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Attorneys for Plaintiff

IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH

KELY JOHANA SUAREZ MOYA, an individual; and LUZ MIRIAM MOYA SOLANO,

Plaintiffs,

v.

TIMOTHY BALLARD, an individual;
KATHERINE BALLARD, an individual;
OPERATION UNDERGROUND
RAILROAD, INC., a Utah Non-Profit
Corporation; ANGEL STUDIOS, INC. a

**COMPLAINT AND
JURY DEMAND
(Tier 3)**

Civil No.:

Judge:

Utah Corporation; SOUND OF FREEDOM MOVIE, LLC, a Delaware Limited Liability Company; VAS PORTAL, LLC, a Utah Limited Liability Company; HARMON BROTHERS MARKETING, LLC, a Utah Limited Liability Company; THE SPEAR FUND, a dba for a Utah Non-Profit Corporation; ROD BARR, an individual; ALEJANDRO MONTEVERDE, an individual; JANET RUSSON, an individual; and DOES 1 through 100.

Defendants.

Both Colombia and the United States of America have constitutional provisions that provide that a person has a presumption of innocence until proven guilty. This is a case of a young Colombian woman who was tragically condemned by the Defendants to the entire world as being a child trafficker without any due process or due diligence by the Defendants.

Plaintiffs, by and through their counsel, hereby complain against Defendants and allege as follows:

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff Kely Johana Suarez Moya is a female adult citizen and resident of Colombia.
2. Plaintiff Luz Miriam Moya Solano is a female adult citizen, resident of Colombia, and the mother of Plaintiff Kely Johana Suarez Moya.
3. Defendant Timothy Ballard, aka Tim Ballard ("Ballard") is an adult citizen and resident of the State of Utah.

4. Defendant Katherine Ballard is an adult citizen and resident of the State of Utah and is legally married to Ballard.

5. Defendant Operation Underground Railroad, Inc. ("OUR") is a Utah non-profit corporation.

6. Defendant Angel Studios, Inc. ("Angel Studios") is a Utah corporation.

7. Defendant Sound of Freedom Movie, LLC ("SOFMLLC") is a Delaware limited liability company.

8. Defendant VAS Portal, LLC ("VAS") is a Utah limited liability company.

9. Defendant Harmon Brothers Marketing, LLC ("HB") is a Utah limited liability company.

10. Defendant The Spear Fund is a Utah non-profit corporation.

11. Defendant Rod Barr is an adult citizen and resident of the State of California.

12. Defendant Alejandro Monteverde is an adult citizen and resident of the Country of Mexico.

13. Defendant Janet Russon is an adult citizen and resident of the State of Utah.

14. The Third Judicial District Court in and for Salt Lake County, State of Utah, has jurisdiction of the claims asserted below pursuant to the provisions of §78A-5-102, Utah Code Ann. (1953 as amended).

15. Venue is properly laid before the Third Judicial District Court in and for Salt Lake County, State of Utah, pursuant to §78B-3-307, Utah Code Ann. (1953 as amended).

16. Removal to the Federal Court is improper in this matter given that most of the defendants are residents or are based in the State of Utah.

17. Pursuant to Rule 26(c)(3), of the Utah Rules of Civil Procedure, the amount in controversy exceeds \$300,000 qualifying this claim for Tier 3 discovery.

FACTUAL ALLEGATIONS

18. Timothy Ballard is an American activist, speaker, and author.

19. Ballard portrays himself as a religious family man.

20. Ballard founded the non-profit organization Operation Underground Railroad ("OUR") in 2013 that claims to "lead the fight against human trafficking and sexual exploitation worldwide."

FOUNDING MYTH OF OUR

"Never let the truth get in the way of a good story. "

— Mark Twain

21. A founding myth is a narrative that explains how a particular reality came into existence, in order to justify the established order by attributing its establishment to sacred forces.

22. Defendant Timothy Ballard is a master at developing founding myths, having authored *The Covenant*, *The Lincoln Hypothesis*, *The Washington Hypothesis*, *The Pilgrim Hypothesis*, and other quasi-historical narratives that fit his world view and his importance in it.

23. The "Founding Myth" of OUR was a sting operation conducted in Cartagena, Colombia in 2013, entitled "Operation Triple Take."

24. As part of this operation, Defendant OUR, through Ballard, worked with the United States and Colombian governments to hold a pedophilia sting operation on the Island of Baru just off the beaches of Cartagena, Colombia.

BALLARD'S FOUNDING MYTH

25. Ballard claims that El Fuego, using his vast knowledge of the sex-trafficking cartel and the child trafficking network of Colombia being trafficked in ship containers, put Ballard in touch with Eduardo, who was going to build a child brothel hotel on the island of Baru.

26. Ballard claims that Eduardo put Ballard in touch with Samuel and Plaintiff Kely, who were both known as child sex traffickers.

27. Ballard claims a meeting was held with Ballard, El Fuego, Eduardo and Samuel to discuss having a pedophile party.

28. Ballard claims a second meeting was held at Eduardo's home, with Ballard, El Fuego, Eduardo, Samuel, and Plaintiff Kely.

29. Ballard claims Plaintiff Kely was a known beauty queen and sex trafficker who runs a modeling agency that brings kids to Eduardo by going to schools and tricking parents into handing over their kids to her so that they can be models in a phony modeling agency. Ballard claims that Plaintiff Kely and Eduardo were in actuality grooming the children to be sex slaves.

30. Undercover agent Elkin from the Cuerpo Técnico de Investigación ("CTI"), which is the Colombian equivalent of the FBI, would work the streets with Ballard to obtain the children for a price, and then offer the children to an island full of pedophiles,

played by the Ramboesque OUR donors who bravely solicited young children for sex until the CTI arrived and arrested the traffickers and rescued the young children.

31. Ballard claims that at this meeting, Plaintiff Kely told Ballard she had a 12-year-old virgin and could bring 40 children between the ages of 11 and 16 to the sex party, including a 12-year-old virgin who Plaintiff Kely was going to groom for Paul Hutchinson to have sex with at the party.

32. Ballard claims that a third meeting was held at a beach restaurant with Ballard, El Fuego, Eduardo, Samuel, and Plaintiff Kely, where Plaintiff Kely showed Ballard pictures of the two virgins, ages 12 and 13, that would cost \$1,000 each.

33. Paul Hutchinson was the "boss" who wanted sex with a young girl.

34. Ballard claims that on October 11, 2014, two boats carrying mainly young children under the age of 13, arrived at the Island of Baru, accompanied by Plaintiff Kely, El Fuego, Eduardo, Samuel and others.

35. Utah Attorney General Sean Reyes, who used the name "La Sombra" as a decoy, was one of the ruse pedophile's bodyguards.

36. Reyes proclaimed on Ballard's podcast that Ballard infiltrated a pedophilia cartel cell to bring up to 40 young children to the Island.



37. Ballard claims that he wanted to see the virgins, so Eduardo went to get them with Ballard and Ballard found them crying and scared to death.

38. Ballard then gave the traffickers, including Plaintiff Kely, cash and immediately a jump team from the CTI moved in and arrested all of the alleged traffickers.

39. Ballard claims that the children came running up to the OUR volunteers cheering and singing, thanking the OUR volunteers, to which someone said to Ballard, "this is the sound of freedom."

40. The United States Immigration and Customs Enforcement ("ICE") issued a press-release a couple of days later, claiming the rescue of 55 sex trafficking victims, all minors.

41. It further stated that Kelly Johana Suarez Moy was one of the traffickers arrested and jailed. <https://www.ice.gov/news/releases/ice-colombian-authorities-rescue-55-sex-trafficking-victims-all-minors>

42. The worldwide press went crazy with the news.

43. The Colombian newspaper *La Semana*'s headline proclaimed on October 14, 2014 "Kelly Johana: The queen of child sexual exploitation?"

<https://www.semana.com/nacion/articulo/kelly-johana-capturada-con-red-de-prostitucion-en-cartagena/405945-3/>

44. Headlines from across the world proclaimed Plaintiff Kely's arrest:

WORLD →

Colombian Beauty Queen Arrested for Running Child Prostitution Ring

Kelly Johana Suárez, a former contestant in the Miss Cartagena contest and a community figurehead, has been charged with human trafficking of minors, "pimping and pandering."



Jason Batansky

Updated Apr. 14, 2017 2:38PM EDT
Published Oct. 17, 2014 5:44AM EDT



CW39

Colombian beauty queen busted for running child prostitution ring

by: C. Sandridge

Posted: Oct 17, 2014 / 10:00 AM CDT

Updated: Oct 17, 2014 / 10:00 AM CDT



The individuals captured in Cartagena

Brief

Colombia Dismantles Child Sex Ring Allegedly Tied to Beauty Queen

by Kyra Gurney 15 Oct 2014

45. *Rolling Stone's* story said, "the mission, dubbed Operation Underground Railroad, was the creation of former CIA and Homeland Security agent Tim Ballard, who recruited 'a ragtag group of volunteers' that featured two CrossFit instructors from Utah, a door-to-door salesman, and (Laurie) Holden, who portrayed "Andrea" on *The Walking Dead* for three seasons."

46. *Fusion News* said, "The sting was spearheaded by former CIA agent and ex-Homeland Security investigator Tim Ballard, who organized an elaborate fake bachelor party and requested underage prostitutes sent to a vacation house full of hidden cameras."

47. Ballard got a tremendous amount of credibility in Utah from the press.

48. *LDS Living Magazine* said, "Ballard's team found tremendous success on nearly a dozen operations last year, but the crowning achievement of Operation Underground Railroad in 2014 occurred on October 11, when, in cooperation with the Colombian government, they executed the largest-known human trafficking bust to date."

49. Glenn Beck, a leading American media personality, political commentator, author, and Founder of The Nazarene Fund, announced, "The group recently completed their biggest mission yet, rescuing 55 children in Colombia."

50. Utah's Fox13 news reported, "During a recent mission in Colombia in October, the team infiltrated a sex party, rescuing 123 child slaves and arresting 15 traffickers."

