all the ballots, and compared them to what the machines said and came up with virtually the

⁹⁶ Georgia Secretary of State, *Historic First Statewide Audit of Paper Ballots Upholds Result of Presidential Race*, available at, https://sos.ga.gov/index.php/elections/historic_first_statewide_audit_of_paper_ballots_upholds_result_of_presidential_race#:~:text=2020%20Qualifying%20Packet-.Historic%20First%20Statewide%20Audit%20of%20Paper%20Ballots%20Upholds%20Result%20of,machine%20tally%20of%20votes%20cast (Ex. 11).

⁹⁷ Georgia Secretary of State, *3rd Strike Against Voter Fraud Claims Means They're Out After Signature Audit Finds No Fraud*, https://sos.ga.gov/index.php/elections/3rd_strike_against_voter_fraud_claims_means_theyre_out_after_signature_audit_finds_no_fraud (Ex. 12).

same result. Then we did the recount, and we got virtually the same result. So I guess we can probably take that off the table. I don't think there's an issue about that."⁹⁸

85. Similarly, in a press conference, an official from the Georgia Secretary of State's Office explained, "[l]et's just go to the other ridiculous claims, that Dominion voting machines are somehow using fractional voting or flipping votes. Again, by doing the hand tally, it shows none of that is true. Not a whit."⁹⁹

86. In Arizona, the Chairman of the Maricopa County Board of Supervisors released a statement explaining, "[t]he evidence overwhelmingly shows the system used in Maricopa County is accurate and provided voters with a reliable election. ... The Dominion tabulation equipment met mandatory requirements during logic and accuracy testing before the Presidential Preference Election, the Primary Election and the General Election. And after each of these 2020 elections, the hand count audit showed the machines generated an accurate count."¹⁰⁰

87. The Elections Infrastructure Government Coordinating Council and the Election Infrastructure Sector Coordinating Executive Committees released a joint statement confirming that there is "*no evidence* that any voting system deleted or lost votes, changed votes, or was in

⁹⁸ Amy Gardner & Paulina Firozi, *Here's the full transcript and audio of the call between Trump and Raffensperger*, Wash. Post (Jan. 3, 2021), available at, https://www.washingtonpost.com/politics/trump-raffensperger-call-transcript-georgia-vote/2021/01/03/2768e0cc-4ddd-11eb-83e3-322644d82356_story.html (Ex. 13).

⁹⁹ *WATCH: Georgia election officials reject Trump call to 'find' more votes*, PBS (Jan. 4, 2021), available at, <https://www.pbs.org/newshour/politics/watch-live-georgia-secretary-of-states-office-holds-press-conference> (Ex. 14).

¹⁰⁰ Letter from Clint Hickman to Maricopa County Voters (Nov. 17, 2020), available at, [https://www.maricopa.gov/DocumentCenter/View/64676/PR69-11-17-20-Letter-to-Voters#:~:text=Here%20are%20the%20facts%3A&text=The%20evidence%20overwhelmingly%20shows%20the,voters%20with%20a%20reliable%20election.&text=As%20required%20by%20law%20\(A.R.S,used%20in%20any%20Arizona%20elections](https://www.maricopa.gov/DocumentCenter/View/64676/PR69-11-17-20-Letter-to-Voters#:~:text=Here%20are%20the%20facts%3A&text=The%20evidence%20overwhelmingly%20shows%20the,voters%20with%20a%20reliable%20election.&text=As%20required%20by%20law%20(A.R.S,used%20in%20any%20Arizona%20elections) (Ex. 18).

any way compromised.”¹⁰¹ The Joint Statement was signed and endorsed by, among others, the National Association of State Election Directors, National Association of Secretaries of State, and CISA—then led by a Trump appointee, Chris Krebs.

***Giuliani Intentionally Disregards Hard Evidence and Reliable Sources
Including Trump Appointees, Republicans, and Election Security Experts
Who Rebut and Disprove His False Accusations About Dominion***

88. While endeavoring to make the facts conform to the false preconceived narrative that the election had been fixed by Dominion, Giuliani was confronted with a number of facts that rendered his outlandish claims inherently improbable, if not outright impossible.

89. For example, he has not explained how a decades-old international election-rigging conspiracy involving independent testing labs accredited by the EAC and thousands of bipartisan local election volunteers could have evaded detection for so long.

