

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,  
MARISSA BLAIR, APRIL MUNIZ,  
HANNAH PEARCE, MARCUS MARTIN,  
NATALIE ROMERO, CHELSEA  
ALVARADO, and JOHN DOE,

Plaintiffs,

v.

JASON KESSLER, RICHARD SPENCER,  
CHRISTOPHER CANTWELL, JAMES  
ALEX FIELDS, JR., VANGUARD  
AMERICA, ANDREW ANGLIN,  
MOONBASE HOLDINGS, LLC, ROBERT  
“AZZMADOR” RAY, NATHAN DAMIGO,  
ELLIOT KLINE a/k/a/ ELI MOSLEY,  
IDENTITY EVROPA, MATTHEW  
HEIMBACH, MATTHEW PARROTT a/k/a  
DAVID MATTHEW PARROTT,  
TRADITIONALIST WORKER PARTY,  
MICHAEL HILL, MICHAEL TUBBS,  
LEAGUE OF THE SOUTH, JEFF SCHOEP,  
NATIONAL SOCIALIST MOVEMENT,  
NATIONALIST FRONT, AUGUSTUS SOL  
INVICTUS, FRATERNAL ORDER OF THE  
ALT-KNIGHTS, MICHAEL “ENoch”  
PEINOVICH, LOYAL WHITE KNIGHTS OF  
THE KU KLUX KLAN, and EAST COAST  
KNIGHTS OF THE KU KLUX KLAN a/k/a  
EAST COAST KNIGHTS OF THE TRUE  
INVISIBLE EMPIRE,

Defendants.

**Civil Action No. 3:17-cv-00072-NKM**

**PLAINTIFFS’ REPLY TO DEFENDANT CANTWELL’S RESPONSE IN OPPOSITION  
TO ATTORNEYS WOODARD’S AND KOLENICH’S MOTION TO WITHDRAW AS  
COUNSEL**

On July 2, 2019, Plaintiffs filed a Motion to Enjoin Defendant Cantwell from Making Unlawful Threats Against Plaintiffs and Plaintiffs' Counsel ("the Motion"). (ECF No. 511.) On July 25, 2019, Mr. Cantwell's attorneys moved to withdraw from representing him based, in part, on the threats that gave rise to the Motion. (ECF No. 530.) Yesterday, nearly three months after Plaintiffs filed the Motion, Mr. Cantwell filed a response. (ECF No. 560.) We write to draw the Court's attention to the fact that, three days before filing his response, Mr. Cantwell addressed precisely the same topics on his virulently anti-Semitic talk show, the "Radical Agenda." (*See* "Radical Agenda S05E071 – Global Climate Psych," Sept. 21, 2019, *available at* <https://www.bitchute.com/video/3U1KrXUg8Miv/> ("Cantwell Podcast").) His comments on these issues begin at 00:58:45. (*Id.*) We have included a transcription for the Court's convenience. (Ex. 1 (Transcript, Radical Agenda Podcast Episode S05E071, Sept. 21, 2019).) Characteristically, Mr. Cantwell spews hate-filled invectives toward Plaintiffs' lead counsel, Roberta Kaplan. (*Id.* ("She's a fucking Jew, lying, asshole. . . . Roberta Kaplan also says that gays have a constitutional right to marry and it's not true, right. . . . So like I do not threaten Roberta Kaplan, Roberta Kaplan accuses me of threatening her, which kind of removes the incentive for not threatening Roberta Kaplan, right?")); *see also* Cantwell Podcast at 00:59:31.)

Equally troubling, when speaking to his many listeners – unlike when he addresses the Court – he takes a decidedly more violent tack. In yesterday's filing, Mr. Cantwell projects an air of peaceful humility, claiming this lawsuit is an effort "to silence" him – "a beaten man" – and his associates. (ECF No. 560.) To his impressionable and like-minded followers, however, he vividly spelled out what he believes is the natural consequence of this purported silencing: more shootings. (*See* Ex. 1 ("The Jews decided that the time for talk is over. And so, while I'm saying 'we gotta talk', and the Jews are saying 'no talking', the accelerationists win the argument, and people go

out shooting.”); *see also* Cantwell Podcast at 1:06:50.) It has been nearly three months since Plaintiffs urgently sought relief from Mr. Cantwell’s threats. Yesterday’s tardy and two-faced response makes the need for such an order no less vital.

