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If you do not respond to this document within applicable time limits, judgment could be entered against you as requested.

IN THE THIRD JUDICIAL DISTRICT COURT

SALT LAKE COUNTY, STATE OF UTAH

SUZANNE WHITEHEAD, Plaintiff, v. UTAH ATTORNEY GENERAL SEAN REYES, an individual; TIMOTHY BALLARD, an individual; OPERATION UNDERGROUND RAILROAD, INC., a Utah non-profit corporation; and DOES 1 through 100, Defendants.	**COMPLAINT AND JURY DEMAND (Tier 3)** Civil No.: Judge:

Plaintiff Suzanne Whitehead, by and through her counsel, hereby complains against Defendants and alleges as follows:

INTRODUCTION

1. This cause of action arises out of Defendant Utah Attorney General Sean Reyes' ("General Reyes") unconstitutional suppression of Plaintiff's right of free speech and Defendants Tim Ballard's ("Ballard") and his alter-ego, Operation Underground Railroad, Inc.'s ("OUR") conspiracy to silence a witness to Ballard's and OUR's fraud and deception.

2. This action is brought under 42 U.S.C. § 1983 to redress the deprivation of Plaintiff's clearly established rights as secured by the First Amendment to the United States Constitution.

3. This action is brought against the top individual law enforcement officer in Utah for his respective violations restraining Plaintiff's right to free speech and in causing harm to Plaintiff.

4. This Court has concurrent jurisdiction over federal questions pursuant to 28 U.S.C. §§ 1331 & 1343, and 42 U.S.C. §§ 1983 & 1988 and Utah Code § 78A-5-102.

5. Venue is proper pursuant to Utah Code § 78B-3-307.

6. 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, though Plaintiff believes that extra-ordinary discovery will be required in this matter.

THE PARTIES

7. At all relevant times, Plaintiff has been a resident and citizen of the State of Utah.

8. At all relevant times, Defendant General Reyes has been a citizen of Utah and acts as its attorney general, a constitutional officer created under Article VII, Section 1 of the Utah Constitution.

9. At all relevant times, Defendant Timothy Ballard has been a citizen of Utah.

10. At all relevant times, Defendant Underground Railroad is a Utah non-profit corporation with its principal place of business being in Salt Lake County.

11. 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

"Get too close, my words will singe ya
Mess with me, I'll get revenge, ya."
-Utah Attorney General Sean Reyes
rapping at 2016 Republican National Convention.

12. Defendant General Reyes ran for state Attorney General in 2012 against Deputy state Attorney General John Swallow and lost the primary election by a margin of 68 to 32 percent.

13. After Swallow resigned amid scandal in December 2013, General Reyes was selected by the Utah Republican Party State Central Committee as one of three candidates to fill the vacancy.

14. Utah Governor Gary Herbert appointed General Reyes to the position of Attorney General on December 23, 2013, and he remains in that office to-date.

15. According to General Reyes' web page, Reyes is the top law enforcement official in Utah, charged with protecting "consumers from those who abuse the law."

16. General Reyes claims that his office "prioritizes the protection of businesses and consumers, particularly Seniors, from white collar frauds and scams. Fraud schemes targeted at senior citizens vary in scope and scale and can come from trusted relationships or from unknown perpetrators across the country or even world."

17. In 2013, General Reyes became friends with Defendant Ballard.

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

19. Ballard claims to have worked for the Central Intelligence Agency (CIA) and as a special agent in the United States Department of Homeland Security.

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."

21. Ballard claims to be blessed by Thom Harrison, both directly and through Spear President Ken Krogue, claiming to anoint Ballard as a chosen one, not subject to the jurisdiction of government and church authorities. *See* Exhibits A and B.

22. From statements made on podcasts and at other events, General Reyes (a former Bishop) apparently believes these anointed blessings and has treated Ballard as being above the jurisdiction of governments and church authorities.

23. OUR raised money in order to have conducted multiple sting operations to purportedly rescue trafficked women and children ("OPS"), with OPS being conducted outside the United States.

24. Many of these OPS included wealthy men with no military training, who wanted an "experience vacation" where they dropped into third-world countries to rescue trafficked children, with photo opportunities and stories in the local newspapers of their heroics, all the while flying first class, basically being an expensive cosplay for donors.

25. While promotional and media materials made the OPS appear to be paramilitary drop-ins to arrest traffickers and rescue children, what most OPS consisted of was going to strip clubs and massage parlors across the world, after flying first class to get there, and staying at 5-star hotels, on boats, and at VRBOs across the globe.

26. These OPS were a fund-raising machine, though they were more show than substance, and the entire OUR enterprises were funded by donors for these OPS, many of whom held bake sales and literally donated their "widow's mite" to OUR and Tim Ballard.

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

28. As admitted to by Tim Ballard on his podcast with General Reyes produced after Ballard's departure from OUR, General Reyes gave Tim Ballard credibility and vouched that his cosplay was real.

"You got us launched because we had no credibility." - Tim Ballard to Attorney General Sean Reyes on Tim Ballard podcast. https://youtu.be/3qOqaewwYws?si=TioRueXYBkSBFNYz

29. As admitted to by Tim Ballard on his podcast with General Reyes, General Reyes acted as Tim Ballard's personal counsel and OUR's general counsel, all the while claiming to serve the people of Utah as the Attorney General.

"Man guide Us. Make sure we don't do something stupid that is going to set some horrible precedent and not allow us to work further... ." Tim Ballard to Attorney General Sean Reyes on Tim Ballard podcast. https://youtu.be/3qOqaewwYws?si=TioRueXYBkSBENYz

30. Through General Reyes' political connections and his law enforcement cover, Ballard became a character of mythical proportions with unquestioned legitimacy.

"I want to be on record today… you are the one history books should write about as being just like those great abolitionists throughout American History and our world history… ." - Attorney General Sean Reyes to Tim Ballard on Tim Ballard podcast. https://youtu.be/3qOqaewwYws?si=TioRueXYBkSBFNYz

31. General Reyes and Tim Ballard formed an LLC in order to profit from a movie they were planning (the sequel to *Sound of Freedom*, titled *Cry of Freedom*) with reasonable belief and suspicion that General Reyes is an unnamed partner.

32. General Reyes wrote his role into the screen play of *Cry of Freedom*. *See* Exhibit V for full email and manuscript.

Here is the attachment Inbox

Sean Reyes May 1, 2018

to Paul, Paul, Tim, me, Tim, Sean

My apologies!

Proposed Scene
for Cry of Freed...

W Doc

me May 1, 2018

to seanreyes2012, Paul, Paul, Tim,...

This is awesome! Love it. I'll pass it on to Alejandro....he's in Colombia right now scouting locations.....this would be great as a marketing tool for the film as well. To have you help us market it, as a guy who was actually there.

33. The proposed edits to the script were very self-aggrandizing to General Reyes.

TO:
AERIAL SHOT OF EXTERIOR UTAH
STATE CAPITOL

CUT

TO:
INT-REYES CAPITOL OFFICE- DAY
(screen title "Capitol Office of Utah
Attorney General")
DAVID REYES, early 40's – energetic –
Hawaiian/Hispanic/Asian of larger build –
former MMA fighter now elected official –
in conservative suit behind large rosewood
desk in ceremonial office—flanked by
bookshelves of law books, awards and
tribute gifts from world travels – sitting tall
and talking animatedly on the phone:

ATTORNEY GENERAL

…really, your HSI guys were critical on our
AG task force. We couldn't have arrested
Rax without your help and certainly couldn't
have prosecuted him if you hadn't deferred
deportation, Frosty! Thank you.

CUT

34. General Reyes' edits also reveal that General Reyes knew what his job was as it related to Tim Ballard and OUR in fixing their problems and giving him credibility.

FROST

And you're going to win again with like 75%, and then one day become Governor and then on to the White House. Everyone knows it. You are one of the Republican Party 4 Rising Stars for hell sakes.

ATTORNEY GENERAL

But how is my political resume going to help Ballard take down traffickers in Colombia?

FROST

Well, it's not really the takedown per se where your importance kicks in. It's if the op doesn't go so well where you would be most valuable.

ATTORNEY GENERAL

IF it doesn't go so well? The likelihood of that seems overwhelmingly HIGH.

FROST

Yes, but if anything goes wrong and he somehow survives the op and the cartels, Ballard would be crucified by our own government here. And there is nothing I could do to protect him.

ATTORNEY GENERAL

So, I become a blocker? I'm the insurance.

***

ATTORNEY GENERAL

But why do I need to be physically on the op. Can't I just make things happen from my office?

FROST

If you aren't on the op, it will be too easy to marginalize as some wacky conspiracy. With you, the feds are not going to be able to come down on him like a ton of bricks--no matter what happens. Not with the former young lawyer of the year for the United States. Rax already made you a folk hero in the human trafficking world. If the Op goes sideways, you make a couple phone calls to DC and Ballard does not get tattooed. And if the Op goes well, and some bureaucrats get jealous and try to take credit for it or undermine Tim, you make the calls and Ballard gets the praise he deserves with no DC landmines .

ATTORNEY GENERAL

You really like this guy, don't you? But he just left you for the superfriends. Why do you care so much about him, Frosty?

35. Through General Reyes, Ballard was appointed as a special advisor to Ivanka Trump in October 2017.

36. Through General Reyes, Ballard was invited by President Trump to join a White House anti-trafficking advisory board.

37. Through General Reyes, Ballard was appointed to the White House Public-Private Partnership Advisory Council to End Human Trafficking in 2019.

38. General Reyes even agreed to not run for the United States Senate, allowing his friend Tim Ballard to run, asking for Ballard's input on his statement to the press once he found out that Senator Mitt Romney was not going to run for re-election.