51. The Deseret News proclaimed that Sean Reyes had been involved in rescuing sex slaves.

UTAH WORLD & NATION POLITICS

Utah A.G. Sean Reyes made secret trip to rescue child sex slaves in Colombia

By Dennis Romboy | Jan 15, 2015, 12:35am GMT-5

52. The myth of Timothy Ballard was born, and the donations to OUR came pouring in.

FACTS

53. Reyes was put on OUR's advisory team, whereby he would run interference for Ballard and OUR, ignoring glaring signs of fraud and corruption in OUR, and instead diverting investigative efforts to other non-profits, charging and incarcerating without bail, other non-profit operators¹ who may have been doing illegal things, but which were paltry in comparison to OUR.

¹ See Indictment, attached hereto as Exhibit A.

54. Reyes had knowledge that Ballard obtained false government identification for himself and his COUPLES RUSE partners, and Reyes even promised to obtain false government passports for future OPS.



55. OUR reported to the IRS \$6.9 million in revenue in 2016, \$22.3 million in 2019, \$45 million in 2020, \$52.930 million in 2021, and \$56.773 million in 2022.

56. Ballard became the de-facto and most recognized face of anti-child trafficking, which everyone agrees is a noble cause.

57. Ballard became a character of mythical proportions with unquestioned legitimacy.

58. Ballard was appointed as a special advisor to Ivanka Trump in October 2017.

59. Ballard was invited by President Trump to join a White House anti-trafficking advisory board.

60. Ballard was appointed to the White House Public-Private Partnership Advisory Council to End Human Trafficking in 2019.

61. From the beginning, with the Colombia raid, Ballard was in it to make "for profit" documentaries and films of himself and OUR, including the creation of a movie called, *Sound of Freedom*.

62. Defendant SOFLLC was formed to funnel the profits from the movie to Tim Ballard and others.

63. Work on the script began in 2015, and it was written by Defendants Rod Barr and Alejandro Monteverde.

64. Principal photography for *Sound of Freedom* began in the summer of 2018 in Cartagena, Colombia.

65. Defendant SOFMLLC is listed as the author of the movie:

THIS MOTION PICTURE IS PROTECTED UNDER LAWS OF THE UNITED STATES AND OTHER COUNTRIES. UNAUTHORIZED DUPLICATION, DISTRIBUTION OR EXHIBITION IS PROHIBITED AND MAY RESULT IN CIVIL LIABILITY AND CRIMINAL PROSECUTION.

SOUND OF FREEDOM MOVIE, LLC IS THE AUTHOR OF THIS MOTION PICTURE FOR THE PURPOSES OF THE BERNE CONVENTION AND ALL NATIONAL LAWS GIVING EFFECT HERETO.

66. The movie was released in the United States on The Fourth of July 2023.

67. The film claims to portray the work Tim Ballard has done, and the movie has been hugely successful across the globe, adding to the myth of Tim Ballard.

68. Plaintiff Kely is portrayed in *Sound of Freedom* by the character "Katy Giselle", which is remarkably close to Plaintiff Kely's first name of Kely, and the name of Giselle is similar to the name Ghislaine of Jeffrey Epstein's trafficking.

69. The actress who portrayed Plaintiff Kely in *Sound of Freedom* is Yessica Borroto, who looks similar to the way the Plaintiff Kely looked in 2014.

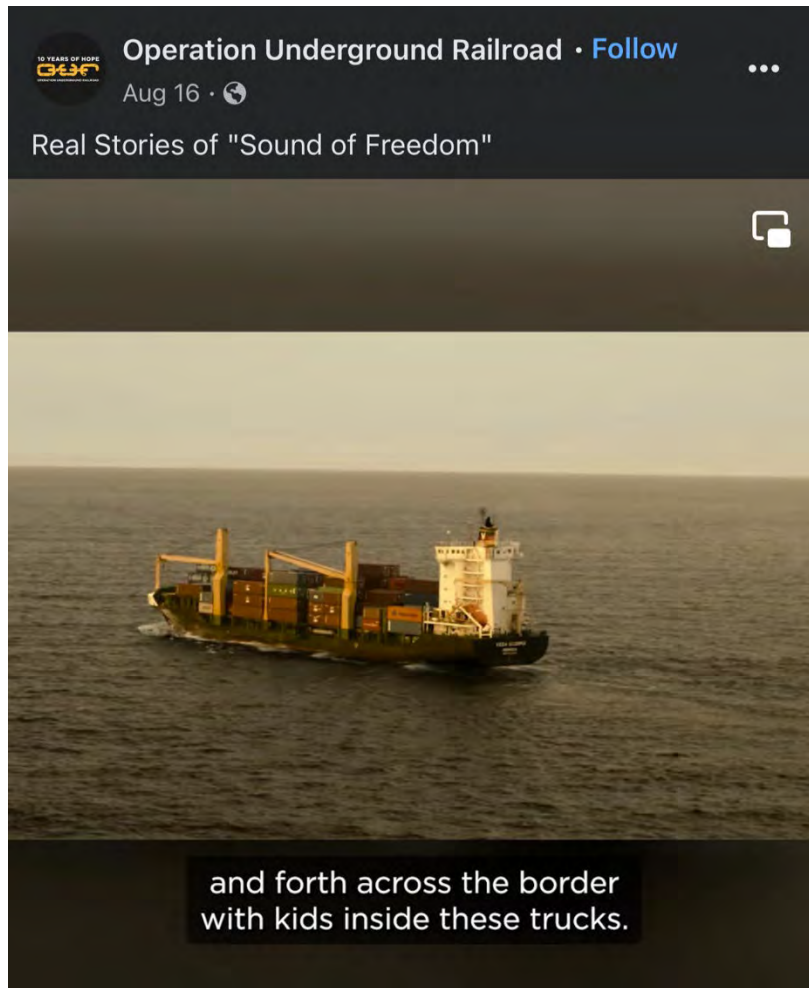


70. Angel Studios explains on its webpage that the movie is based on the *true story* of Tim Ballard, who journeys to rescue a girl from child traffickers.

71. Angel Studios explains on its webpage that the character Giselle represents the *real-life* Plaintiff Kely.

72. The movie portrays Giselle as a wealthy, socialite beauty-queen who has a child modeling agency in Cartagena, where she traffics her models to the cartel.

73. Giselle travels from Cartagena to Tegucigalpa, Honduras, to recruit kids to work for her modeling agency, and then she kidnaps them and takes them back to Colombia as sex slaves, trapped in a shipping container.



74. The movie also shows Plaintiff Kely bringing these young children (12 years old and younger) to this remote island where the children look and act as sex slaves.

75. In the movie, Tim Ballard hands Plaintiff Kely some money and then the CTI jump out and arrest her and the others. Plaintiff Kely (apparently in anticipation of this lawsuit), yells that she is a victim.

76. In real life, Plaintiff Kely spent the next 18 months at the Women's Prison in Cartagena while she awaited trial.

77. She was finally released by habeas corpus pending trial.²

78. Tim Ballard returned to Cartagena to testify about Plaintiff Kely's alleged trafficking activities in order to have Plaintiff Kely convicted.

79. He blasted his heroic return over social media, being photographed with a bodyguard and wearing a bullet proof vest to portray himself as needing protection from snipers.



80. As of November 30, 2023, *Sound of Freedom* has grossed \$184.2 million in the United States and Canada, and \$66.1 million in other territories, for a worldwide total of \$250.3 million.

² See Habeas Corpus, attached as Exhibit B.

81. It is the ninth highest-grossing film of 2023 in the United States and Canada.

82. By late-August 2023, it was considered "one of history's most successful independent films."

REALITY

**An error does not become truth by reason of multiplied propagation, nor does truth become error because nobody sees it.
Mahatma Gandhi**

83. Plaintiff Kely was born in a very small Colombian town called Fonseca-Guajira.

84. Plaintiff Kely was raised by a single mother, the Plaintiff Luz, in a very humble neighborhood of La Esperanza, in the sector of Obrero in Cartagena, Colombia.

85. Plaintiff Kely saw the difficulties her mother and neighbors faced due to poverty and lack of opportunities, so she went to the University to obtain a degree in social work in order to help people.

86. Because of Plaintiff Kely's desire to give back to her neighborhood, when she was 19-years-old, she was nominated into what is essentially a popularity contest in Cartagena called "The Independence Queen", where she represented her Obrero neighborhood as they honored Colombia's independence from Spain, something akin to being nominated to be a Girls State representative in Utah.



87. This was not a beauty contest, but rather a competition to be the named ambassador of one's neighborhood.

88. Plaintiff Kely did not win the contest.

89. Plaintiff Kely never ran a child-modeling agency.

90. Plaintiff Kely did not have the funds or the where-with-all to recruit children from her neighborhood, let alone traffic them from Honduras in shipping crates.

91. Prior to being invited to the island party and getting arrested, Plaintiff Kely was not well-known to anyone in Cartagena, outside of her close family and friends.

92. Prior to being invited to the island party and getting arrested, Plaintiff Kely had never been involved in trafficking of children or adults.

TIM BALLARD CREATING THE DEMAND

**"Don't find customers for your products, find products for your customers."
~ Seth Godin**

93. In 2012, two filmmakers heard a radio interview between Glenn Beck and Timothy Blain Ballard whereby Ballard was peddling one of his alternative history books.

94. The filmmakers were looking for an American History consultant for a project they were working on and called Beck's show to be put in contact with Ballard.

95. Ballard agreed to meet with the film makers.

96. Ballard immediately began to tell the film makers stories about his work with the CIA and Homeland Security Investigations (HSI) as an "undercover agent".

97. Filmmakers were impressed by Ballard's compelling tales and told him that they would be interested in making a documentary about his important undercover work.

98. Ballard agreed but insisted that he become a full partner in the production of the film, stating, "It would kill me to see you guys [the two filmmakers] up there accepting awards and me not get one."

