

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

PRESIDENT DONALD J. TRUMP,
an individual,

Plaintiff,

v.

CBS BROADCASTING INC., a
New York corporation and CBS
INTERACTIVE INC., a Delaware
corporation,

Defendants.

Case No.: _____

COMPLAINT

JURY TRIAL DEMANDED

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

NATURE OF THE ACTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

THE PARTIES

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

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

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

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

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

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

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

JURISDICTION AND VENUE

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

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

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

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

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

FACTUAL ALLEGATIONS COMMON TO ALL CLAIMS FOR RELIEF

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

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

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

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

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

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

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

60 Minutes and the Interview

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

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

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

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

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

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

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

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

Id.

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

The Broadcast Distortion Complaint

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

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

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

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

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

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

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

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

‘60 Minutes’ becomes ‘21 Minutes’

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

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

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

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

CLAIM FOR RELIEF

COUNT I

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) CBS’s misconduct “caus[ed] confusion or misunderstanding” to millions of Americans, and in particular residents of Texas, “as to the source, sponsorship, approval, or certification of” CBS’s broadcast “services,” rendering it impossible for even the most discerning viewers to determine whether the *60 Minutes* interview was independent journalism or de facto advertising for the Kamala Campaign;
- (b) CBS’s misconduct “caus[ed] confusion or misunderstanding as to” CBS’s “affiliation, connection, or association with” Kamala and her Campaign and caused “confusion or misunderstanding” as to the Interview’s “certification by” CBS given its legal obligation to broadcast news in a non-distortive manner; and

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

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

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

DEMAND FOR JURY TRIAL

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

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

- (a) On Count One, compensatory damages in an amount to be determined upon the trial of this action but greater than \$75,000.00 and approximated at \$10,000,000,000.00;
- (b) On Count One, an order enjoining CBS's ongoing false, misleading, and deceptive acts;
- (c) The attorneys' fees and costs associated with this action; and
- (d) Such other relief as the Court deems just and proper.

Date: October 31, 2024

Respectfully submitted,

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

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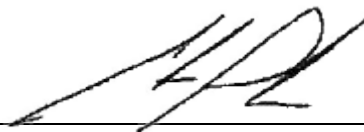
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