90. Giuliani also has not explained how—if Dominion were actually controlled by the associates of a Venezuelan dictator—it was permitted to operate in the United States by the Committee on Foreign Investment in the United States (“CFIUS”).

91. Nor has Giuliani explained how—if Dominion were willing and able to commit a massive fraud to deprive Trump of the presidency—Trump won the presidential election in 2016, when Dominion machines were used in 1,635 jurisdictions in more than two dozen “red” and “blue” states.

92. Yet, despite the inherent improbability of his lies, Giuliani continued to promote them even after Powell’s sham litigations had been dismissed and her witnesses—including the anonymous purported Venezuelan military officer and Russell Ramsland—had been judicially

¹⁰¹ Cybersecurity & Infrastructure Security Agency, *Joint Statement From Elections Infrastructure Government Coordinating Council & The Election Infrastructure Sector Coordinating Executive Committees* (Nov. 12, 2020), available at, <https://www.cisa.gov/news/2020/11/12/joint-statement-elections-infrastructure-government-coordinating-council-election> (Ex. 19).

determined to be “wholly unreliable,” and even after Giuliani’s false claims about Dominion fixing the election had been repeatedly, forcefully, and publicly rebutted and disproven by the hard evidence of independent audits and hand recounts of paper ballots and by reliable sources like Trump appointee Bill Barr, Trump appointee Chris Krebs, Georgia’s Republican Governor Brian Kemp, Georgia’s Republican Secretary of State Brad Raffensperger, federal judges, and 59 election security experts.¹⁰²

***As Shown from Publicly Available Records,
Giuliani’s Accusations About Dominion’s Origins Are False***

93. Publicly available records prove that Giuliani’s wild accusations about Dominion’s origins are also demonstrably false.

94. Dominion was not founded in Venezuela to fix elections for Hugo Chávez. It was founded in 2002 in John Poulos’s basement in Toronto to help blind people vote on paper ballots.¹⁰³

95. By 2009, Dominion’s business had grown in the United States, and a subsidiary company, Dominion Voting Systems, Inc., was incorporated in Delaware and headquartered in Denver, Colorado.¹⁰⁴ By 2018, the majority of the business’s customers and employees were in the United States, so Poulos sold the majority stake of the business to U.S. investors.¹⁰⁵

¹⁰² See Tony Adams, Prof. Andrew W. Appel, et al., *Scientists say no credible evidence of computer fraud in the 2020 election outcome, but policymakers must work with experts to improve confidence*, Matt Blaze (Nov. 16, 2020), available at, <https://www.mattblaze.org/papers/election2020.pdf> (Ex. 47).

¹⁰³ Iain Marlow, *Selling Trust in Democracy*, Toronto Star (Nov. 2, 2009), available at, https://www.thestar.com/business/2009/11/02/selling_trust_in_democracy.html (Ex. 148).

¹⁰⁴ State of Delaware Entity Search, available at, <https://icis.corp.delaware.gov/ecorp/entitysearch/NameSearch.aspx> (Ex. 149); Colorado Secretary of State, available at, https://www.sos.state.co.us/biz/BusinessEntityDetail.do?quitButtonDestination=BusinessEntityResults&nameTyp=ENT&masterFileId=20101359683&entityId2=20101359683&fileId=20101359683&srchTyp=ENTIT_Y (Ex. 150).

¹⁰⁵ *Dominion Voting Systems Acquired by its Management Team and Staple Street Capital*, PR Newswire (July 16, 2018), available at, <https://www.prnewswire.com/news-releases/dominion->

96. Today, Dominion’s business is organized as US Dominion, Inc. and its two wholly owned subsidiaries, Dominion Voting Systems, Inc. and Dominion Voting Systems Corporation.¹⁰⁶