7:28

Sean

Wed, Sep 13 at 11:41 AM

I know TIM is testifying. Can you have him call me ASAP. This is urgent. Tell him not to make any other statements yet. If he doesn't have his phone, get this statement in front of him. We want to build up some anticipation here in Utah. If the Romney announcement happens.

I wish Senator Romney and his family the best in retirement. Over the last several years, I have been asked by many in Utah, D.C. and across the country to run for his seat whether or not he was running for re-election.

I believe I am in a great position to win that seat and could serve well as a Senator. But, after a long time consulting with my family, praying and looking at where I can make the most difference and serve most effectively, I have decided it is not in DC but here at home. So, I am announcing my run for re-election as AG in the great state of Utah.

iMessage

7:29

Sean

Wed, Sep 13 at 1:00 PM

In a media interview with TB. He will call you right away.

did he see statements.

i think they may have gone out.

I talked to Matt and Deaver before releasing

have him call asap.

He's still in this interview I can't walk out or answer as soon as he is out in just a few min I will put you on the phone.

I'm so sorry, Sean 🙏🙏

thanks

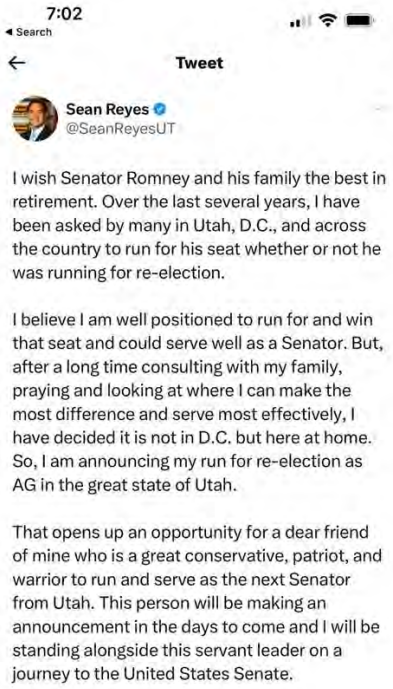
NP

I'm just excise and want to make sure he had no problem w the statement

excited

did u read statement?

iMessage



7:02

◀ Search

Tweet

Sean Reyes
@SeanReyesUT

I wish Senator Romney and his family the best in retirement. Over the last several years, I have been asked by many in Utah, D.C., and across the country to run for his seat whether or not he was running for re-election.

I believe I am well positioned to run for and win that seat and could serve well as a Senator. But, after a long time consulting with my family, praying and looking at where I can make the most difference and serve most effectively, I have decided it is not in D.C. but here at home. So, I am announcing my run for re-election as AG in the great state of Utah.

That opens up an opportunity for a dear friend of mine who is a great conservative, patriot, and warrior to run and serve as the next Senator from Utah. This person will be making an announcement in the days to come and I will be standing alongside this servant leader on a journey to the United States Senate.

39. General Reyes has repeatedly participated in alleged OPS in Colombia, Mexico, Haiti, and others, one of which was well publicized in Utah, where the COUPLES RUSE was used by Ballard at least once.

"This will be great to bring you on OPS, you are the highest ranking official, to consult us. You are one of the highest ranking officials in the USA." Tim Ballard to Attorney General Sean Reyes on Tim Ballard podcast. https://youtu.be/3qOqaewwYws?si=TioRueXYBKSBENYz

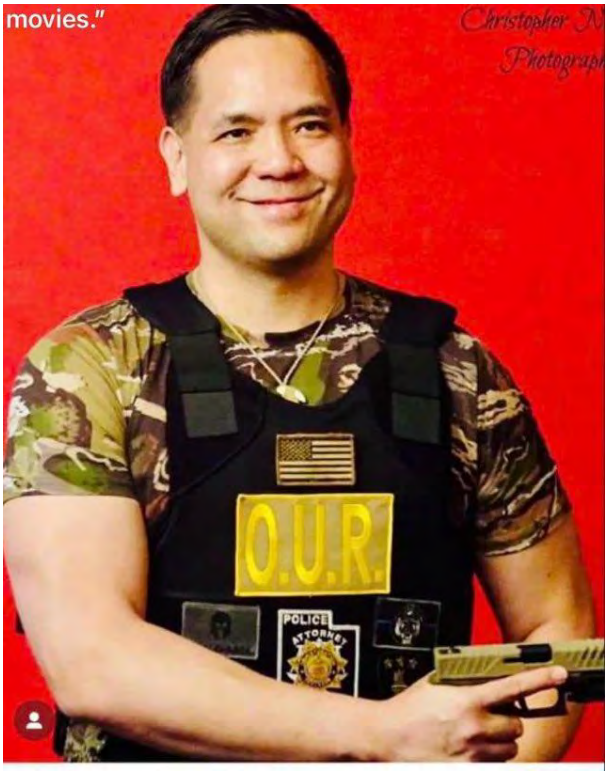
40. These OPS gave General Reyes political credibility that allowed him to act as a "blocker", quashing complaints brought against Ballard and OUR with the cover of the top law enforcement officer in the State of Utah so that Ballard could carry out his purposes to raise staggering amounts of money and funnel it for his sexual escapades and his for-profit companies.

We didn't have credibility. How is this real? … Well I was skeptical but the Attorney General of Utah said to not be that it is real… ."- Tim Ballard to Attorney General Sean Reyes on Tim Ballard podcast. https://youtu.be/3qOqaewwYws?si=TioRueXYBkSBFNYz

41. As the top law enforcement official of Utah, Reyes knew or should have known that the OPS were fraudulent to the citizens of Utah and placed the untrained operators (also citizens of the state of Utah) in danger both from Ballard's sexual appetites and from the prostitutes that Ballard was bringing into the fake OPS. *See* Exhibit W for list of escorts Tim Ballard collected for "Operation Body Guard" in Miami, Florida.

42. In fact, when the recent complaints of Ballard's sex abuse came into General Reyes' office, his staff helped Ballard deny and discredit the women who complained, as documented by a recording that is in Plaintiff's counsel's possession between General Reyes' top fundraiser and consultant.

43. As the top law enforcement officer in the State of Utah, General Reyes gave unwarranted credibility to Ballard and OUR, wearing a bullet proof vest to fund raising activities proclaiming the legitimacy of OUR and promoting the faux paramilitary image of OUR.



44. As the top law enforcement officer in the State of Utah, General Reyes gave Ballard access to the upper echelons of foreign governments. *See* Exhibit C.

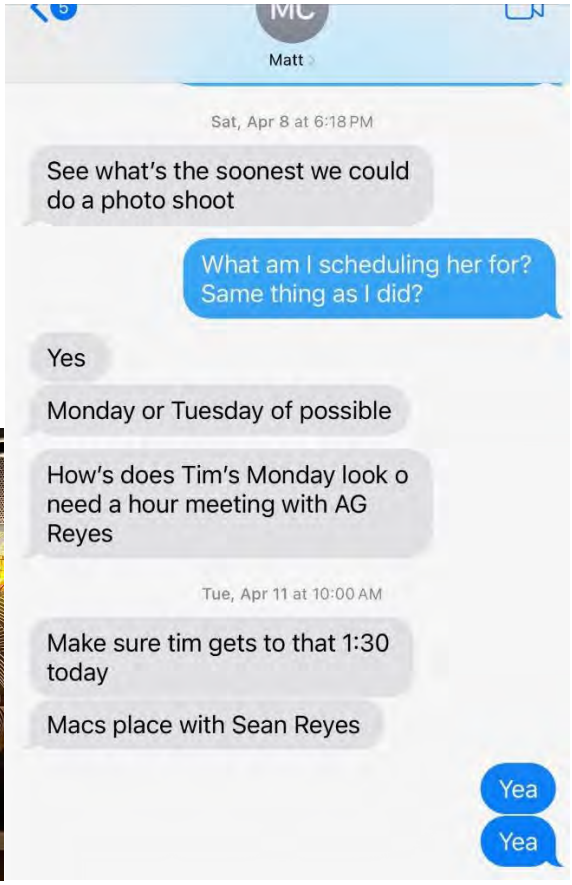
45. As the top law enforcement officer in the State of Utah, General Reyes (a former Bishop in the Mormon Church), gave Ballard access to the upper leadership of The Church of Jesus Christ of Latter-Day Saints (The Mormon Church) and General Reyes allowed Tim Ballard to publish a photo of the two of them publicly praying for a supposed OP.

46. General Reyes, as a member of the National Association of Attorneys Generals, knew that he was responsible for ensuring that OUR was complying "with legal requirements, that their assets are properly managed and spent, and that directors and officers fulfill their fiduciary obligations."

47. General Reyes is also responsible for ensuring non-profit funds are used as required by non-profit law and being accountable to the federal government and stakeholders to only use funds in accordance with their mission and 501(c)3 tax status.[1]

[1] The Utah Attorney General has authority to act against abusive non-profits such as OUR pursuant to Utah Code 16-6a-1414. However, the AG has declined to do so in this matter or even assign conflict counsel, upon plaintiff's request. This inaction further shelters OUR from appropriate regulatory enforcement.

48. General Reyes' unofficial office is Mac's Place, where General Reyes (after the person buys a membership) is given access to discuss issues with General Reyes on a leather chair that Kanye West allegedly purchased for General Reyes, much like a mob boss runs his organization in a movie.



49. General Reyes gave Tim Ballard access to the conservative media platform, including Glenn Beck, an American conservative political commentator, radio host, entrepreneur, and television producer.