99. With an outline for a film and tv series, "Operation Underground Railroad" was born.

100. The Film makers began filming everything that Ballard did, believing that Ballard was an expert because of his CIA and HSI experience as an undercover agent helping rescue trafficked children.

101. The idea for a series and documentary, *The Abolitionists*, was hatched, and Ballard planned operations ("OPS") in order to collect video footage that could be edited into a money-making documentary and series.

102. Ballard founded the non-profit organization Operation Underground Railroad ("OUR") in 2013 that claims to "lead the fight against human trafficking and sexual exploitation worldwide."

103. In line with this desire to be the hero in movies and become rich and famous, on July 28, 2014, Ballard began setting up his OP.

104. Ballard went walking on the Playa Blanca beach when he was approached by a beach vendor named Fuego (Juan Manuel Okendo Sierra), who is listed in court documents as a tourist guide, known locally as a clown and buffoon, working hand-to-mouth on a daily basis selling whatever a customer wants.

105. Fuego asked Ballard if he wanted something to drink, smoke, or if he wanted some cocaine or marijuana.

106. Ballard asked Fuego if he could provide women for him to have sex with.

107. Fuego said that he knew where he could.

108. Prostitution is legal in Colombia, though pimping is illegal.

109. Ballard then asked if Fuego could get young children for sex.

110. There was no pedophile sex trade in Cartagena that Fuego knew of, but he wanted to make money.

111. Ballard then told Fuego he wanted to have a large party where he would bring in a lot of wealthy pedophiles, and that he needed a lot of young children for this to happen.

112. Fuego said he would talk to some of his friends to see what he could do to arrange such.

113. Ballard and Fuego agreed to remain in contact to set up this pedophile party.

114. Ballard went to Agent Elkin Arnulfo Peña Bernal ("Elkin") of CTI and informed him that he had a contact with traffickers who could obtain several young children for a pedophile party and bust.

115. It was agreed that a sting operation would be held.

116. Ballard agreed to provide ruse pedophiles, who were wealthy volunteers and donors (mainly from the State of Utah), through his non-profit Operation Underground Railroad.

117. Ballard also agreed to provide Paul Hutchinson as the "pedophile boss" who wanted young looking black girls to have anal sex with.

118. CTI agreed to provide the law enforcement.

119. Ballard and Hutchinson were deputized as undercover agents.

120. Ballard and Hutchinson signed contracts to be deputized undercover agents that included an anti-entrapment clause:

IN NO EVENT MAY THE COVERT AGENT PROVOK OR INDUCE THE INDICTED, CHARGED OR INVESTIGATED OR ANY MEMBER OF THE ORGANIZED CRIMINAL GROUP OR A THIRD PARTY OUTSIDE THE ORGANIZATION TO COMMIT PUNISHABLE CONDUCT, FOR WHICH THEY WAS NOT PREDISPOSED.

It may not violate legal standards superior to those of the criminal conduct under investigation.

Do not attack the life and integrity of people.³

³ See "ACTA DE VOLUNTARIEDAD PARA ACTUACION DE AGENTE ENCUBIERTO, attached hereto as Exhibit C.

121. Fuego contacted a friend by the name of Eduardo Ortega Issa ("Eduardo") for assistance on how to round up underage children for the sex party, given that there was no known cartel or trafficking ring involved in trafficking underage children for sex.

122. On October 7, 2014, a meeting was held between Ballard, Elkin, and Eduardo where they agreed that Ballard would pay between \$250 to \$300 per child provided at the pedophile party.

123. Ballard also gave Eduardo money to make arrangements for the party.

124. It was decided that a social media invitation would go out on Facebook inviting young people to the party.

125. Plaintiff Kely was nowhere near this meeting and had no way of knowing that it was occurring.

126. Court records verify that Plaintiff Kely was not at this meeting.

127. On October 9, 2014, Eduardo called Elkin and told him that he could provide more children than previously agreed and he could lower the price of each child.

128. A meeting was held that same day where Ballard, Elkin, and Eduardo were present, along with a recently turned 18-year-old gay young man by the name of Samuel David Olave Martinez ("Samuel"), Luis Miguel Mosquera Cuesta ("Luis") and a young woman by the name of Natalie Taborda Atencio ("Naty").

129. Naty claimed that she could obtain about 15 children mainly from Cartagena's high schools, guaranteeing that the oldest child would be 16 years old.

130. Samuel said he could obtain 26 female children and 6 male children, given that he worked in a modeling school, (which is where he met Plaintiff Kely). Samuel thought he could recruit children from the school.

131. Plaintiff Kely was nowhere near this meeting and had no way of knowing that it was occurring, nor did she have knowledge of the theme of the meeting or what was discussed.

132. Court records verify that Plaintiff Kely was not at this meeting.

133. On October 10, 2014, Eduardo called Elkin and confirmed that he had accumulated commitments for 28 young girls and 3 boys under the age of 10 years old.

134. He also confirmed that Samuel had accumulated 26 young girls and 8 young boys.

135. No where in this phone call was Plaintiff Kely mentioned.

136. Unfortunately for Plaintiff Kely, Samuel was an acquaintance of hers from some joint modeling work they had done together previously.

137. Samuel told Plaintiff Kely that a rich North American (Hutchinson aka Pablo) was coming to the party looking for a young looking black girl to have sex with, and that she would be paid for attending.

138. At the time, Plaintiff Kely was twenty years old, but she looked under the age of 15 and she is black, so Samuel believed that she would be good bait for Hutchinson and invited her to the party as one of the young girls he had committed to provide to Hutchinson.

139. Given Plaintiff Kely's poverty, Plaintiff Kely decided to go to the party to try and become the "novia" of Paul Hutchinson, as it would give her and her mother a way out of their poverty if she had a rich North American boyfriend.

140. At a bare minimum, Plaintiff Kely would be paid to attend the party.

141. Samuel asked Plaintiff Kely to come to a meeting at Eduardo's apartment, whereby Plaintiff Kely and Samuel's niece were present so that Tim Ballard could verify that Samuel and Eduardo had young girls ready for Paul Hutchinson ("Pablo").

142. Plaintiff Kely and Samuel's niece were the only two "alleged" young girls at that meeting, again as bait, though Ballard claims on *The Abolitionists* that there were other children.

143. Plaintiff Kely also saw the party invitation on Facebook.

144. Another meeting was held between Ballard, Eduardo, Samuel, and Plaintiff Kely at a restaurant on the beach to make last-minute arrangements for the party.

145. Plaintiff Kely attended this meeting at the urging of Samuel to show that they had a young black girl arranged to have sex with Pablo.

146. Ballard began emphasizing that Pablo wanted to have anal sex with a young black girl.

147. At that point in time, Plaintiff Kely spoke up and asked that Pablo be delicate with her as she did not want to be violently raped by Pablo.

148. On October 11, 2014, Plaintiff Kely got on the small boat with other young adults, ages 13-30, who had also accepted the invitations to go to this party.

149. Some of the young adults even paid \$5 for the boat ride.

150. None of the young adults on the boat were trafficked in any way (other than by Ballard) and they were all there for the same party, including those who had paid the modest sum of \$5 to attend.

151. None of these young adults were ever kept in shipping containers or trafficked (except on the boat to the island) for sex.

152. In fact, court documents demonstrate that none of the young adults were trafficked or were sex slaves.⁴

153. All were either invited by social media or by invitation of Samuel (as in the case of the Plaintiff Kely), Naty, or Fuego.

154. Court documents and interviews verify that Plaintiff Kely invited no one to the party.

155. Court documents demonstrate that one of the young men who was at the OP, Pedro Florez Ramos, ("Pedro") age 17 years old, who is gay and lived at home with his parents Oscar Florez y Alejandra Ramos in Cartagena, Colombia, learned of the party on Facebook.⁵

156. Court documents show, and Pedro confirms, that he was never previously trafficked⁶ and had previously only had sexual relations with his boyfriend, who according to court documents, accompanied him on this trip to the island, though he denies that now.

157. Before the party on October 11, 2014, Pedro did not know Kely Suárez, neither privately nor publicly, as some supposed beauty queen from Cartagena.

⁴ See Registry of Children at the Party, attached hereto as Exhibit D.

⁵ See Pedro Florez Ramos Interview, attached hereto as Exhibit E.

⁶ See Declaration of Pedro Florez Ramos, attached hereto as Exhibit F.

158. At no time did Kely Suarez invite Pedro to the party or promise him money.

159. Before October 11, 2014, Pedro had never been sexually trafficked.

160. The only people who gave Pedro money for sex were the North Americans from OUR.

161. Court documents demonstrate the ages of the young adults who voluntarily showed up for the promised party on the island of Baru.

162. 30 of the young adults were adults, with the oldest being 30.

163. 16 of the young adults were the age of 17.

164. 7 of the young adults were the age of 16.

165. 2 of the young adults were the age of 15.

166. 1 of the young adults was the age of 14.

167. 1 of the young adults was the age of 13.⁷

168. Court documents demonstrate that Naty did not show up for the boat trip to the island for the sex party, although she had agreed in the earlier meetings to come.

169. Upon arrival at the island, Plaintiff Kely saw Samuel sitting at a table with Ballard.

170. As she knew Samuel, she sat down at a table next to Samuel.

171. As the prosecutor in the Colombian case acknowledges in her questioning of Ballard, Ballard only pushed money to Eduardo and Samuel.

⁷ See Exhibit D.

172. Ballard kept wanting to insist at trial in Colombia, that he pushed the money to El Fuego, Samuel, Eduardo and Plaintiff Kely.

173. The CTI immediately dropped in and arrested Plaintiff Kely and the others.

174. The young adults and teenagers who were brought to the island were very confused and traumatized by these events, as was Plaintiff Kely.

175. In reality, none of the young adults that were taken to the party had been previously trafficked, and none of the "clients" were actually pedophiles looking for sex.

176. Plaintiff Kely had been confused for "Naty", as Plaintiff Kely had no involvement in planning the party, obtaining the young adults, and was not aware of the false pretense of the party until she was arrested.