Dominion Suffers Enormous Harm

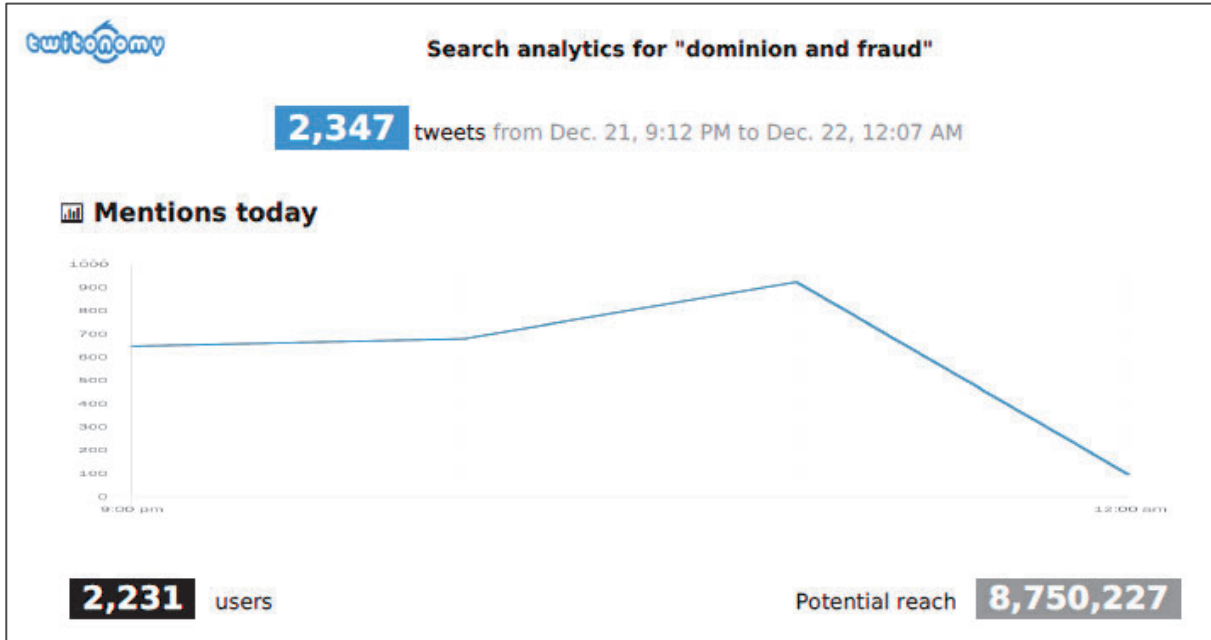
97. As a result of the false accusations disseminated to a global audience by Giuliani, his allies, and like-minded media outlets—who acted in concert to promote a false preconceived narrative about the 2020 election, despite the total lack of evidence to support it, and despite the mountains of paper ballots and the army of credible sources disproving it—Dominion has suffered unprecedented reputational and financial harm, and its employees’ lives have been put in danger.

98. Giuliani’s false tweets about Dominion were liked over 534,000 times and were foreseeably retweeted over 160,000 times. The retweets disseminated Giuliani’s false tweets to over 1.5 million Twitter accounts. Based on the average followers and the number of retweets overall, Giuliani’s false tweets about Dominion potentially reached more than 331 million Twitter accounts—or about the same number of accounts as the entire U.S. population.

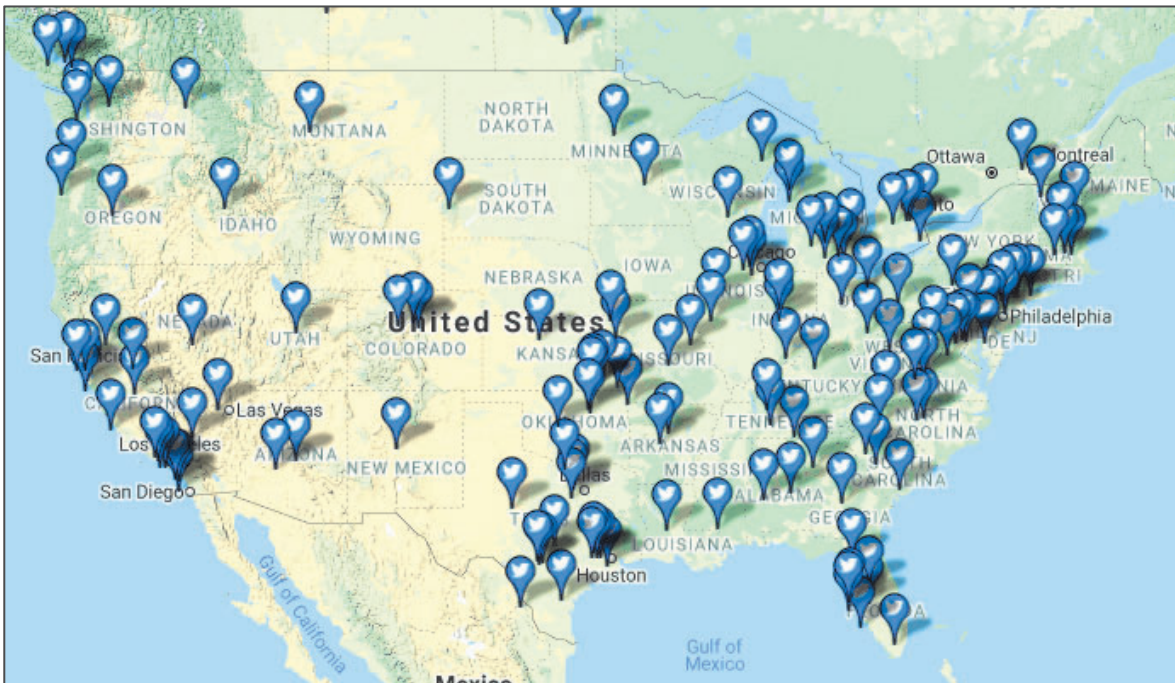
99. Over a *three-hour period* on December 21, 2020, the terms “dominion” and “fraud” were tweeted out together by more than **2,200** users with over **8.75 million** total followers.