50. Glenn Beck donated significant amounts of money to begin OUR and along with Reyes, (who should have been looking at arresting and prosecuting Tim Ballard after the sexual assaults and fund raising being thrown upon the citizens of the state of Utah

by Tim Ballard), became a fixer for Tim Ballard when the extent of his sexual depravity became known to the Mormon Church.

Gmail

Tim Ballard <timblainballard@gmail.com>

Nonupdate update

Glenn Beck <glb@glennbeck.com> Sat, Sep 16 at 6:31 PM
To: Tim Ballard <timblainballard@gmail.com>

Tim,
I have spoken to Elder Andersen, who is out of the country, Mike Lee a few times and Sean Reyes today.

First, Elder Andersen did not have any information that was new as he has been out of the country. He said he knew that this was urgent and would be talking to some of the Brethren and would get back to me this week. He indicated that the language of betrayal was disturbing, but he knew very little beyond this. He was very concerned about you as well as the church and promised to get back to me as soon as he heard anything. He did urge caution for everyone until we know more from the Church authorities. I urged him that time was of the essence. He understood and said he would do all he could from where he was.

Second, i spoke to mike and Sean several times today as well. I feel strongly that we KEEP OUR POWDER DRY until we know exactly what is happening with the Church. ANY false or inaccurate statements or speculation from anyone on your side Tim, again ANY, will prove deadly to the cause of Justice. I believe you should speak to Sean and Mike about an attorney outside of Utah, with NO Mormon ties to avoid conflict, that can soft pitch the idea that you are asking for the church to be clear and go through the usual church 'court' process. That it is disturbing that you found out about this the same way everyone else did. One of the things that you love about our faith is that The Lords house is a House of order. So you welcome the order to return so you may continue as a saint in Good Standing which i currently am. They and you should deny any lies that are being spread. But, (be careful here)you don't think it is a coincidence that you have been seriously considering a run for Senate as these accusations come forward. YOu pray that you your family and the church are protected from secret combinations that wish our faith and our country harm. AGAIN BE CAREFUL here.

A soft statement should be made on Monday. As we have PROOF what happened within the church. When you have the truth, when Sean has proof of what he needs, mike has what evidence he needs to prove anything political. (I might consider a credible investigator) Then and only then should you move forward.

This very well may be the first shot across the bow to let all of us know, Satan has the unrighteous placed in all high places. We need to be very strategical about any moves from here. We are playing chess now. The days behind us I fear will soon feel like we were playing candy land.

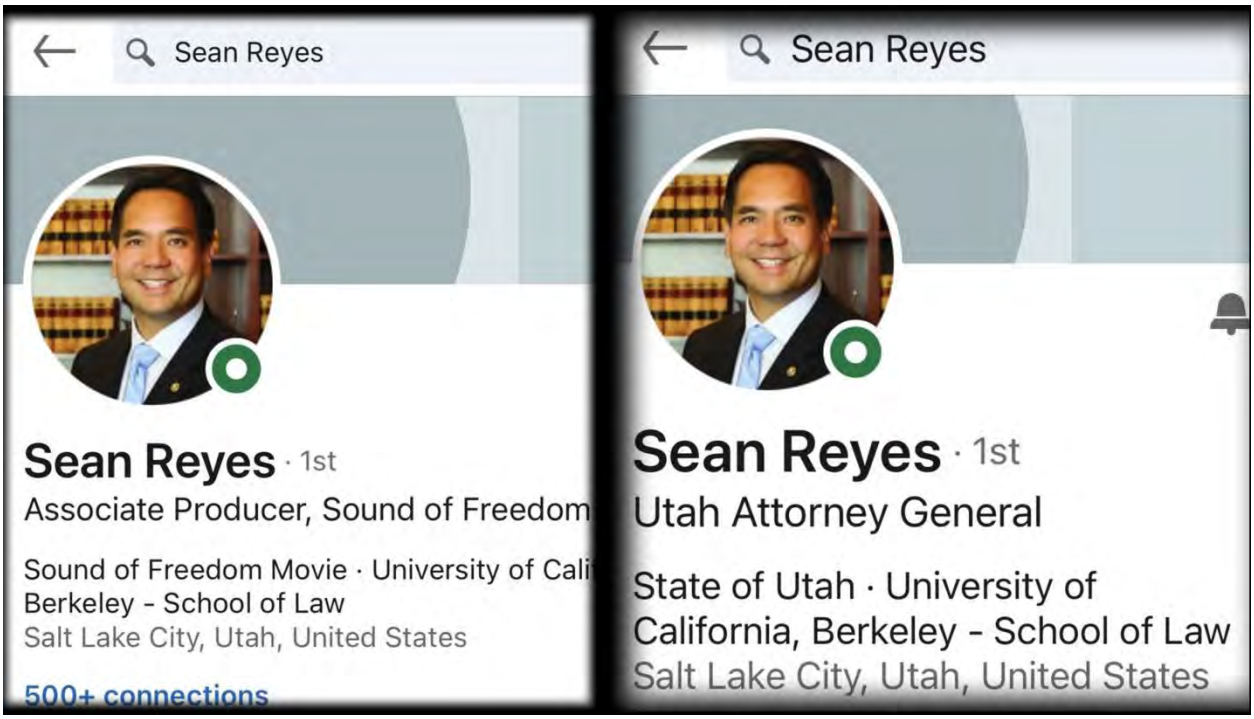
You have known the importance of your calling. The gates of hell have opened over and over for you, Kathleen and the family. Know that God loves you and is with you. Let Him be your sword and shield. He is not unaware of your plight. If the days in which we live are indeed what we think they are, The Lord will clean out his own house first.

The truth, the whole truth and nothing but the truth WILL SET US FREE and will be the only thing that will stand the purification. Let us LOVE all those that hate and persecute us. May we all be on our knees for you and your family, as well as those brothers and sisters that are lost in darkness.

Glenn Beck
If you want something you've never had.
You will need to do something you've never done.

'every leader is telling a story about what he or she values in the way they behave. When leaders choose to be positive in the face of intense adversity, the story tends to be widely shared, and often repeated.' Walt Disney

51. Documentaries were made of Tim Ballard and OUR, and in 2023, a feature film produced by Angel Studios called *Sound of Freedom* was released, with Attorney General Reyes being listed as an associate producer.



52. The film claimed 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 and OUR.

THE SOUND OF FREEDOM is a major motion picture, based on the powerful true story of Tim Ballard, an EX-CIA agent who created a dream team of special forces who conduct covert rescue-missions to save kidnapped children from slavery. Featuring a searing performance by Jim Caviezel (Thin Red Line, Count of Monte Cristo, Passion of the Christ), the film tells the unbelievable true story of Ballard's first mission, which took him from California to the war-torn jungles of Colombia, to rescue a little girl who was kidnapped and sold to a commander in Colombias' rebel army. This inspirational true story will capture your heart and lift your spirits when you see how one man risks everything to bring a ray of light and hope to the darkest corner of the world.

Official Trailer:
https://www.youtube.com/watch?v=cfn2oy9bYdM

The private screening will include a meet & greet with Eduardo Verástegui, Jim Caviezel and Tim Ballard, and food and drinks will be provided.

Immediately following the screening, please join us for a special gathering hosted by John Rich at his home. Address will be provided upon RSVP.

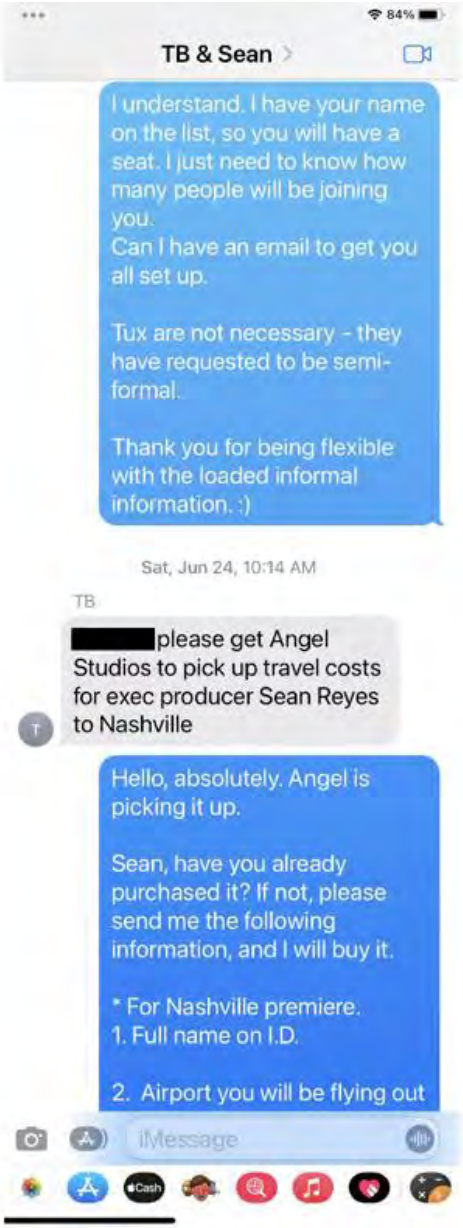
Dress code is cocktail attire.

*RSVP is required

53. General Reyes was traveling around the state(s) and across the world for premiers of the movie, including a March 29, 2023 premier in Provo, Utah; a June 14, 2023 showing at the Bronze Buffalo Resort Club in Victor, Idaho; a June 27-28 showing in Nashville, Tennessee; a July 14, 2023 showing in Lehi, Utah; a July 19, 2023 showing at Bedminster, New Jersey with the former President Donald Trump; an August 5, 2023 showing in Japan; and an August 16, 2023 showing in the Philippines.

54. General Reyes is refusing to release his calendar to the press because it is believed that it will show how little time he spends in his Attorney General position and also the locations where he spends his time.