177. The true details of the OP did not deter Tim Ballard and OUR from proceeding with their fraud, as they had several cameras filming everything at the "sting" so that they had video for the "sizzle".⁸

178. By the time that the news hit the press, Plaintiff Kely was being presented by Tim Ballard as Ms. Cartagena, the Beauty Pageant Queen who traded her fame to traffic children, by essentially mixing the life stories of Naty and Samuel into a fraudulent narrative about the Plaintiff Kely.

179. Plaintiff Kely went from being an anonymous face in the crowd, to being hated in Colombia.

⁸ Sizzle reels are short promotional videos also known as demo reels, highlight reels, show reels, promo videos, pitch tapes, or teasers.

Colombian beauty queen busted for running child prostitution ring

C. Sandridge

9 years ago



COLUMBIA — Before now, we thought “Toddlers And Tiaras” was as bad as it gets when it comes to beauty pageants, but apparently we were wrong.



News

Cartagena beauty queen arrested in child sex tourism ring bust

👤 Nicolas Bedoya 🕒 October 14, 2014



Kelly Johana Suarez (Photo: El Universal)

Brief

Colombia Dismantles Child Sex Ring Allegedly Tied to Beauty Queen

by Kyra Gurney
15 Oct 2014



The individuals captured in Cartagena

EN ES

she

180. Plaintiff Kely was very scared and confused as to what had just happened to her.

181. Her concerns were not unwarranted, as she spent the next 18 months in prison awaiting trial.

182. The man who claims to rescue kids from cages, placed a kid into a cage for 18 months, for his own fame and stardom.

183. CTI undercover agent Elkin has since been convicted of corruption and abuse of public office for taking bribes, and he is a fugitive with a warrant out for his incarceration for 129 months.⁹

184. While Plaintiff Kely was in prison in 2015, Defendants Rod Barr and Alejandro Monteverde (and Defendant SOFMLLC) were writing the script for the movie *Sound of Freedom*.

185. Had Defendants Rod Barr and/or Alejandro Monteverde fact checked the Court records, they would have been aware that Plaintiff Kely was not at three of the meetings where Operation Triple Take was planned, was clearly confused for Naty, and went to the island party as a fraudulently induced trafficked person.

186. Had Defendants Rod Barr and/or Alejandro Monteverde fact checked the Court records, they would have been aware that Plaintiff Kely was not a mover and shaker in Cartagena and that she had no access to children.

⁹ See Conviction, attached hereto as Exhibit G.

187. Had Defendants fact checked Tim Ballard, they would have been aware that several media reports demonstrate that he made his false reputation upon "**entrapment**" in third world countries.

188. For example, HuffPost.com reported that:

Courts in the U.S. and many other countries would have a hard time making that distinction and in most jurisdictions such actions could constitute a defense to criminal liability. Stackpole also fails to explore the ethical and legal minefield of OUR live-streaming their operations to benefactors overseas. From the perspective of a victim's right to privacy, such actions are reprehensible. And from a criminal justice perspective, there are even more pressing concerns about the OUR approach. First, the entire premise of its operations: that local law enforcement will take over when the dirty work has been done is dangerously naïve. Why are police in Mexico, the Dominican Republic and Colombia not arresting child sex traffickers if they are so easy to find? The simplest explanation is law enforcement complicity in such crimes. Agreeing to cooperate with OUR is a win-win: local cops get to keep an eye on what's happening and ensure OUR doesn't stray into their turf; they also gain international kudos for taking on the traffickers. Foreign Policy's analysis fails to ask the most basic question of all: we know that child trafficking is a huge problem in the United States. Why is OUR not operating here? For that matter, why are they not raiding the brothels of Amsterdam or London? The simple reason is that, lacking any legal capacity to undertake such operations, Ballard and his rag-tag team would be arrested on the spot. And any court in any of these jurisdictions would not hesitate to throw out a case that rests on the evidence of an OUR-type raid because of the failure to meet even the most basic standards of supervision and accountability. It's no surprise that the organization and its fellow travelers limit their activities to countries burdened by dysfunctional criminal justice systems that for their own reasons—or perhaps in response to pressure from the U.S. government—agree to cooperate.”

189. After 18 months in the Colombian San Diego Women's Prison, Plaintiff Kely was released pending trial via habeas corpus.

190. Ballard claims in one of his movie scripts that it was because of corrupt judges in Colombia that she was released after 18 months.¹⁰



11

191. Plaintiff Kely was hated by the people of Cartagena.

192. Plaintiff Kely received death threats and was spit at by people.

193. Plaintiff Kely's normal life was destroyed.

¹⁰ See Movie Script, attached hereto as Exhibit H.

¹¹ Plaintiff standing outside the prison in 2024.

194. Plaintiff Kely decided that she would help others who had been wrongfully accused, so she went to law school, recently graduating.



195. After some time (approximately 2016), people quit staring at Plaintiff Kely and talking about her, and she was ready to put this horrible experience behind her.

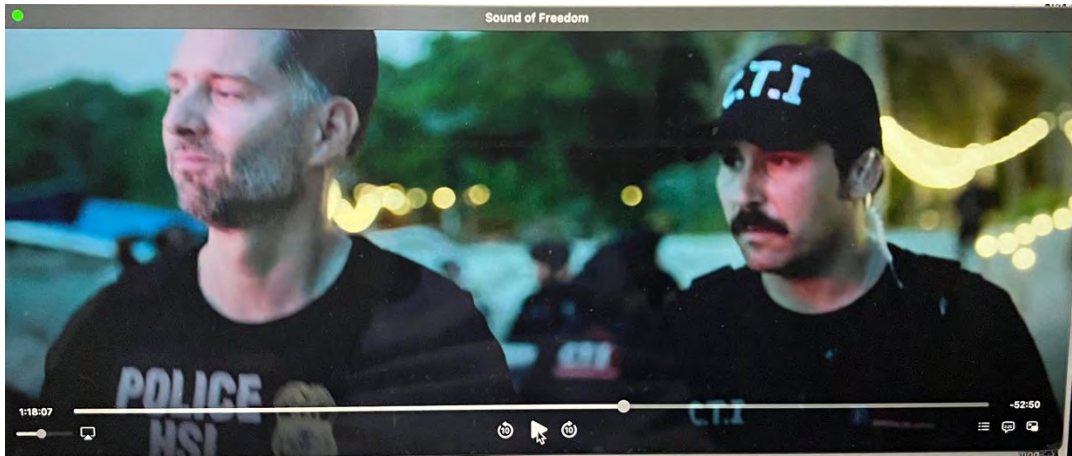
196. However, Defendant SOFMLLC had other ideas.

197. Defendant SOFMLLC was being formed to make this Cartagena "rescue" into a movie.

198. In 2018, the movie was filmed in Colombia and Mexico by Defendant SOFMLLC.

199. Paul Hutchinson funded and produced much of the movie, and as such, named the rescued girl after his wife, Rocio.

200. Matt Osborne, OUR's number two man, was given a role in the movie.



201. The little boy that the cartel lawyer wanted to rape in the movie was given the name "Simba."

202. After criticisms came about that no one was actually rescued, it was decided that the character Simba would be based upon Pedro.

203. Pedro decided he would adopt that history as his own because he was offered money and trips by Ballard and OUR. Pedro recognized that he could fleece OUR and Angel Studios for at least \$2,100 a month for his non-existent after care non-profit entity in Cartagena that he called "Tejiendo Suenos."

204. A distribution deal was made with the Latin American subsidiary of 20th Century Fox.

205. When the studio was purchased by the Walt Disney Company, Disney shelved the film.

206. Subsequently, SOFMLLC bought the distribution rights back from Disney.

207. However, Ballard's years of lies, deceit, and sexual deviancy were finally catching up with him.

208. Ballard authored a book proposal entitled *Rescued From Darkness, A Personal Odyssey from a Life Battling Human Trafficking*.¹²

209. In his book proposal, he revealed that in "addition to the crushing responsibilities of fighting an ongoing war against human trafficking," in 2020 he believed he became the target of a corporate coup attempt within OUR targeting Ballard personally, through the investigation of Ballard and OUR from the Davis County Attorney's Office.

210. Ballard placed his Uncle Craig Anderson, of C.H. Anderson Construction, as the head of OUR's Board of Directors in order to quash a corporate coup Ballard believed to have occurred within OUR, and to restructure OUR so that Ballard could continue going on foreign OPS.

211. When Ballard found out about the Davis County Investigation, he collapsed onto an asphalt parking lot in Miami, Florida, where he was rescued by Tony Robbins and his wife Sage.

212. Ballard was jealous of OUR's non-profit financial success, and he wanted to grow his own brand so he could capitalize monetarily from his work, more than the salary he was drawing from OUR.

213. It was Ballard's belief that he was convinced by traitors to step away from OUR to focus on making money, when in reality it was part of the corporate coup to rid OUR of Ballard.

¹² Attached hereto as Exhibit I.

214. The book proposal also reaffirmed Ballard's view that OUR had fallen into a state of unprofessionalism and incompetence that only Ballard could repair, through the help of his Uncle Craig.

215. Ballard revealed his addictions to Xanax and Ambien and that he had intensive intervention to address those addictions.

216. Ballard became aware that one of the filmmakers of *The Abolitionists*, was working in Haiti in what Ballard viewed was in direct competition with OUR, so Ballard asked that local officials arrest the filmmaker.¹³

217. The donating public finally became aware that in order to purportedly find and save trafficked children, Ballard would receive psychic information from psychic Janet Russon about where the OPS should occur, along with reassurance and justification of everything Ballard did, while predicting the future situations the operatives would be in, so that they could plan the next OP.

218. Ms. Russon claims that she spoke to a dead prophet named Nephi, who directed her about where to locate the trafficked children.

219. Ballard used OUR and its OPS to fund his personal fantasies of grandeur, much as he did the movie *Sound of Freedom*.

220. Ballard began a program for women accompanying him on OPS and called the program "THE COUPLES RUSE."

¹³ See Text Messages, attached hereto as Exhibit J.