[voting-systems-acquired-by-its-management-team-and-staple-street-capital-300681752.html](https://www.dominionvoting.com/press-releases/2020/12/21/dominion-voting-systems-acquired-by-its-management-team-and-staple-street-capital-300681752.html) (Ex. 151).

¹⁰⁶ Ex. 149.



100. Those over 2,200 Twitter users were located across the United States and in 17 countries around the world.



101. Among the hundreds of millions of people who were exposed to Giuliani's falsehoods about Dominion, one wrote "Giuliani said Dominion is owned by Venezuela's Maduro!"¹⁰⁷



102. Another wrote, replying to President Barack Obama and his over 128 million followers, "Giuliani reveals Dominion is a company owned by Smartmatic, whose founders were close to Chávez, dictator of Venezuela; its establishment was to fix the elections."¹⁰⁸

¹⁰⁷ SQepticalVal (@S_Quptic), Twitter (Nov. 13, 2020), available at, https://twitter.com/S_Quptic/status/1327465121577242624 (Ex. 220).

¹⁰⁸ Maula (@DaLi9177447), Twitter (Nov. 17, 2020), available at, <https://twitter.com/DaLi94877447/status/1328604803539333120> (Ex. 152).

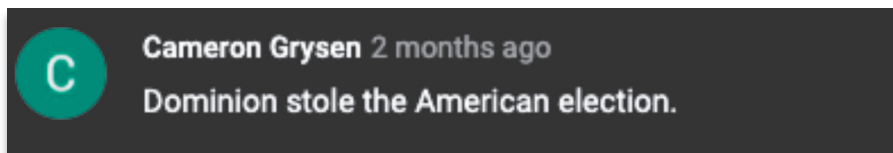


103. After listening to Giuliani’s November 15, 2020 interview on the radio show “The CATS Roundtable,” one person shared a link to the interview, and then foreseeably republished Giuliani’s defamatory falsehoods about Dominion, writing “DOMINON VOTING SYSTEM IS A FOREIGN SYSTEM OF TABULATION RUN BY CHINA AND VENEZUELA AND HAVE BEEN USED IN THE ‘STEALING’ OF VOTES IN SOUTH AMERICA FOR DICTATORS.”¹⁰⁹

¹⁰⁹ Ron Anthony (@ronanthonyone), Twitter (Nov. 15, 2020), available at, <https://twitter.com/ronanthonyone/status/1328013538678476800> (Ex. 153).