55. Ballard confirmed that General Reyes was an associate ("executive") producer of the movie and that Angel Studios should pay for his travel to the premiers, which is believed to either require General Reyes to disclose such a financial interest to his constituents, or disclose the travel payments as a gift.

56. 

57. Ballard asked General Reyes to go with him to the *Sound of Freedom* premier in Ecuador.

83%

TB & Sean

Mon, Jul 31, 4:56 PM

Hi Sean! Yes absolutely! I need to know where they want to screen so I know what format the film needs to be sent in. How awesome!

Fri, Aug 4, 8:19 AM

TB

Sean, any way you can come to Ecuador this week . Meeting with the president and working on HT stuff and would be very helpful if u were there

Angel would cover

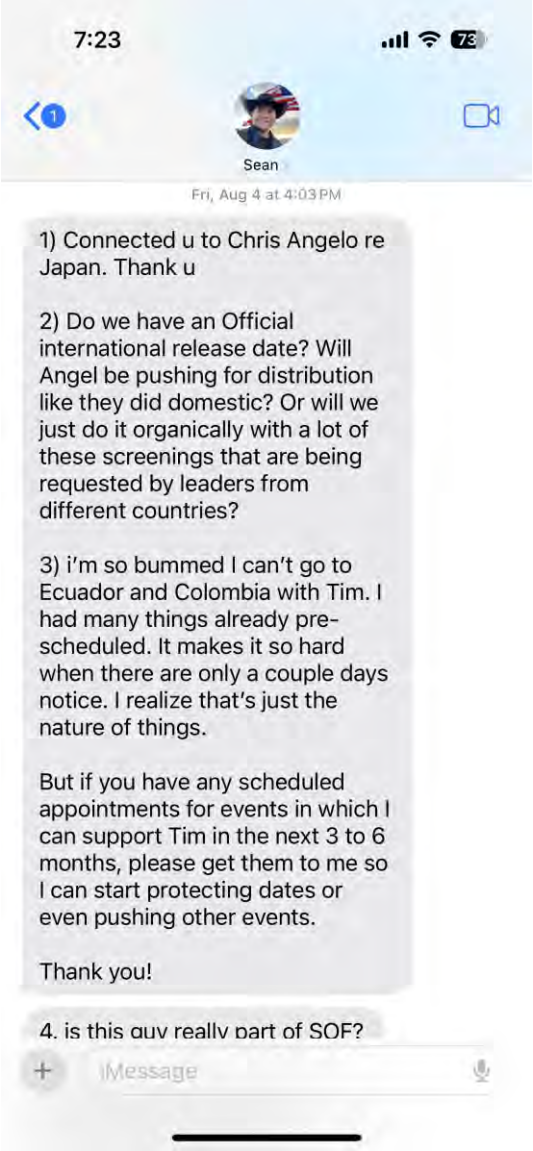
We are then going to Colombia for the Premier

Then back to Ecuador to the Canoa kids....we want to film you , me and the ministries and maybe First Lady to visit the kids we rescued there. This is how we will close out the hidden war docu series

Sean Reyes

Oh man! I'm in Spain all this coming week (fly out tomorrow) doing Peter Thiel conference that I can't push and then Morocco the following week on family vacay. I'm out Aug 5-19.

iMessage



58. General Reyes also asked for Angel Studios and Ballard to intervene with the Philippine government in order to obtain the opportunity to give a private screening to high-ranking government officials in the Philippines.

TB & Sean

Sean Reyes

Oh man! I'm in Spain all this coming week (fly out tomorrow) doing Peter Thiel conference that I can't push and then Morocco the following week on family vacay. I'm out Aug 5-19.

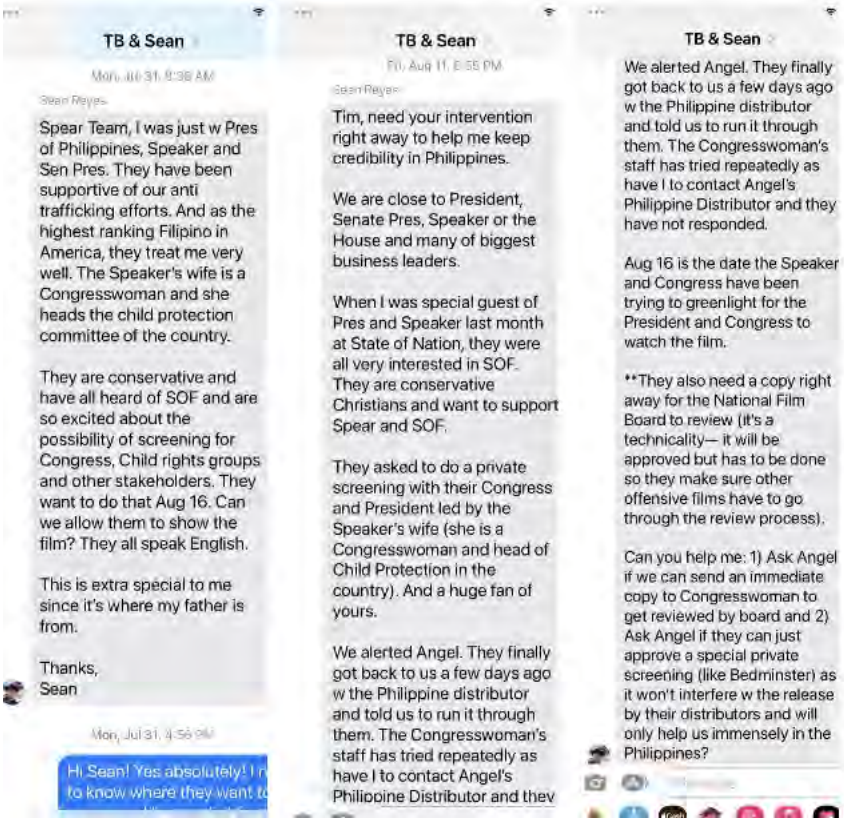
I so want to be part of hidden war, Colombia and of course see our kids. Can [redacted] send me any other opportunities you know of over next 2-3 months. I know stuff is fluid and pops up all the time. I just am overprogrammed but can work on cancelling other things if you have any dates she can give me.

*Separately, I have been working to set time for you and me to see Elon. He's been trying to re-arrange Neuralink and X meetings to get together with us.

Fri, Aug 11, 6:55 PM

Sean Reyes

Tim, need your intervention right away to help me keep credibility in Philippines.



TB & Sean

Mon, Jul 31, 9:38 AM

Sean Reyes

Spear Team, I was just w Pres of Philippines, Speaker and Sen Pres. They have been supportive of our anti trafficking efforts. And as the highest ranking Filipino in America, they treat me very well. The Speaker's wife is a Congresswoman and she heads the child protection committee of the country.

They are conservative and have all heard of SOF and are so excited about the possibility of screening for Congress, Child rights groups and other stakeholders. They want to do that Aug 16. Can we allow them to show the film? They all speak English.

This is extra special to me since it's where my father is from.

Thanks,
Sean

Mon, Jul 31, 4:56 PM

Hi Sean! Yes absolutely! I n
to know where they want to

TB & Sean

Fri, Aug 11, 8:55 PM

Sean Reyes

Tim, need your intervention right away to help me keep credibility in Philippines.

We are close to President, Senate Pres, Speaker or the House and many of biggest business leaders.

When I was special guest of Pres and Speaker last month at State of Nation, they were all very interested in SOF. They are conservative Christians and want to support Spear and SOF.

They asked to do a private screening with their Congress and President led by the Speaker's wife (she is a Congresswoman and head of Child Protection in the country). And a huge fan of yours.

We alerted Angel. They finally got back to us a few days ago w the Philippine distributor and told us to run it through them. The Congresswoman's staff has tried repeatedly as have I to contact Angel's Philippine Distributor and they

TB & Sean

We alerted Angel. They finally got back to us a few days ago w the Philippine distributor and told us to run it through them. The Congresswoman's staff has tried repeatedly as have I to contact Angel's Philippine Distributor and they have not responded.

Aug 16 is the date the Speaker and Congress have been trying to greenlight for the President and Congress to watch the film.

**They also need a copy right away for the National Film Board to review (it's a technicality— it will be approved but has to be done so they make sure other offensive films have to go through the review process).

Can you help me: 1) Ask Angel if we can send an immediate copy to Congresswoman to get reviewed by board and 2) Ask Angel if they can just approve a special private screening (like Bedminster) as it won't interfere w the release by their distributors and will only help us immensely in the Philippines?

59. It is believed that offering foreign officials as the Attorney General of Utah, a private screening of a movie in which General Reyes had a financial interest, may be a violation of the Foreign Corrupt Practices Act[2] and shows the lengths that General Reyes was willing to go to help his friend Ballard and to make money from the *Sound of Freedom*.

[2] The Foreign Corrupt Practices Act of 1977, as amended, 15 U.S.C. §§ 78dd-1, et seq. ("FCPA"), was enacted for the purpose of making it unlawful for certain classes of persons and entities to make payments to foreign government officials to assist in obtaining or retaining business. Specifically, the anti-bribery provisions of the FCPA prohibit the willful use of the mails or any means of instrumentality of interstate commerce corruptly in furtherance of any offer, payment, promise to pay, or authorization of the payment of money or anything of value to any person, while knowing that all or a portion of such money or thing of value will be offered, given or promised, directly or indirectly, to a foreign official to influence the foreign official in his or her official capacity, induce the foreign official to do or omit to do an act in violation of his or her lawful duty, or to secure any improper advantage in order to assist in obtaining or retaining business for or with, or directing business to, any person.