221. Ballard claims that the COUPLES RUSE was an undercover tool to prevent detection by pedophiles when Ballard would not engage in sexual touching of the trafficked women offered up to him in strip clubs and massage parlors across the world.

222. Ballard would choose a woman who worked at OUR or with OUR, or would invite a well-intentioned volunteer, to be trained in the COUPLES RUSE.

223. The women he chose had no formal training in paramilitary activities or operations, but he knew they were devoted to the OUR mission of saving women and children from traffickers.

224. Ballard claims that he implemented strict rules regarding the COUPLES RUSE: no kissing on the lips and no touching or exposing private parts.

225. Ballard soon began abusing the COUPLES RUSE and eventually used the ruse as a tool for sexual grooming.

226. As part of either an OP or practice for the OP, Ballard would often share a bed with a woman posing as his girlfriend or invite her to shower in his bathroom, even though accommodations at designated "safe houses" provided separate bedrooms and bathrooms.

227. Before they ever went undercover together, Ballard insisted that he first needed to ensure that he and his female counterparts in the COUPLES RUSE had physical "chemistry" that would be obvious to those they would meet during an operation.

228. Ballard encouraged female operatives to participate in tantric massages before and while on a COUPLES RUSE.

229. Ballard claimed to be so concerned about the believability of the COUPLES RUSE that he frequently asked women to "practice" their COUPLES RUSE long before a mission ever took place.

230. To that end, Ballard flew women across the country, where they would "practice" their sexual chemistry through tantric yoga, couples' massages with escorts, and lap dancing on Ballard's lap.

231. Ballard also frequented strip clubs in the Salt Lake Valley with these women to practice the COUPLES RUSE.

232. Ballard included his son, who had just returned from serving a mission for the Mormon Church, to the strip clubs, without Ballard's wife's knowledge.

233. At the strip clubs, Ballard would pay for and receive lap dances, and ingest alcohol and pills at these practice "Ruse Ruses" on OUR's dime with donor monies.

234. Ballard engaged in a ploy where he would tell the women that if they were offered alcohol, which is forbidden by the Mormon Church, that she should take the drink and then open mouth, kiss him and spit the alcohol into his mouth, and then he would spit it out when the traffickers were not looking.

235. However, Ballard was doing the exact opposite—he was consuming excessive amounts of alcohol (tequila) of his own volition, which he drank at strip clubs, massage parlors, and on trips, to the point of passing out.

236. Through these COUPLES RUSES, both in the office and in the field, Ballard eventually engaged in coerced sexual contact with several women and propositioned others.

237. Ballard participated in several sexual acts, in various states of undress, while on an OPS mission.

238. Ballard developed a sexual position where it appeared he was having full on sexual intercourse with his COUPLES RUSE victims, while not actually penetrating.

239. While inside private accommodations, when no one else was around that they needed to fool, Ballard would claim that he and his female partner had to maintain the appearance of a romantic relationship at all times in case suspicious traffickers might be surveilling them at any moment.

240. Ballard requested the women he invited to act as his significant other, to first have a Brazilian wax.

241. Ballard would ask each woman, "Is there anything you wouldn't do to save a child?"

242. To further convince the women of his need for them on the next OPS mission, Ballard would badmouth previous female partners, claiming that the women who had allegedly gone on COUPLES RUSES in the past were "crazy," and claiming that they had fallen in love with him along the way.

243. Ballard used these mythical stories to motivate the women in his COUPLES RUSE to prove their mettle and their devotion to the cause by trying to outdo their supposed predecessors.

244. When these women found themselves questioning the legitimacy of tactics involving sexual contact, they often doubted their own instincts, relying on Ballard's breadth of knowledge about rescue missions to convince themselves that such tactics were normal.

245. Other employees of OUR would warn these women not to question Ballard or their lives would be put in danger.

246. Ballard would also tell the women that engaging in sex play with him would improve their marriage, even as he also told them not to tell their husbands about what they were doing (or it would compromise the mission, children, their lives, and other informants' lives).

247. Ballard would repeatedly warn these women that if they failed in their COUPLES RUSE mission, they would have wasted the hard-earned money that honest donor had entrusted to OUR or be caught or killed by the cartel.

248. Ballard would also tell these women that Janet Russon and/or Ballard's wife Katherine had chosen them to be part of the COUPLES RUSE.

249. Ballard would use spiritual manipulation to coerce them into sexual contact.

250. Almost all of the women involved are or were Mormon.

251. Many were sexually assaulted by Ballard.

252. Ballard began to claim that President M. Russell Ballard of The Church of Jesus Christ of Latter-Day Saints, had given Ballard permission to do the COUPLES RUSE as long as there was no sexual intercourse or kissing on the lips, and had given him a special priesthood blessing as such.

253. Ballard would also claim that a passage from the Book of Mormon, in which a man kills another man on the promptings of the Holy Spirit, demonstrates that sometimes the Holy Spirit asks people to perform "unconventional" tasks.

254. Ballard would also claim to the women that Defendant Janet Russon told him that he had been married to them in a previous life, and so their conduct was appropriate.

255. Additionally, Ballard would get ketamine treatments and have a scribe come in with him while he would talk to the dead prophet Nephi and issue forth prophecies about Ballard's greatness and future as a United States Senator, President of the United States, and ultimately the Mormon Prophet, to usher in the second coming of Jesus Christ.

256. Ballard would also claim to his female Ruse partners that if his wife Katherine were to die, he would immediately marry them.

257. Ballard told one of his victims that when his wife would question what Ballard was doing with these women, Ballard would tell his wife that his female partners kept falling in love with him and wanted to kill Katherine so that they could be together.

258. Ballard would insist that the women stay silent about their alleged sexual encounters with him because if they told anyone, it would put everyone's lives at risk on the OPS mission, it was necessary to save the trafficked children, and because he was blessed by President Ballard to be a future President of the United States and then the Prophet of the Mormon Church.

259. After the women were coerced into engaging in sexual activity with Ballard, he used their encounters to his advantage, sending texts to some of the women that would say something to the effect of "We will have so much s*** on each other we will be deterred into silence on all things forever."

260. Ballard gave the women burner phones to use and had them use Signal, a messaging app that keeps communication private, and he frequently demanded that the women erase the digital traces of his conversations with them each night.

261. Ballard also threatened the women that he was tracking them with their burner phones and company phones he provided.

262. Additionally, he required the women he asked to go on OPS as part of the COUPLES RUSE to sign Non-Disclosure Agreements (NDA), claiming it was required to protect the safety of the children and the participants.

263. Ballard would then threaten to sue the women if they ever disclosed anything about his tactics, practice OPS, or the COUPLES RUSE.

264. At least two marriages have broken up as a result of Tim Ballard's actions with these women.

265. Ballard offered to pay for the divorce attorney of one of his victims, and he had a henchman call and threaten her husband on voice message, resulting in the police being called and a report being filed.

266. In 2023, Defendant Angel Studios had acquired the worldwide distribution rights, with a planned release during the second half of 2023.

267. There was one small problem that Defendants did not take into account though— Plaintiff Kely had never been convicted of any crime, despite the fact that they were portraying her as a villain and child sex trafficking monster.

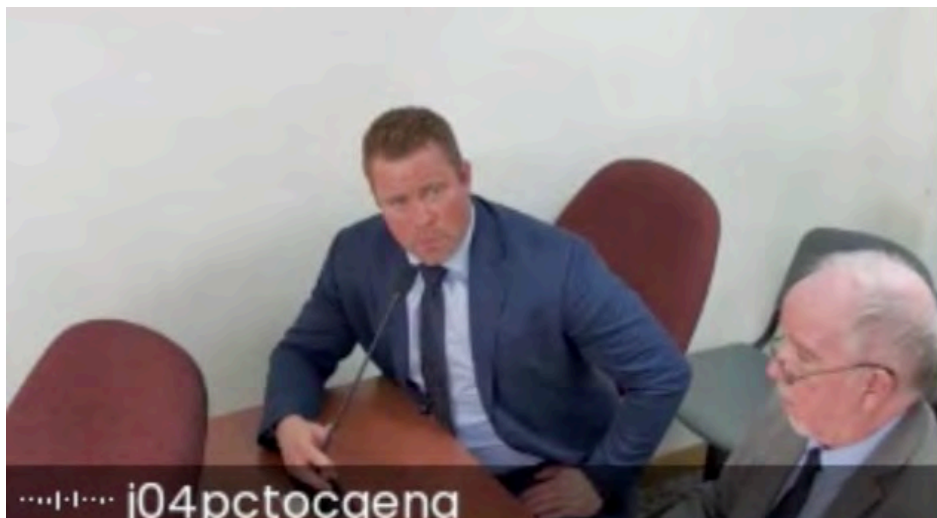
268. As such, Ballard and Matt Osborne went to Cartagena to testify in February 2023, as both were financially motivated to make sure Plaintiff Kely was convicted before *Sound of Freedom* was released.

269. Ballard never revealed to the Court in Colombia his financial interests in the movies, books and podcasts he has made and profited from this raid, nor did he reveal to the CTI before going undercover that he was making a for profit movie which could impair his impartiality and move from being bate to being the entrapper.

270. In fact, Ballard had hundreds of hours of raw footage that he had made for his for-profit documentaries, movies and books, that he never turned over to the Colombian legal authorities.



271. It is believed that Ballard has earned eight figures from his entrapment of the Plaintiff Kely and placing her into prison for 18 months, and traumatizing over 50 minors and young adults through the “sting” and sex abuse interviews alone, without their parents, after dark, on a remote island in the Atlantic Ocean.



272. Ballard became friends with Tony Robbins, an American author, coach, and speaker, who raised staggering amounts of money for Ballard.