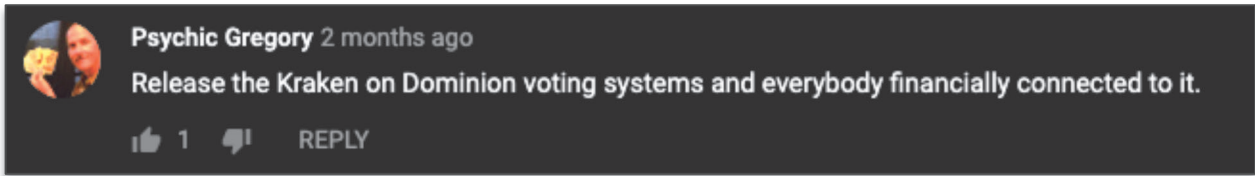


104. One commenter on Giuliani’s November 13 podcast wrote, “Dominion stole the American election.”¹¹⁰

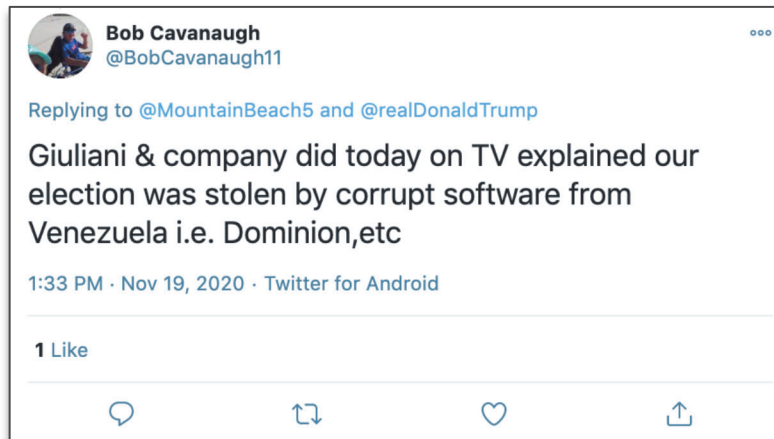


¹¹⁰ *REVEALED: Sworn Evidence of Pervasive Voter Fraud*, Rudy Giuliani’s Common Sense (broadcast from Washington, D.C., Nov. 13, 2020), available at, <https://www.youtube.com/watch?v=sd-5Xm5PFmg> (last visited Jan. 19, 2021) (Ex. 112).

105. Another wrote: “Release the Kraken on Dominion voting systems and everybody financially connected to it.”¹¹¹



106. Immediately after Giuliani’s November 19, 2020 Washington, D.C. press conference, countless people foreseeably began republishing his defamatory statements. For example, one person replied to Donald Trump and his over 88 million followers, “Giuliani & company did today on TV explained our election was stolen by corrupt software from Venezuela i.e. Dominion, etc.”¹¹²



107. Another person wrote: “did you listen to the Giuliani press conference, George Soros, crooked Dominion Software connections to Venezuela, dirty politics but we no longer have

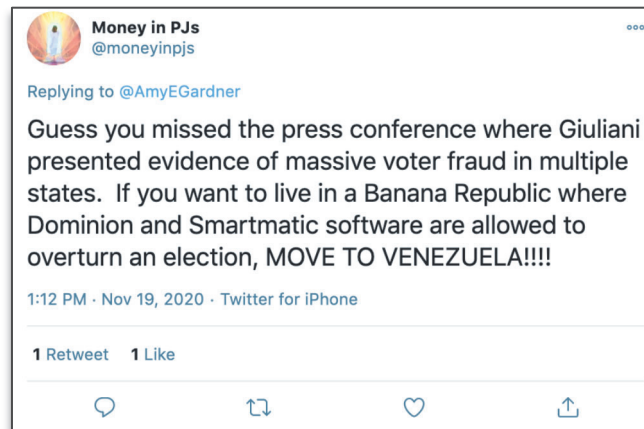
¹¹¹ *Id.*

¹¹² Bob Cavanaugh (@BobCavanaugh11), Twitter (Nov. 19, 2020), available at, <https://twitter.com/BobCavanaugh11/status/1329493022946570241> (Ex. 156).

journalists, Trump suffered under deep state lies but he exposed them within our highest government agencies.”¹¹³



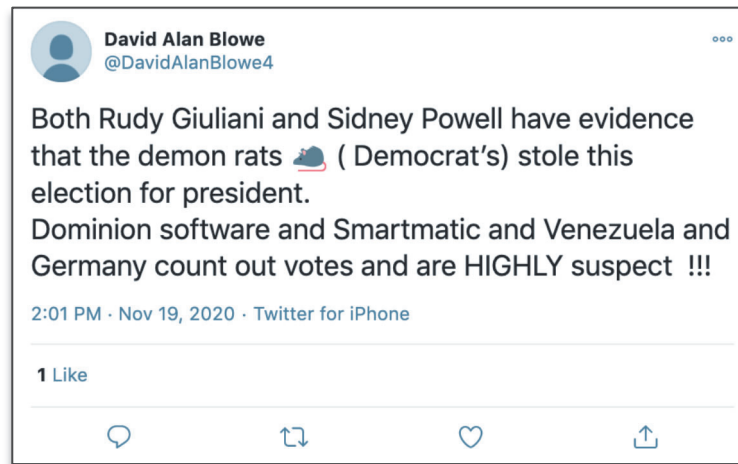
108. Another person claimed that they relied on the “evidence” Giuliani presented of massive voter fraud during the press conference, when in fact, he did not present a single shred of evidence supporting his defamatory statements: “Guess you missed the press conference where Giuliani presented evidence of mass voter fraud in multiple states. If you want to live in a Banana Republic where Dominion and Smartmatic software are allowed to overturn an election, MOVE TO VENEZUELA!!!!”¹¹⁴