60. General Reyes knew well before and during all the *Sound of Freedom* globetrotting with Ballard, that Complaints about OUR and Tim Ballard had and were coming into the Attorney General's Office, and it was determined that the Davis County Attorneys' Office would conduct a criminal investigation of Tim Ballard and OUR, as the Attorney General of the State of Utah had a conflict of interest because of his involvement and support of Tim Ballard and OUR.

61. Against this backdrop of the power dynamic of General Reyes, Tim Ballard, Operation Underground Railroad and others, Plaintiff was at all relevant times, the executive director of a non-profit organization working extensively around the world to alleviate poverty through sustainable development programs and responding to global crises - one such county and project was in Nepal fighting, *inter alia*, child trafficking.

62. In 2015, a huge earthquake destroyed Nepal.

63. Plaintiff started looking at sending a crisis team to Nepal to help.

64. Plaintiff came in contact with a woman who claimed to know a lot of people and was planning an aid mission to Nepal.

65. She also told Plaintiff that she was planning on going with members of OUR to scout out potential places to put rescued girls and invited Plaintiff to join them.

66. Ed Smart travelled to Nepal on behalf of OUR.

67. Plaintiff accepted, and shortly after arriving it was clear that this woman had never been to Nepal and had no idea what she was doing.

68. Since Plaintiff and Ed Smart were only there for a short time, they split from the group after a few days all together and started evaluating shelters and the situation on

their own.

69. Plaintiff became close with Ed Smart and his travel companion and found a few rescue shelters and NGOs that they visited while in the country together.

70. Ed Smart had to leave, and Plaintiff agreed to stay a few days longer in Nepal by herself to continue the evaluation and represent the Smarts and OUR at a few more shelters and organizations Plaintiff was able to identify.

71. All of the shelters that Plaintiff contacted and visited had the same response - they could not take any more girls because they were already full and didn't have enough resources.

72. It became apparent to Plaintiff that more rescues were not needed unless aftercare and shelter was committed to and done in tandem, since there was nowhere for newly rescued children to sustainably go, and Plaintiff relayed this information to Ed Smart. *See* Exhibit D.

73. After the trip to Nepal, OUR sent out a newsletter about the trip to Nepal.

74. The newsletter explained the work the group had done in Nepal and about the Days for Girls outreach that the Plaintiff had taught at a local Nepali school while there. The newsletter incorrectly claimed that the OUR group had been working with trafficking victims, which did not happen at any time during the trip.

75. Plaintiff contacted OUR about the error in the newsletter.

76. OUR responded and claimed that it was a mistake and some "intern" had written it.

77. Plaintiff started talking to Ed Smart more about what he was trying to

accomplish in Nepal and about the discrepancies noted within the OUR organization and lack of commitment to sustainability or long-term care for rescued victims.

78. Mr. Smart told Plaintiff that he was trying to get OUR to focus on aftercare but was facing a lot of push back from Tim Ballard.

79. Mr. Smart also confided in Plaintiff that he felt that a lot of the OUR organization was dishonest; he did not feel comfortable with how Ballard operated and what was said in his movie Operation Toussaint and the presentations he gave.

80. Mr. Smart told Plaintiff he felt sick when he watched the movie Operation Toussaint because Ballard made it seem like OUR had rescued the girls in the film, but he knew someone else had rescued them.

81. Plaintiff and her coworker met with OUR a few times about working with OUR to help them vet shelters and place rescued children sustainably with quality aftercare and long-term, culturally appropriate resources and care.

82. However, nothing resulted from those discussions.

83. At that point in time, OUR hired a new director of aftercare who had insufficient experience to perform her job.

84. Being unable to get OUR to focus on recovery in a manner that Mr. Smart felt was needed, he quit his job with OUR and stopped the pending merger of The Elizabeth Smart Foundation with OUR.

85. Mr. Smart did not want to be associated with or have the Elizabeth Smart Foundation be part of an organization whose first priority was not aftercare.

86. The Plaintiff agreed with Mr. Smart, and she also lost any desire to have

anything to do with OUR in the future.

87. Mr. Smart ultimately donated, with his own funding from the Elizabeth Smart Foundation, to the Nepali shelter suggested by the Plaintiff.

88. A few months later, Plaintiff went back to Nepal and created a program there to help with rebuilding after the earthquake and to help one of the shelters.

89. At that point, a contact in the United States contacted Plaintiff and forwarded a blog post by OUR to Plaintiff, and asked, "hey isn't this your shelter?"

90. OUR had written a fake blog post about the partner shelter and the girls there.

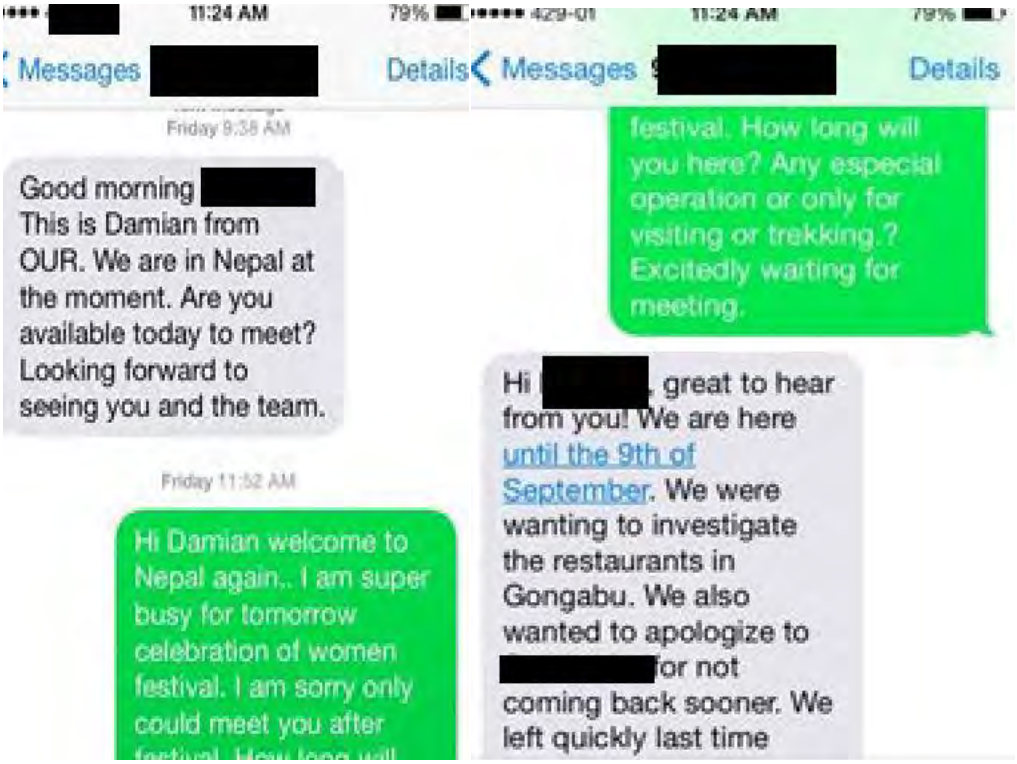
91. This post was distributed to their mailing list as a newsletter and also posted as an Instagram post to their social media. *See* Exhibit E.

92. OUR showed pictures of the shelter, which should never have been disclosed, and used the victims' real names without their consent, which was incredibly dangerous and against the shelter's policy.

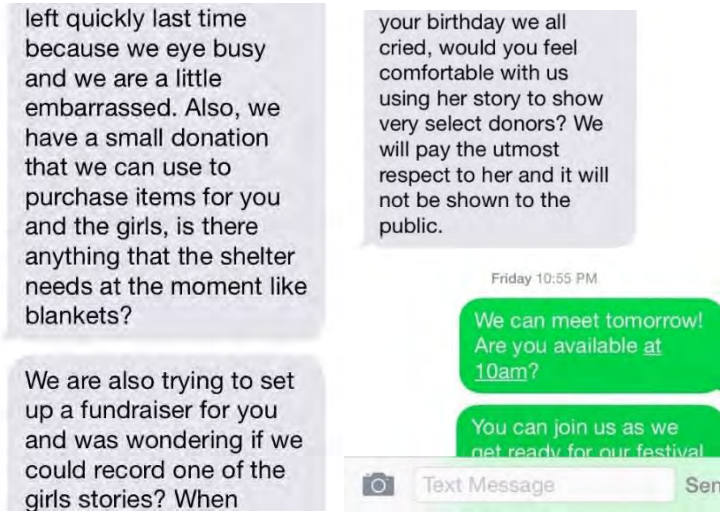
93. OUR also embellished their stories to sound worse, changing the story from the highlighted "victim" from being sexually assaulted to being sexually trafficked, even though OUR knew it to be untrue.

94. Plaintiff was incredibly angry at OUR and showed the local Nepali shelter director what OUR had done.

95. The shelter director was also angry, and she told Plaintiff that it was not a coincidence because OUR had just contacted her and informed her that they were actually back in Nepal.



96. OUR had asked the shelter if they could come by the next day to make a fundraising video of the children in the shelter's care.



97. Plaintiff and the shelter director decided to invite the OUR representatives to an event that the shelter was having the next day, so that Plaintiff and her co-worker could

confront the OUR representatives about what they had done.

98. Plaintiff, having had a previous experience with OUR's dishonesty, decided to record the conversation on her phone to have proof of what was said to them.

99. During the conversation, the three OUR representatives led by Damion confirmed that they had lied, and they started texting someone immediately to get the dishonest content taken down from their website and social media.

100. The OUR representatives blamed it on an "intern/volunteer" who misunderstood the field notes.

101. But then the OUR representatives admitted that they were ready to quit because they were so frustrated with how much OUR lies and manipulates.

102. They also admitted that the parties and things Ballard was doing were creating demand for trafficking, and that the OPS did not cost $50,000 as Ballard claimed.