273. Ballard became friends with real-estate magnates, such as Tavaci, Scott Keller of Keller Investment Properties, Paul Hutchinson, M. Brett Jensen, Ballard's uncle Craig Anderson of C.H. Anderson Construction, Brad Damon, Eric Robinson, Jeffrey Frazier, Sean Wolfington, Simon Brewer, Brad Brower, Scott Gordon, Britnie Turner, David Jacobs, Mark Stott, Douglas Free, Todd Tueller, Bryson Paxton, Jonathan Marquis, John Nemelka, Chris Smith, Kenneth Kroger, David Barton, Jonathan Dodd, Al Jackson, Mel Gibson, Vess Pearson, Radd Berrett, David Lopez, and several others.

274. Ballard's non-profit OUR began to make "partnerships" with other non-profits and for profit NGO's across the world, whereby staggering amounts of money would go back and forth, including, but not limited to Utah Attorney General Reye's LAVA fund, The Worldwide Holdings Investment Group, Good360, The Spear Fund, The Draper Philharmonic Choir, The Nazarene Fund, Aerial Recovery, Free A Girl, The Hand 2 Hand

Foundation, The American Venture Resource Association and its affiliated AVRA Financial Inc., the Winthrop Rockefeller Foundation, Fenton, Nu Skin, ATAC, Legacy Food Company, Global Empowerment Mission, New Horizons Ministry, America First Policy Institute, and This Mission, amongst others.

275. Had Defendant Angel Studios fact checked the Court records (or fact checked Ballard himself and his profit motives), it would have been aware that: (1) Plaintiff Kely had been confused for Naty; (2) Plaintiff Kely went to the island party as a fraudulently-induced trafficked person; (3) Plaintiff Kely was ***not*** at the three meetings where the sting was planned; (4) that her portrayal in *Sound of Freedom* was defamatory and slanderous; and (4) the marketing of *Sound of Freedom* was defamatory and slanderous to Plaintiff Kely.

276. Had Defendant Angel Studios fact checked the Court records, it would have been aware that Plaintiff Kely was not a mover and shaker in Cartagena, that she had no access to children, and that her portrayal in *Sound of Freedom* was defamatory and slanderous.

277. Had Defendant Angel Studios fact checked the Court records, it would have been aware that Plaintiff Kely, despite Ballard's best efforts otherwise, has never been convicted of any crime.

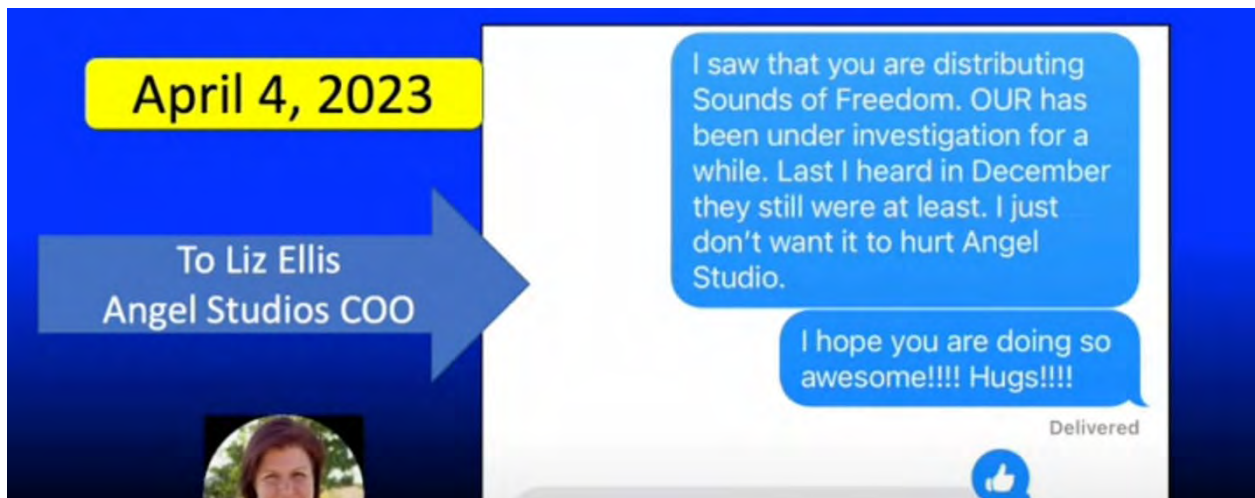
278. Had Defendant Angel Studios fact checked the Court records, it would have been aware that OUR had been sued and paid a settlement in Washington State, ***for the entrapment*** of a man in Operation Net Nanny.¹⁴

¹⁴ See Complaint, attached hereto as Exhibit K.

279. Additionally, OUR was aware of Ballard's unlawful tactics when its General Counsel sent a scathing reprimand of Ballard based upon *entrapment issues* on one of his OPS, which Ballard rejected out-of-hand.

280. In May of 2023, *Sound of Freedom* received a release date of July 4, 2023.

281. People in the movie industry who knew Ballard came forward to Defendant Angel Studios urging them to be very careful in dealing with Ballard, as he was already a known fraud to many.



April 12, 2023

Jeff Harmon to
former operative

1+ hour Zoom
Call April 13

Jeff Harmon
Hi [REDACTED] I'd love to meet up at
ur earliest convenience

Sure thing. I could meet
tomorrow sometime before 2:00
if that works ok.
Thanks for connecting us
Charan!

Wed, Apr 12 at 5:33 PM

Jeff Harmon
I could probably meet between
10am and noon? Zoom or in
person

Arrangements made for former
operative to view SOF "screener"
online.

Thu, Apr 13 at 12:14 PM

Jeff Harmon
Screener for 24 hrs. It has two
views (so charan can watch too
if u want):

Indee Secure Screening
Room
watch.indee.tv

Thu, Apr 13 at 3:55 PM

Thanks so much, I will watch it
tonight.

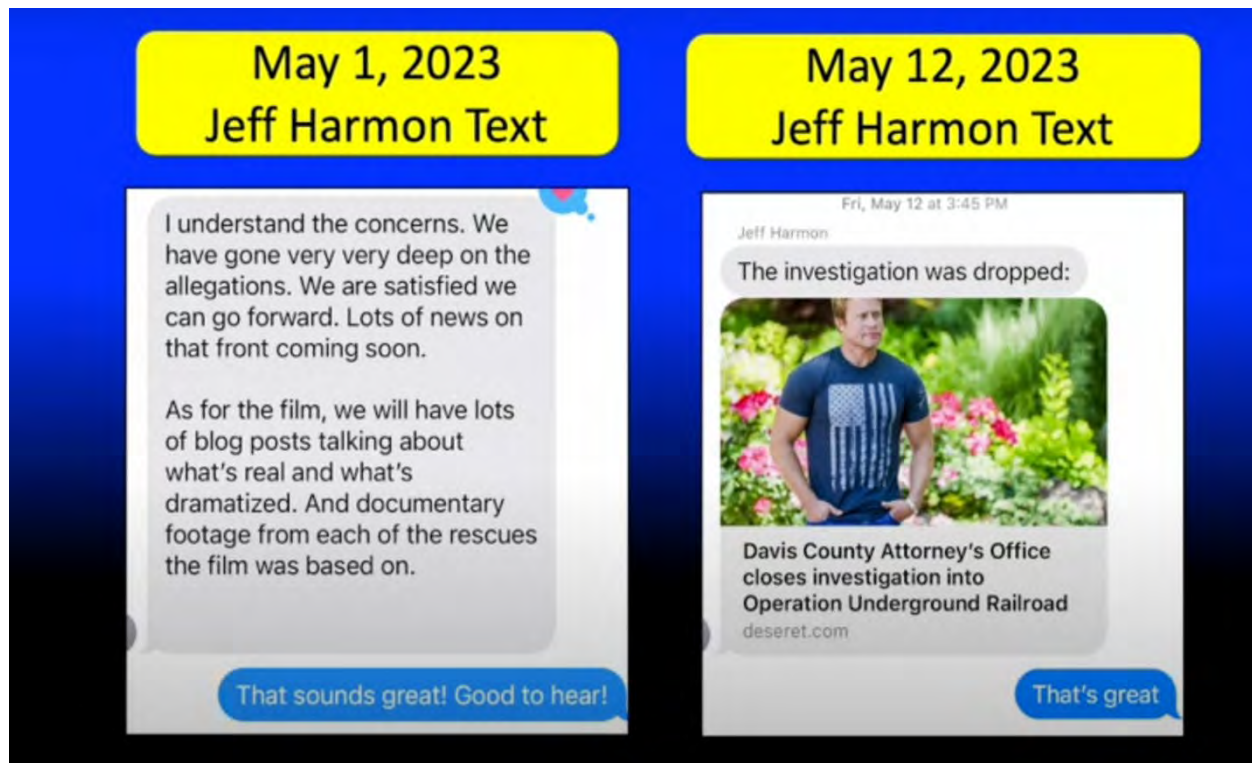
April 30, 2023

To Jeff Harmon

Sun, Apr 30 at 7:54 PM

I really am not sure about
releasing the film. Sounds like
you are already moving forward
with it next week. I didn't find it
be factual in the least and those
pieces that were maybe some
ounce of truth were so
exaggerated.
I am sad to see how it painted

I am sad to see how it painted
Tim as a Superman. I think he's a
total fraud and misguided.
I heard there will be new
accusations soon possibly from
another country. He has ran
around with some bad people
and done things in the "name of
God"
I think the movie is so well done
and shot so nicely. I understand
that you would want to have the
relation with the filmmakers too.
They are so talented. I hope it
doesn't backfire on Angel
Studios because I hope your
intentions are good. I wish you
the best and hope charges are
dropped and investigations are
finished soon so you don't face a
messy situation. Thanks for
sharing the film with me.



282. In the Spring of 2023, at about the same time as the release of *Sound of Freedom*, a female employee of OUR who had been on these Couple Ruse OPS or practices, came forward to OUR management.

283. The texts between Ballard and this woman showed that Ballard was a two-faced liar who was engaging in an adulterous grooming relationship.¹⁵

284. OUR had its own law firm, Holland & Hart, conduct an "external" investigation, which investigation verified the victims' claims.

285. OUR was set to terminate Tim Ballard.

286. The Nazarene Fund also terminated Ballard.

¹⁵ See Texts, attached hereto as Exhibit L.