¹¹³ Ronnieh (@hcatfioe), Twitter (Nov. 19, 2020), available at, <https://twitter.com/hcatfioe/status/1329496142703439874> (Ex. 157).

¹¹⁴ Money in PJs (@moneyinpjs), Twitter (Nov. 19, 2020), available at, <https://twitter.com/moneyinpjs/status/1329487770260295682> (Ex. 158).

109. Another person foreseeably republished Giuliani’s defamatory falsehoods and touted the “evidence” he claimed to possess, writing “Both Rudy Giuliani and Sidney Powell have evidence that the demon rats (Democrat’s) stole this election for president. Dominion software and Smartmatic and Venezuela and Germany count out votes and are HIGHLY suspect !!!”¹¹⁵



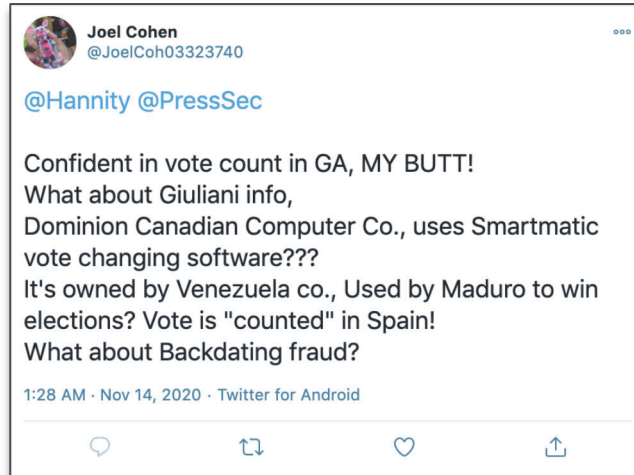
110. Another person wrote, “Lin wood and rudi Giuliani are exposing china influence in elections. Dominion is a foreign company created for Venezuela prez Maduro.”¹¹⁶



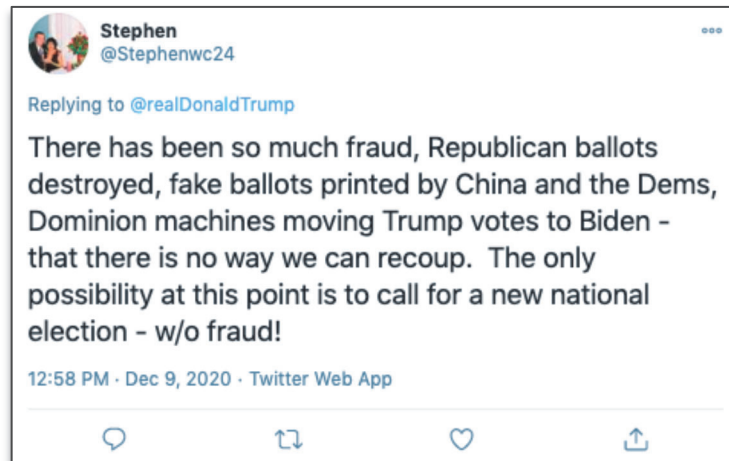
¹¹⁵ David Alan Blowe (@DavidAlanBlowe4), Twitter (Nov. 19, 2020), available at, <https://twitter.com/DavidAlanBlowe4/status/1329499960027570183> (Ex. 159).

¹¹⁶ Manic lo_panic (@lo_panic), Twitter (Dec. 18, 2020), available at, https://twitter.com/lo_panic/status/1340007958172725248 (Ex. 160).