103. The OUR representatives also admitted that there had been a raid in Nepal, but they had no idea where the girls "rescued" in that raid ended up.

104. The OUR representatives had come to the event because they wanted to make a private fundraising video of the girl that they had lied about in their blog/newsletter.

105. Plaintiff asked the OUR representatives, if they had rescued so many girls, why could they not just use one of those videos?

106. OUR had no answer to that question and left the event. They then texted the shelter director to apologize and try and set up another meeting with her to discuss what had happened.

Hi [redacted] Thank you so much for inviting us today, we were so honored to be a part of the celebration. We would like to meet you on Monday to offer you and [redacted] an official apology. We were genuinely heartbroken to know that OUR has done this and we're grateful that you have brought it to our attention. Please allow us to make amends. We may represent OUR as a whole but we do not

Text Message Sen

[redacted]

whole but we do not agree with everything that they do and need your assistance to help change them.

Yesterday 8:14 AM

Good morning [redacted] I hope you've had a chance to rest after the very busy days you've had! Are you free to meet quickly this morning? We really would like the opportunity to meet this morning:-)

Yesterday 9:35 AM

Text Message Send

107. The shelter was very upset with OUR as the story was "completely false" and they had re-exploited a victim and used the girl's story without permission. *See* Exhibit F.

108. The head of the shelter was very angry with OUR and had a meeting, including herself, Plaintiff's coworkers, and OUR's representatives Damien and Cody. *See* Exhibit G.

109. In that meeting, Damien admitted that OUR does not "know what they [OUR] are doing."

110. Damien also admitted that what OUR did was unforgiveable.

111. OUR learned at this meeting that the story running on the internet about this victim retraumatized the victim.

112. The head of the shelter told OUR that OUR was fraudulent and that "OUR is not working for a good cause, they are only for the fundraising and only for publicity."

113. Plaintiff was very upset about how OUR abused the delicate relationships she had cultivated over months and that this horrible thing had happened to an innocent shelter because she had originally introduced OUR to them when she came with Ed Smart.

114. Plaintiff was disgusted and embarrassed that the shelter had trusted someone she brought to them because they trusted her, and that that same group [OUR] would try to make money off and exploit the vulnerable children and staff that she deeply cared about and had personal relationships with.

115. After returning to the United States, Plaintiff felt compelled to get the truth out by posting on social media whenever OUR came up on her feeds or when she was asked if she recommended OUR, so that donors and the public could know how OUR was fraudulently operating.

116. OUR complained at the meeting with the shelter director and Plaintiff's coworkers that she [Plaintiff] was making "this even worse…" by speaking up about it.

117. The head of the shelter defended Plaintiff from OUR's attacks, saying that "she's helping to us 24 hours, she's wearing our Nepali clothes, she's eating our Nepali food …."

118. The head of the shelter demanded "an official apology from OUR to the victim in their official blog."

119. Tim Ballard at first acted humbly, accepting responsibility. *See* Exhibit H.

120. In fact, Ballard offered the shelter $5,000 to cover up the fact that they re-exploited this young woman, to which the head of the shelter declined the money and responded, "Sorry, our girls are not for sale," which is strikingly similar to the *Sound of Freedom* slogan that "God's children are not for sale."

121. OUR had promised assistance to the shelter more than once before, but never followed through, saying it needed to make more content of their children in order to raise money to then donate to them and help them in the future.

122. However, behind Plaintiff's back, Ballard was going into full attack mode with Plaintiff's supervisor, which caused significant anxiety and embarrassment to Plaintiff. *See* Exhibit I.

123. Plaintiff followed Ballard on a Facebook live presentation, where he promised viewers that he knew where every single rescued girl was located.

124. As Plaintiff knew from Nepal, where his own "jump team"[3] had just told her they had lost the girls right after the raid, Plaintiff knew this was a lie and she commented that in the Facebook live comments.

125. Others began reporting their experiences with OUR by responding that OUR was dishonest.

126. OUR representatives immediately called Plaintiff's office to confirm that Plaintiff was actually an employee of the non-profit she was working for.

127. The OUR representative on the phone laughed and told Plaintiff's employer that she had just committed a huge mistake.

128. OUR claimed that Plaintiff had lied in front of thousands and needed to make a public apology or that OUR would take legal action against her.

129. The board chair of Plaintiff's employer was a lawyer, and at first, he agreed that the truth should come to light.

130. However, after seeing the threats and engaging with OUR in private conversations without the Plaintiff, he changed his stance and said he did not want to engage in costly litigation to fight the great Tim Ballard and OUR.

131. Plaintiff was instructed that she should just focus on finding a way to work together and try to play nice to help OUR do better work to help the people around the world and causes Plaintiff cared about.

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[3] A jump team is another one of Tim Ballard's psuedo James Bond/pretend operator-type fantasy words; he and OUR used this language to try and bring credibility to their kabuki theater and cosplay.

132. Plaintiff's supervisor said OUR was too big to take on in a fight and that he wanted to just smooth things over with OUR.

133. Ballard went to lunch with Plaintiff's supervisor a few times and became "buddies" and promised him that he would shut Plaintiff up.

134. Plaintiff was traumatized and scared, watching girls get re-exploited by an organization claiming to save them and being constantly contacted by the shelter to stand up for them since they could not do anything from Nepal about what had been done to them.

135. Plaintiff's supervisor required her to apologize to Ballard for her posts. *See* Exhibit J.

136. The relationship between OUR and Plaintiff's organization deteriorated. *See* Exhibit K.

137. The next year, Plaintiff was in Uganda when someone messaged her OUR's latest blog post.

138. The blog post was about how OUR had painted a shelter and had done a rescue in Uganda.

139. With Plaintiff's knowledge from Nepal, she was convinced that she would find OUR's lies in that blog post.

140. From the pictures and directions in the blog post, Plaintiff was able to find the spot and talk to the staff of the organization OUR claimed to be working with.

141. The organization was one that rescued children from child marriages and child sacrifice, but not sex trafficking.

142. The staff at the organization did not know anything about OUR, and the building they painted was an empty building.

143. Plaintiff was finally able to talk to the finance person of the organization, who confirmed that someone from OUR had come through and had paid for a tank of gas to drive to the teenage girl's home and pick her up to take home and was supporting the girl's school fees that they [the organization] had taken from the marriage, totaling a few hundred dollars.

144. This was a far cry from the $50,000 -$100,000+ raid that Tim Ballard was claiming online and telling everyone Plaintiff was lying about.

145. Later, Plaintiff fell in love with and became engaged to a foreign national who was a refugee.

146. Plaintiff and her fiancé began the process of obtaining immigration status with a visa that should have taken an estimated five to eight months.

147. During this time, OUR started exploding on Plaintiff's social media timelines as Ballard had started to capitalize on the "save our children" bandwagon.

148. Having personal, firsthand knowledge of the deceitful tactics and misuse of funds by OUR, Plaintiff rightfully believed her personal integrity was compromised if she looked like she supported OUR on her social media.

149. Plaintiff was receiving constant messages, asking if she supported and recommended OUR as an organization to trust and donate to.

150. This was a very upsetting moral dilemma for Plaintiff, who felt that she could not ignore the incoming inquiries of well-intentioned people genuinely wanting to help children escape trafficking.

151. Plaintiff shared that she did not have good personal experiences with OUR and she did not trust or recommend it.

152. Plaintiff grew increasingly frustrated with OUR's fundraising and exploitation of and lies to the well-meaning people in her community as they [OUR] were stealing from people who thought they were donating to saving sex trafficking victims, so Plaintiff responded to a few tweets that she saw. *See* Exhibit L.

153. The next day Plaintiff got an email from OUR, threatening her for speaking ill of OUR and demanding her to stop and to respond so OUR could "decide their next steps".

Emily Evans Jul 26, 2020

Dear

I am deeply saddened to continue to see you speak or "tweet" ill of our organization on public platforms. If you have questions about what we do, how we do it or more importantly if you have genuine concerns, we welcome a conversation. Please come meet with our team. We pride ourselves on being transparent with everything we do. However, this is nothing new to you as we have extended this same invitation to you several times before starting back in 2016. You know that the door is open, but you still find it easier to tweet behind a screen how we put out "damaging and inaccurate PR" and how we are "lying".

We are two non-profits trying to bring good into this world. Please we ask that you stop this behavior.
I look forward to hearing back from you so we can decide next steps.

Best,
Emily

EMILY EVANS
Sr. Marketing & PR Director

E emily@ourrescue.org
Operation Underground Railroad

10:11
Suz
4,181 Tweets
Tweets Tweets & replies Media Likes

154. The OUR representative attached a screenshot of Plaintiff's tweet from that week, and included screenshots of all her comments from the previous conflict years earlier, which was extremely unsettling knowing Plaintiff was being watched and stalked on various platforms by numerous unknown OUR staff and supporters, and that materials were being compiled over multiple years to threaten and use against her.

155. Plaintiff was scared to receive this email.

156. After the huge, traumatic conflict and stress with OUR before, Plaintiff decided to call her board to ask for direction on what to do.

157. It was decided that Plaintiff would ignore the email.

158. A few days later, Plaintiff's board chair got a disturbing phone call and text from a person named Vess Pearson, saying he wanted to talk about Plaintiff's organization.

159. Plaintiff was trying to stay positive that perhaps it was a new opportunity for a donation or partnership.

160. Plaintiff's supervisor worried it was someone sent from OUR.

161. Vess Pearson claimed he had a lot of money that maybe he would be willing to donate to Plaintiff's organization, but that his funding would depend on if they "could figure out a way to work together" and could come to an agreement about Plaintiff agreeing to stop talking bad about another place he donated to, which was OUR.