287. Furthermore, in a twist of horrible irony, Paul Hutchinson's wife, Rocio, was charged with being a pedophile and is required to wear an ankle monitor.¹⁶

288. The timing could not have been worse for Angel Studios, as it had gotten thousands of investors into *Sound of Freedom*.

289. OUR was afraid of litigation with Angel Studios, and OUR expected to raise money from *Sound of Freedom*.

290. A joint plan was hatched whereby Ballard would resign, ostensibly because of the appearance of a conflict of interest with the release of *Sound of Freedom*, and he would take a very lucrative severance agreement and remain the face of OUR so it could continue to raise money.

291. As part of the plan, everyone was required to sign a NDA.

292. With his image intact, Ballard moved to The SPEAR Fund, where he is able to continue raising money from well-intentioned people wanting to end human trafficking.

293. Defendant Angel Studios was aware of these allegations against Tim Ballard for fraud, deceit, and sexual assault on multiple women, but it did not halt the release of the movie *Sound of Freedom* in order to determine whether Tim Ballard was who he claimed to be.

¹⁶ See Charging Documents, attached hereto as Exhibit M.

294. Defendant Angel Studios did not adequately perform a fact check (if any were done at all) about how it portrayed Plaintiff Kely in the movie, or about how inaccurate the movie promotional materials were about the Plaintiff Kely.

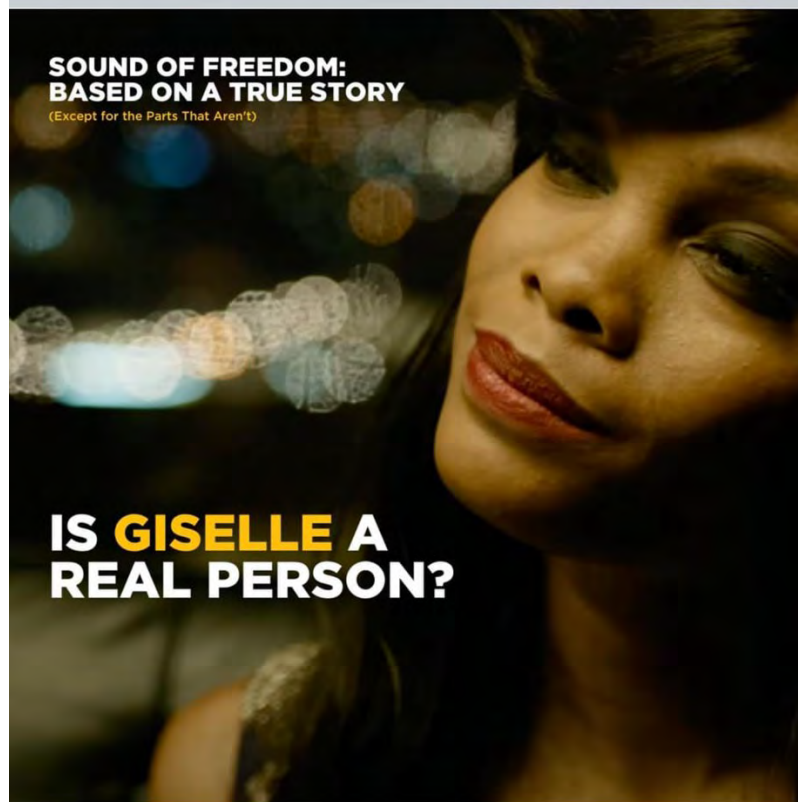
295. Instead, Defendant Angel Studios doubled down on using Tim Ballard's image as a "**HERO**", going forward with the premier of *Sound of Freedom*.

296. Angel Studios also doubled down on Plaintiff Kely's image, again painting her as a monster child trafficker, rather than one who had been trafficked by Tim Ballard for his personal gain and fame.

Giselle

In the film's opening scene, a character named Giselle, inspired by Kelly Johana Suarez, a former beauty pageant queen and model known as "Miss Cartagena," deceives a young girl and her brother. Suarez exploited her reputation in a poverty-stricken neighborhood to recruit children for sex trafficking, betraying their trust by selling them into the trade.

297. OUR also doubled down on the Plaintiff Kely, calling her "nothing short of a monster", in hopes that people who went to see *Sound of Freedom* would increase its donations to OUR:



  57

32 comments



Operation Underground Railroad

Jul 18 · 🌐



"Giselle" is based on a real person: TRUE

At the start of the film, it shows a woman named "Giselle" recruiting a young girl and her brother for what the children's father believes is a modeling opportunity. The character of Giselle is loosely based on a woman named Kelly Johana Suarez, a former beauty pageant queen and professional model in her early twenties, known as "Miss Cartagena," who really did recruit and traffic children using her credentials in Colombia.

Suarez's reputation in her home of Obrero, a poor neighborhood in the South of Cartagena, made her an effective recruiter of young girls and boys for sex trafficking. Her trusted role as a leader in her impoverished community was gained through her former beauty pageant experience and social work studies.

Beneath the surface, Suarez was nothing short of a monster. She used her good standing and credibility to lure children away from their families with promises of making them successful models, but instead, she sold them into the booming sex trade.

We hope everyone can experience this powerful movie. Although none of the profits go to O.U.R., you can still make an impact. Visit our website, OURrescue.org to make a difference.

298. Rather than tell the donors that Tim Ballard was a sexual predator, OUR remained silent, using his face and the worldwide opening tour of *Sound of Freedom* to raise money, and allowing Ballard to continue his grooming, drinking, and sexual deviancy; all on the donors' dime.

299. Rather than turn Ballard into the police for his criminal conduct, OUR paid Ballard \$618,000 and gave him a Jeep Grand Cherokee to resign from OUR.

300. Rather than stop the distribution of the movie *Sound of Freedom*, as it glorifies a sex abuser and a fraud and destroys an innocent bystander in the Plaintiff Kely, Angel Studios instead confirmed that *Sound of Freedom* would be released in 23 international markets throughout 2023.

301. Angel Films started promoting the red-carpet premier of *Sonida de Libertad* (*Sound of Freedom*) on August 12, 2023, at the Cinepolis Plaza Claro in the Ciudad Salitre Occidental, near Bogota.

302. The film was released in UAE on August 17, in South Africa, Iceland and Lithuania on August 18 and Australia and New Zealand on August 24.

303. Other countries where the film was shown include Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Belize, Panama, Colombia, Venezuela, Argentina, Uruguay, Paraguay, Bolivia, Chile, Peru, Ecuador, Costa Rica, Croatia, Bosnia and Herzegovina and Serbia on August 31.

304. In order to make the movie "believable", Ballard and Angel Studios flew Pedro across South America, promoting him as a "survivor" of the Island Raid.

305. On September 15, 2023, The Church of Jesus Christ of Latter-Day Saints publicly denounced Ballard for his immoral behavior.

306. Defendant Ballard, in an attempt to save his quickly deflating reputation, obtained a letter from his Bishop of his congregation of The Church of Jesus Christ of Latter-Day Saints to show to the press and the Catholic Speakers Organization, that he was in good standing with the Church.

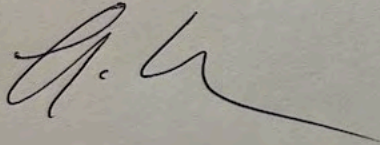
THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

Eagle Mountain Utah Cedar Pass Stake
CEDAR PASS WARD

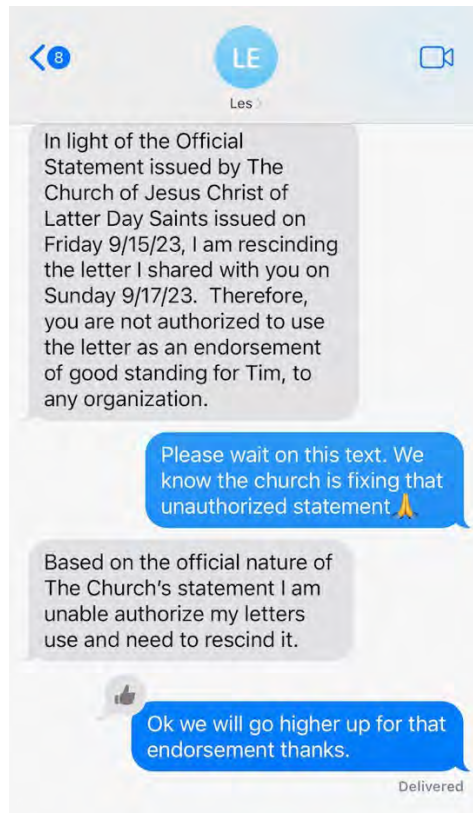
SEP 17, 2023

AFTER MEETING WITH TIM BALLARD, I FIND HIM
IN GOOD STANDING THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS.

BISHOP LES ELDREDGE



307. The Bishop later revoked the letter.



308. Mark Stott, the former CEO of OUR and former Bishop of Ballard, attempted to intervene on Ballard's behalf by going above the Bishop's head.

309. However, Ballard was excommunicated by The Church of Jesus Christ of Latter-Day Saints shortly thereafter.

310. This did not deter Angel Studios, as it raked in millions from *Sound of Freedom*, a movie that focuses on an alleged sex abuser, adulterer, drunk, drug addicted, faux child rescuer who had been excommunicated from the very community Angel Studios panders to for donations and investors.

311. The film was released in the Philippines on September 20, as well as in the United Kingdom and Ireland and in Spain on October 11, 2023

312. On that same day, The Spear Fund, Ballard, and his wife Katherine Ballard, issued a public statement, again calling Plaintiff Kely "an evil and conspiring" trafficker.

FOR INFORMATION CONTACT:
info@thespearfund.org

The Ballard Family and The SPEAR Fund Issue Statement on Anniversary of Historic Island Rescue in Colombia

(SALT LAKE CITY, UT—October 11, 2023)—The SPEAR Fund—an organization funding and defending efforts to end child-trafficking in our time—is releasing a statement on behalf of Senior Advisor Tim Ballard and his wife Katherine:

"It was 9 years ago today that 120 women and children were rescued from evil and conspiring traffickers on a remote island in Colombia, as depicted in the hit movie SOUND OF FREEDOM.