111. One person wrote “Confident in vote count in GA, MY BUTT! What about Giuliani info, Dominion Canadian Computer Co., uses Smartmatic vote changing software??? It’s owned by Venezuela co., Used by Maduro to win elections?”¹¹⁷



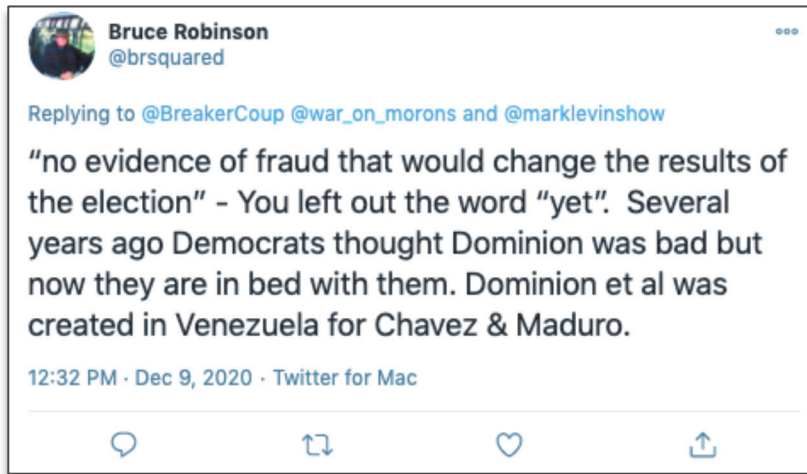
112. Another person who believed the defamatory falsehoods tweeted, “There has been so much fraud” including “Dominion machines moving Trump votes to Biden.”¹¹⁸



¹¹⁷ Joel Cohen (@JoelCoh03323740), Twitter (Nov. 14, 2020), available at, <https://twitter.com/JoelCoh03323740/status/1327498656694509568> (Ex. 161).

¹¹⁸ Stephen (@Stephenwc24), Twitter (Dec. 9, 2020), available at, <https://twitter.com/Stephenwc24/status/1336732043607068673> (Ex. 66).

113. One person tweeted, “Dominion et al was created in Venezuela for Chavez & Maduro.”¹¹⁹



114. Another person succinctly summarized the devastating harm that has been inflicted on Dominion’s commercial reputation, writing “Dominion is [a] fancy word for election fraud.”¹²⁰



115. As reflected in polling data about decreasing confidence in the legitimacy of the 2020 election, tens of millions of people believed the defamatory falsehoods about Dominion. For example, before the election, 44% of Trump supporters were “not very” or “not at all” confident

¹¹⁹ Bruce Robinson (@brsquared), Twitter (Dec. 9, 2020), available at, <https://twitter.com/brsquared/status/1336725318367911936> (Ex. 67).

¹²⁰ Ivo Boutros (@ivoboutros), Twitter (Dec. 8, 2020), available at, <https://twitter.com/ivoboutros/status/1336443509134548993> (Ex. 68).

in the national vote count.¹²¹ But after the viral disinformation campaign against Dominion, 81% of Trump voters believe that voter fraud influenced the election outcome.¹²²

116. Among Republicans generally, a November poll showed 68% are concerned that the election was “rigged,”¹²³ and a December poll showed 77% believe that “there was widespread voter fraud in the 2020 presidential election.”¹²⁴

117. As of January 7, 2021, a Google search of the terms “dominion,” “voting,” and “fraud” yields over 8.4 million results; a search of the terms “dominion,” “manipulate,” and “vote” yields over 1.9 million results; a search of the terms “boycott,” “dominion,” and “fraud” yields over 2.8 million results; and more focused searches like “who manufactures dominion voting machines” yields over 18.9 million results, just to name a few.

118. As a result of the viral disinformation campaign against Dominion, the company and its employees have been targeted and have received calls for jail time and death threats.