162. Mr. Pearson said that he refused to stand back and watch Plaintiff try to destroy OUR's "good" name.

163. Mr. Pearson repeatedly kept texting and calling Plaintiff's supervisor for weeks, demanding that he speak with Plaintiff and fix the problem, and if they could not come to an agreement with OUR, OUR would be forced to highlight Plaintiff and her organization in their new documentary as villains against the cause and explain to the world that Plaintiff had evil motives and hated children.

164. Mr. Pearson said that Ballard had shown him all of Plaintiff's previous complaints about OUR, and that Plaintiff was at fault and had to be stopped.

165. At that point in time, just as described by Ballard on his podcast, General Reyes went to work to silence Plaintiff by intimidation that he had access to even the President of the United States.

"Thank you for when we get back home, you run interference for us…" - Tim Ballard to Attorney General Sean Reyes on Tim Ballard podcast. https://youtu.be/3qOqaewwYws?si=TioRueXYBkSBFNYz

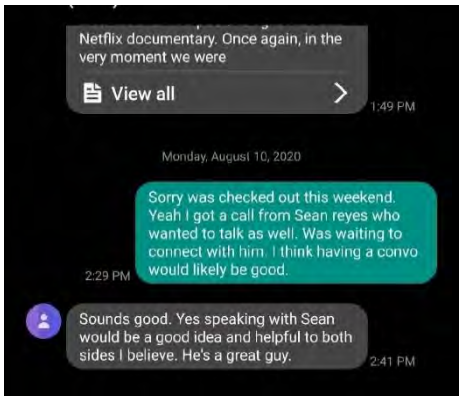
166. Plaintiff's supervisor (who is not a Utah resident) then received a call from Defendant Attorney General Sean Reyes.

167. Plaintiff's supervisor did not answer, so General Sean Reyes texted him saying he wanted to talk about "finding a way to work together", which is the common repeated phrase in all exchanges with OUR threats.

This is Utah Attorney General Sean Reyes. I tried to call but vm is full. Would love to talk for a few mins about how we can work together more on the anti-human trafficking fight. Just came back last night from the White House and many discussions about the fight. Please let me know if you have some time tonight or tomorrow.

Best,
Sean

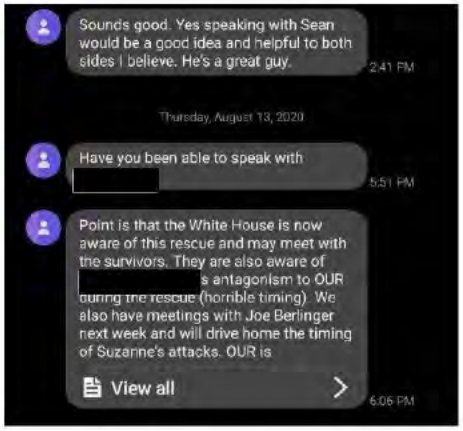
168. Plaintiff's supervisor was again contacted and harassed by Mr. Pearson, and Plaintiff's supervisor told him that he did not want to talk to him again until he talked to General Reyes. Mr. Pearson agreed that speaking with General Reyes "would be a good idea and helpful to both sides".



169. Plaintiff's supervisor tried to call General Reyes back a few times but was never able to get on the phone with him.

170. Once the text message was sent from the Utah Attorney General and the intimidation delivered, General Reyes never called Plaintiff's supervisor back.

171. Pearson again began attacking Plaintiff to her supervisor, emphasizing that the White House was involved and was aware of Plaintiff's "antagonism to OUR…" *See* Exhibit M.



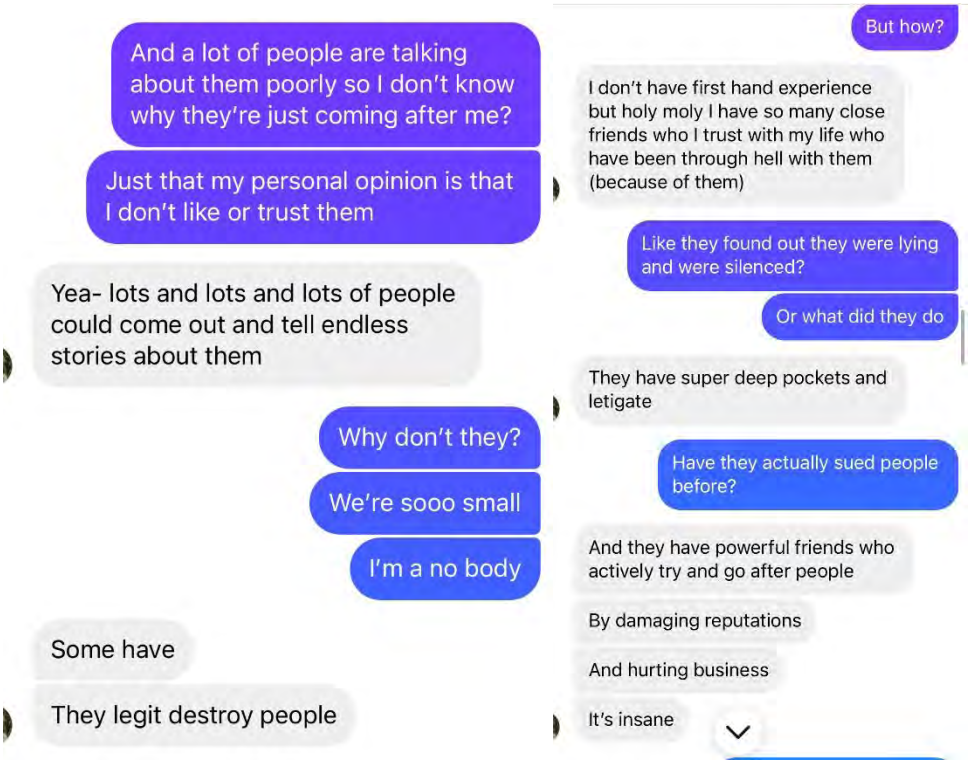
172. Pearson contacted Plaintiff to emphasize that he had the White House (as also claimed by General Reyes) and Utah's Attorney General ready to crush Plaintiff and impede her using the legal process to bring her refugee husband to the United States. *Id.*

173. At this point in time, Plaintiff was humiliated and scared by Ballard and General Reyes, as she was deprived of her first amendment right of free speech in declaring that Tim Ballard and OUR were frauds and had exploited people she personally knew and loved.

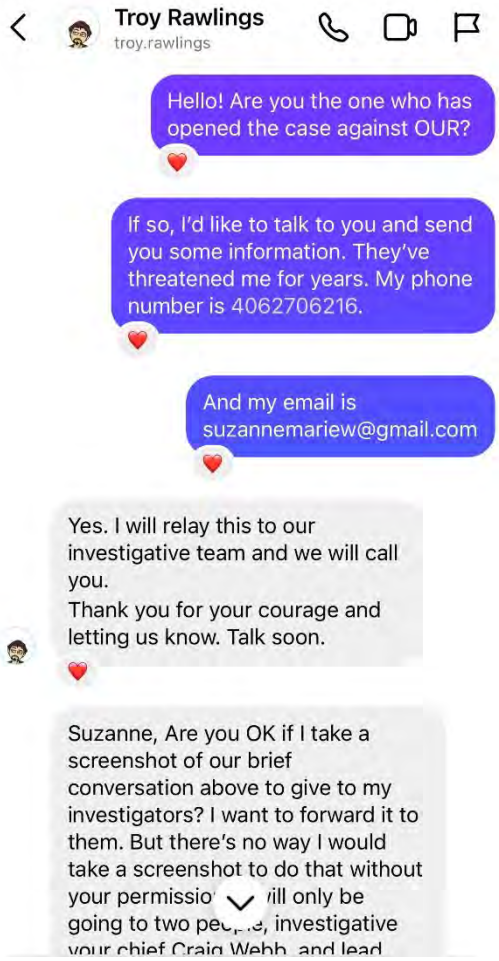
174. It was then that Plaintiff heard of the Davis County Investigation against OUR and that she may receive protection by joining the investigation.

175. Plaintiff was also multiple years into her husbands' immigration case and waiting on the federal government, so the threats of the White House were exceptionally

emotionally traumatizing to continue being deprived of being with her partner and starting a family.



176. Plaintiff reached out to the Davis County Investigation team. She told them that she had been threatened for years, about her experience with OUR and Tim Ballard's dishonesty, their attacks about her, and what OUR was doing in Nepal and other countries, such as Uganda.


Troy Rawlings
troy.rawlings
Hello! Are you the one who has opened the case against OUR?
If so, I'd like to talk to you and send you some information. They've threatened me for years. My phone number is 4062706216.
And my email is suzannemariew@gmail.com
Yes. I will relay this to our investigative team and we will call you.
Thank you for your courage and letting us know. Talk soon.
Suzanne, Are you OK if I take a screenshot of our brief conversation above to give to my investigators? I want to forward it to them. But there's no way I would take a screenshot to do that without your permissio
ill only be going to two pe
, investigative
your chief Craig Webb, and lead

Troy Rawlings
troy.rawlings

Yes that's fine

Thank you! I will do that and send that to them so I can talk to them right away. You are not alone, we have had a number of people reach out wanting to talk to us.

If I can ask, If the investigation stops, can they still come after me for saying anything?