313. What started out as a way to filter "bosoms, blood and bad words" movies and shows, had devolved into Angel Studios paying for Tim Ballard to attend the premieres of the movie across the world, where he hobnobbed with the uneducated rich and famous and had press conferences where he could further spread his origin myth.

314. The most devastating of these premiers to Plaintiff Kely was in Colombia.

315. Billboards and posters showed Plaintiff Kely, aka "The Queen of Cartagena", alongside the actress that played her in the movie.



316. Plaintiff Kely's life was again turned upside down as people began calling her names, sending her hate mail, and shunning her.

317. Plaintiff Kely has been extremely traumatized by the additional new, negative publicity, which has led her to attend psychotherapy.

318. Plaintiff Kely is afraid to go out in public, and her reputation has again been ruined by the untruths and frauds of the defendants.

319. Plaintiff Kely has never been convicted of anything and remains presumptively innocent.

320. However, despite knowing that Ballard is the actual monster in this terrible ordeal, Angel Video released *Sound of Freedom* on Prime Video on December 26, 2023, giving anyone across the world access to the lies and misappropriations about Plaintiff Kely.

FIRST CAUSE OF ACTION
(Defamation Against All Defendants)

321. Plaintiff Kely incorporates the preceding allegations and the attachments to this complaint, as if fully set forth herein.

322. Defendants have published statements about the Plaintiff Kely which were false and defamatory and not privileged.

323. Had Defendants reviewed the known publicly available information about Plaintiff Kely's involvement with Operation Triple Take, it would have known that their statements and movie about Plaintiff Kely were false.

324. These statements and information were published negligently and/or with actual malice in order for Defendants to make staggering amounts of money at the expense of the Plaintiff Kely and her life in Colombia.

325. Defendants had actual knowledge the statements were false or had entertained serious doubts as to whether the statements were true.

326. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely has suffered incarceration, criminal prosecution, legal fees, severe emotional distress, permanent injury, loss of self-esteem and other injuries, all to her general damages in reasonable sums.

327. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely has incurred and will yet incur medical and therapy expenses, and lost wages all to her special damages in a reasonable sum.

328. As a direct and proximate result of the wrongful conduct of Defendants, punitive damages in a reasonable sum should be awarded.

SECOND CAUSE OF ACTION
(Injurious Falsehood v. All Defendants)

329. Plaintiff Kely incorporates the preceding allegations and the attachments to this complaint, as if fully set forth herein.

330. Defendants have published statements about the Plaintiff Kely which were false and defamatory and not privileged, claiming even after she has graduated from law school and with no conviction and a Court record demonstrating she had no involvement in any trafficking, that she was nothing less than a child trafficking monster.

331. Defendant Ballard knew from the very beginning that Plaintiff Kely was not at any of the three meetings where Operation Triple Take was planned, yet he has testified she was at the meetings.

332. Had the other Defendants reviewed the known publicly available information about Plaintiff Kely's involvement with Operation Triple Take, it would have known that their statements and movie were false about the Plaintiff Kely.

333. These statements and information were published negligently and/or with actual malice in order for Defendants to make staggering amounts of money at the expense of the Plaintiff Kely and her life in Colombia.

334. Defendants had actual knowledge the statements were false or had entertained serious doubts as to whether the statements were true.

335. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely's career has suffered, given that she has suffered incarceration, criminal prosecution, legal fees, severe emotional distress, permanent injury, loss of self-esteem and other injuries, all to her general damages in reasonable sums.

336. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely has incurred and will yet incur medical and therapy expenses, and lost wages all to her special damages in a reasonable sum.

337. As a direct and proximate result of the wrongful conduct of Defendants, punitive damages in a reasonable sum should be awarded.

THIRD CAUSE OF ACTION
(Intentional Interference with Economic Relations)

338. Plaintiff Kely incorporates the preceding allegations and the attachments to this complaint, as if fully set forth herein and more specifically.

339. Defendants intentionally interfered with both Plaintiff Kely's present and future economic relationship that Plaintiff Kely had, by branding her as a beauty queen child trafficker who traded in her fame and influence to traffic children.

340. Defendants did so by improper means by framing her and claiming that she is a child predator and monster.

341. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely's career has suffered, given that she has suffered incarceration, criminal

prosecution, legal fees, severe emotional distress, permanent injury, loss of self-esteem and other injuries, all to her general damages in reasonable sums.

342. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely has incurred and will yet incur medical and therapy expenses, and lost wages all to her special damages in a reasonable sum.

343. As a direct and proximate result of the wrongful conduct of Defendants, punitive damages in a reasonable sum should be awarded.

FOURTH CAUSE OF ACTION
(Intentional Infliction of Emotional Distress against All Defendants)

344. Plaintiffs incorporate the preceding allegations and the attachments to this complaint, as if fully set forth herein.

345. The conduct of the Defendants, as set forth herein, was outrageous and intolerable in that it offended the generally accepted standards of decency and morality.

346. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely career has suffered, given that she has suffered incarceration, criminal prosecution, legal fees, severe emotional distress, permanent injury, loss of self-esteem and other injuries, all to her general damages in reasonable sums.

347. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Luz's life and emotions have suffered greatly, as she has watched her only daughter being wrongfully incarcerated, criminally prosecuted, paying legal fees, visiting her daughter in prison day after day, week after week, month after month until she was released, and then having her be retraumatized by the reckless release of *Sound of Freedom*.

348. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiffs have incurred and will yet incur medical and therapy expenses, and lost wages all to their special damages in a reasonable sum.

349. As a direct and proximate result of the wrongful conduct of Defendants, punitive damages in a reasonable sum should be awarded.

FIFTH CAUSE OF ACTION
(Negligent Infliction of Emotional Distress against All Defendants)

350. Plaintiffs incorporate the preceding allegations and the attachments to this complaint, as if fully set forth herein.

351. The conduct of the Defendants, as set forth herein, was negligent and reckless and violated standards of care required of NGOs and media.

352. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely's career has suffered, given that she has suffered incarceration, criminal prosecution, legal fees, severe emotional distress, permanent injury, loss of self-esteem and other injuries, all to her general damages in reasonable sums.

353. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Luz's life and emotions have suffered greatly, as she has watched her only daughter being wrongfully incarcerated, criminally prosecuted, paying legal fees, visiting her daughter in prison day after day, week after week, month after month until she was released, and then having her be retraumatized by the reckless release of *Sound of Freedom*.

354. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiffs have incurred and will yet incur medical and therapy expenses, and lost wages all to their special damages in a reasonable sum.

355. As a direct and proximate result of the wrongful conduct of Defendants, punitive damages in a reasonable sum should be awarded.

SIXTH CAUSE OF ACTION
(Invasion of Privacy for False Light against All Defendants)

356. Plaintiff Kely incorporates the preceding allegations and the attachments to this complaint, as if fully set forth herein.

357. Defendants, in both its printed publicity and in the movie *Sound of Freedom*, of their portrayal of Plaintiff Kely, is highly offensive and has exposed Plaintiff Kely to hatred, contempt, or ridicule in the public eye.

358. Had Defendants reviewed documents about Plaintiff Kely's lack of involvement with Operation Triple Take, which documents are of public record and open to public inspection, they would have known that the claims about Plaintiff Kely are false.

359. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely's career has suffered, given that she has suffered incarceration, criminal prosecution, legal fees, severe emotional distress, permanent injury, loss of self-esteem and other injuries, all to her general damages in reasonable sums.

360. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely has incurred and will yet incur medical and therapy expenses, and lost wages all to her special damages in a reasonable sum.

361. As a direct and proximate result of the wrongful conduct of Defendants, punitive damages in a reasonable sum should be awarded.

SEVENTH CAUSE OF ACTION
**(Invasion of Privacy for Misappropriation of Plaintiff Kely's Name and Likeness
against All Defendants)**

362. Plaintiff Kely incorporates the preceding allegations and the attachments to this complaint, as if fully set forth herein.

363. Defendants, in both its printed publicity and in the movie *Sound of Freedom*, of their portrayal of Plaintiff Kely, used Plaintiff Kely's name and likeness erroneously and in order to earn money, and which has exposed Plaintiff Kely to hatred, contempt, or ridicule in the public eye.

364. Had Defendants reviewed documents about Plaintiff Kely's lack of involvement with Operation Triple Take, which documents are of public record and open to public inspection, they would have known that the claims about Plaintiff Kely are false.

365. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely's career has suffered, given that she has suffered incarceration, criminal prosecution, legal fees, severe emotional distress, permanent injury, loss of self-esteem and other injuries, all to her general damages in reasonable sums.

366. As a direct and proximate result of the wrongful conduct of Defendants, Plaintiff Kely has incurred and will yet incur medical and therapy expenses, and lost wages all to her special damages in a reasonable sum.

367. As a direct and proximate result of the wrongful conduct of Defendants, punitive damages in a reasonable sum should be awarded.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment against Defendants as follows:

1. For general damages in an amount to be proved at trial;
2. For special damages in an amount to be proved at trial;
3. For punitive damages against all defendants in an amount sufficient to punish them and to deter them and others in similar situations from engaging in such conduct in the future;
4. For an immediate removal and
5. For such other costs, interest, expenses, attorney's fees, and other relief the Court finds appropriate under the circumstances.

JURY DEMAND

Pursuant to Rule 38(b) of the Utah Rules of Civil Procedure, Plaintiffs hereby demand a trial by jury in this case and submit herewith the applicable fee.

DATED this ____ day of February, 2024.

ALL UTAH LAW PLLC

/s/Suzette Rasmussen
Suzette Rasmussen

GREEN LAW PLLC

/s/Michael K. Green
Michael K. Green

MORTENSEN MILNE

/s/Alan W. Mortensen
Alan W. Mortensen
Christopher J. Cheney

Plaintiffs' Address:

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