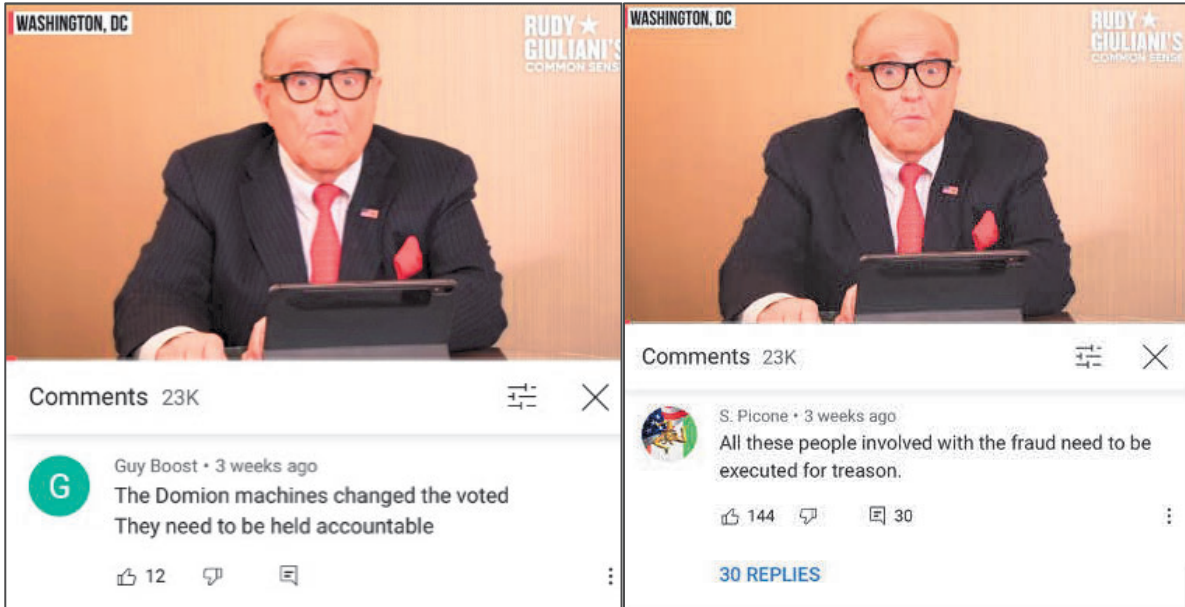
¹²¹ *A Democratic Stress Test – The 2020 Election and Its Aftermath*, Bright Line Watch (Nov. 2020), available at, <http://brightlinewatch.org/american-democracy-on-the-eve-of-the-2020-election/a-democratic-stress-test-the-2020-election-and-its-aftermathbright-line-watch-november-2020-survey/> (Ex. 71).

¹²² Candice Jaimungal, *Three-quarters of voters think fraud occurred during the election*, YouGov (Nov. 12, 2020) available at, <https://today.yougov.com/topics/politics/articles-reports/2020/11/12/voters-think-fraud-occurred-during-elec> (poll available at, <https://docs.cdn.yougov.com/9j7sr0my95/econTabReport.pdf>) (Ex. 72).

¹²³ Chris Kahn, *Half of Republicans say Biden won because of a ‘rigged’ election: Reuters/Ipsos poll*, Reuters (Nov. 18, 2020), available at, <https://www.reuters.com/article/us-usa-election-poll/half-of-republicans-say-biden-won-because-of-a-rigged-election-reuters-ipsos-poll-idUSKBN27Y1AJ> (poll available at, https://www.ipsos.com/sites/default/files/ct/news/document/s/2020-11/topline_reuters_post_election_survey_11_18_2020.pdf) (Ex. 73).

¹²⁴ *60% View Joe Biden’s 2020 Presidential Victory As Legitimate, Quinnipiac University National Poll Finds; 77% of Republicans Believe There Was Widespread Voter Fraud*, Quinnipiac University (Dec. 10, 2020), available at, <https://poll.qu.edu/national/release-detail?ReleaseID=3685> (Ex. 74).

119. For example, viewers of Giuliani’s Christmas Day podcast about Dominion commented on the video: “The Dominion machines changed the vote[]. They need to be held accountable” and “All these people involved with the fraud need to be executed for treason.”¹²⁵



120. Another person posted on social media, “Why isn’t every single Dominion employee in jail for their election fraud?!!!!!!!!!!”¹²⁶



¹²⁵ *WHO Will Be Our PRESIDENT? The Current State of Our Country*, Rudy Giuliani’s Common Sense (broadcast from Washington, D.C., Dec. 25, 2020), available at, <https://www.youtube.com/watch?v=NAzCECx8XeE> (last visited Jan. 19, 2021) (Ex. 162).

¹²⁶ Woody James (@WoodsonTJames), Twitter (Dec. 9, 2020), available at, <https://twitter.com/WoodsonTJames/status/1336726130771038208> (Ex. 75).