Or anything I say to the police they can't try to destroy me for

No

If they try to stop you from talking to a criminal investigation, there is a felony in Utah called witness tampering the road apply to that. If they tried to retaliate against you after cooperating with us, there's another felony for that called retaliating against a witness, victim or informant. They cannot legally stop you from cooperating with a criminal investi[illegible]n, it's a crime if they try to. Eve[illegible]n an NDA, and NDAA does not allow them to

Troy Rawlings
troy.rawlings

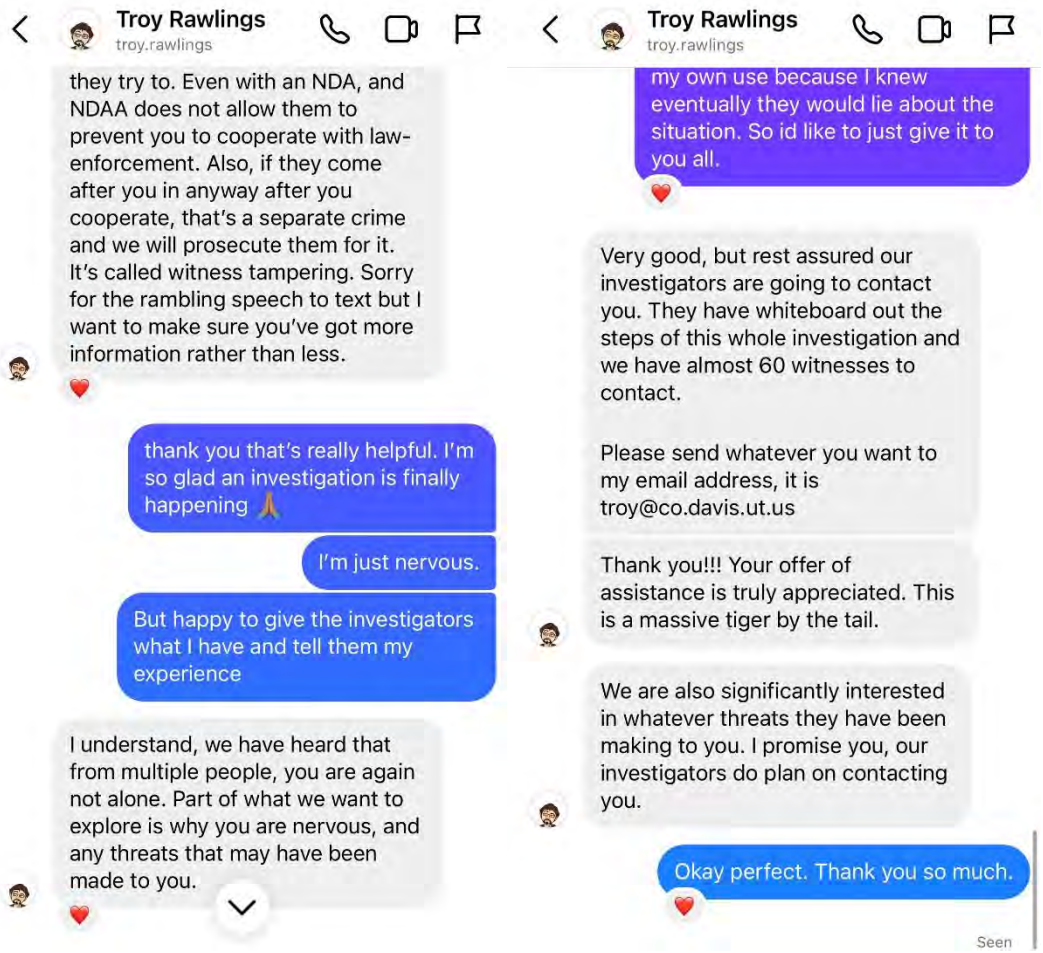
OCT 13, 2020

Hello! Sorry to bother you, but I'd really like to share my experience with someone - even if it's just to send over the recorded convos I have with the jump teams. I'm sure your team has been busy, but I'm happy to just email over what I have and if it's useful they can contact me.

I've never known what to do with them, and recorded them mostly for my own use because I knew eventually they would lie about the situation. So id like to just give it to you all.

Very good, but rest assured our investigators are going to contact you. They have whiteboard out the steps of this whole investigation and we have almost 60 witnesses to contact.

Please send whatever you want to my email address, it is troy@co.davis.ut.us



177. The Davis County Attorneys' office issued a subpoena to Plaintiff for her to provide certain documents and testimony related to its investigation of OUR. *See* Exhibit N.

178. At this same time, others who had made complaints against OUR and Tim Ballard (at least one critical and highly credible witness), began withdrawing their complaints based upon fear of retribution by OUR and Tim Ballard, thus impeding the Davis County Investigation. *See* Exhibit O.

179. Plaintiff was very worried about General Reyes' involvement with the Davis County Investigation, and her anxiety worsened as she learned that the documents and

her report to Troy Rawlings were not found in the Davis County Investigation files. *See* Exhibit P.

180. Plaintiff became very nervous, which anxiety was justified as both Plaintiff and Troy Rawlings were threatened with a lawsuit by OUR and Tim Ballard, and OUR and Tim Ballard hired a law firm in San Fransisco to sue Troy Rawlings. *See* Exhibit Q.

181. Documents from OUR revealed that OUR and Tim Ballard were aware that the Davis County Investigation had evidence that Ballard failed his CIA polygraph test, was on an unpaid intern at the CIA and was fired from the CIA. *See* Exhibit R at p. 6, ¶ 58 (b).

182. According to OUR's own internal documents, OUR and Tim Ballard were aware that eight different women had complained to the Davis County Investigation that Ballard had engaged in sexual affairs with them. *Id.* at p. 6, ¶ 58 (a).

183. According to OUR's own internal documents, OUR and Tim Ballard were aware that Katherine Ballard (Tim Ballard's wife) had tampered with witnesses to impede them from cooperation with the Davis County Investigation. *Id.* at p. 7, ¶ 58 (f).

184. According to OUR's own internal documents, Troy Rawlings also believed that General Reyes "was guilty of witness tampering."

185. According to OUR's own internal documents, Rawlings alleged to have written communications from AG Reyes to a witness requesting the witness "not to cooperate with Rawlings in the Investigation." *Id.* at p. 7, ¶ 58 (h).

186. OUR went to its de facto general counsel, Sean Reyes, and asked that a special prosecutor be appointed to prosecute Troy Rawlings. *See* Exhibit S.

187. Troy Rawlings went to Attorney General Sean Reyes and informed him of OUR's threat to sue him, which General Reyes immediately informed Tim Ballard and OUR of Troy Rawlings' concerns and deemed Mr. Rawlings' statements as "false." *See* Exhibit R at p. 5, ¶ 49.

188. Even as more fraud complaints came into General Reyes, he would immediately send them to Tim Ballard on his personal email. *See* Exhibit T.

189. At this time, Tim Ballard was ignoring his in-house counsel's advice that what he was doing was illegal and unethical and could subject him to criminal liability from the Davis County Investigation and the Department of Justice, and instead, was listening to the advice of General Reyes and others about his actions and what was appropriate. *See* Exhibit U.

190. Given the power and magnitude of General Reyes' tentacles in all aspects of Utah law enforcement, government, the private sector and the Mormon Church, and his complete lack of willingness to defend the State of Utah and its citizens from the fraud that is Tim Ballard, the Plaintiff was unable to exercise her constitutionally protected First Amendment free speech rights to speak the truth about the injustices perpetuated by OUR and Tim Ballard.

FIRST CAUSE OF ACTION
42 U.S.C. § 1983 – First Amendment Violation

191. The conduct by the Defendant Attorney General Sean Reyes towards Plaintiff constituted an abridgment of Plaintiff's First Amendment of the United States Constitution, and clearly established law.

192. At all relevant times, Defendant was acting under color of state law, as an agent of the State of Utah, and within the scope of his employment and authority as duly elected/certified law enforcement officer.

193. As a result of Defendant's unjustified abridgment of Plaintiff's free speech rights, Plaintiff experienced emotional pain and suffering.

194. As a direct and proximate result of the acts and omissions described herein, Plaintiff has incurred compensatory and special damages as defined under federal common law, in an amount to be determined by a jury.

195. Punitive damages are available against the Attorney General and are hereby claimed as a matter of federal common law under *Smith v. Wade*, 461 U.S. 30 (1983).

196. Plaintiff is entitled to reasonable attorneys' fees and costs under 42 U.S.C. § 1988.

SECOND CAUSE OF ACTION
(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS)

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

198. To the extent that General Reyes claims his actions towards Plaintiff were done outside the scope of his Attorney General duties, General Reyes is responsible for his conduct as a member of the Operation Underground Team.

199. Defendants' conduct described above was done intentionally to harass and cause emotional harm to Plaintiff, and it was done with the knowledge and Defendants OUR's management and board members.

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

201. As a direct and proximate result of the wrongful conduct of said Defendants, Plaintiff has suffered severe emotional distress, permanent injury, loss of self-esteem and other injuries, all to her general damages in reasonable sums.

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

THIRD CAUSE OF ACTION
(NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS)

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

204. To the extent that General Reyes claims his actions towards Plaintiff were done outside the scope of his Attorney General duties, General Reyes is responsible for his conduct as a member of the Operation Underground Team.

205. Defendants' conduct described above was done negligently to harass and cause emotional harm to Plaintiff, and it was done with the knowledge and Defendants OUR's management and board members.

206. As a direct and proximate result of the wrongful conduct of said Defendants, Plaintiff has suffered severe emotional distress, permanent injury, loss of self-esteem and other injuries, all to her general damages in reasonable sums.

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

PRAYER FOR RELIEF

1. Plaintiff prays for a money judgment consisting of compensatory, special, and punitive damages, together with attorneys' fees and costs under 42 U.S.C. § 1988 and prejudgment interest.

2. Plaintiff prays for such other and further relief as the Court deems just and proper.

JURY DEMAND

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

DATED this 27th day of November, 2023.

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
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