Dated: September 25, 2019

Respectfully submitted,

/s/

Robert T. Cahill (VSB 38562)  
COOLEY LLP  
11951 Freedom Drive, 14th Floor  
Reston, VA 20190-5656  
Telephone: (703) 456-8000  
Fax: (703) 456-8100  
rcahill@cooley.com

Of Counsel:

Roberta A. Kaplan (*pro hac vice*)  
Julie E. Fink (*pro hac vice*)  
Gabrielle E. Tenzer (*pro hac vice*)  
Joshua A. Matz (*pro hac vice*)  
Michael L. Bloch (*pro hac vice*)  
KAPLAN HECKER & FINK LLP  
350 Fifth Avenue, Suite 7110  
New York, NY 10118  
Telephone: (212) 763-0883  
rkaplan@kaplanhecker.com  
jfink@kaplanhecker.com  
gtenzer@kaplanhecker.com  
jmatz@kaplanhecker.com  
mbloch@kaplanhecker.com

Karen L. Dunn (*pro hac vice*)  
William A. Isaacson (*pro hac vice*)  
Jessica Phillips (*pro hac vice*)  
BOIES SCHILLER FLEXNER LLP  
1401 New York Ave, NW  
Washington, DC 20005  
Telephone: (202) 237-2727  
Fax: (202) 237-6131  
kdunn@bsfllp.com  
wisaacson@bsfllp.com  
jphillips@bsfllp.com

Yotam Barkai (*pro hac vice*)  
BOIES SCHILLER FLEXNER LLP  
55 Hudson Yards  
New York, NY 10001  
Telephone: (212) 446-2300  
Fax: (212) 446-2350  
ybarkai@bsflp.com

Alan Levine (*pro hac vice*)  
Philip Bowman (*pro hac vice*)  
COOLEY LLP  
1114 Avenue of the Americas, 46th Floor New  
York, NY 10036  
Telephone: (212) 479-6260  
Fax: (212) 479-6275  
alevine@cooley.com  
pbowman@cooley.com

David E. Mills (*pro hac vice*)  
COOLEY LLP  
1299 Pennsylvania Avenue, NW  
Suite 700  
Washington, DC 20004  
Telephone: (202) 842-7800  
Fax: (202) 842-7899  
dmills@cooley.com

J. Benjamin Rottenborn (VSB 84796)  
Erin Ashwell (VSB 79538)  
WOODS ROGERS PLC  
10 South Jefferson St., Suite 1400  
Roanoke, VA 24011  
Telephone: (540) 983-7600  
Fax: (540) 983-7711  
brottenborn@woodsrogers.com  
eashwell@woodsrogers.com

*Counsel for Plaintiffs*

## CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2019, I filed the foregoing with the Clerk of Court through the CM/ECF system, which will send a notice of electronic filing to:

Justin Saunders Gravatt  
David L. Hauck  
David L. Campbell  
Duane, Hauck, Davis & Gravatt, P.C.  
100 West Franklin Street, Suite 100  
Richmond, VA 23220  
jgravatt@dhdglaw.com  
dhauck@dhdglaw.com  
dcampbell@dhdglaw.com

*Counsel for Defendant James A. Fields, Jr.*

Elmer Woodard  
5661 US Hwy 29  
Blairs, VA 24527  
isuecrooks@comcast.net

James E. Kolenich  
Kolenich Law Office  
9435 Waterstone Blvd. #140  
Cincinnati, OH 45249  
jek318@gmail.com

*Counsel for Defendants Matthew Parrott,  
Robert Ray, Traditionalist Worker Party,  
Jason Kessler, Nathan Damigo, Identity  
Europa, Inc. (Identity Evropa), and  
Christopher Cantwell*

Bryan Jones  
106 W. South St., Suite 211  
Charlottesville, VA 22902  
bryan@bjoneslegal.com

*Counsel for Defendants Michael Hill,  
Michael Tubbs, and League of the South*

John A. DiNucci  
Law Office of John A. DiNucci  
8180 Greensboro Drive, Suite 1150  
McLean, VA 22102  
dinuccilaw@outlook.com

*Counsel for Defendant Richard Spencer*

William Edward ReBrook , IV  
The Rebrook Law Office  
6013 Clerkenwell Court  
Burke, VA 22015  
edward@rebrooklaw.com

*Counsel for Defendants Jeff Schoep, National  
Socialist Movement, and Nationalist Front*

I further hereby certify that on September 25, 2019, I also served the following non-ECF participants, via electronic mail, as follows:

Elliot Kline  
eli.f.mosley@gmail.com

Matthew Heimbach  
matthew.w.heimbach@gmail.com

Vanguard America  
c/o Dillon Hopper  
dillon\_hopper@protonmail.com

/s/  
Robert T. Cahill (VSB 38562)  
COOLEY LLP  
11951 Freedom Drive, 14th Floor  
Reston, VA 20190-5656  
Telephone: (703) 456-8000  
Fax: (703) 456-8100  
rcahill@cooley.com

*Counsel for Plaintiffs*

# EXHIBIT 1

[00:58:45]

**Reporter:** Again, the question is, do the words that you say where you put a focus on race, do you bear any responsibility for these manifestations of bullets in our lives?

**CC:** No. No. The people who bear the responsibility for this are Jews. The Jews caused this problem by making it impossible to discuss these things rationally. Okay. So you can't, you can't honestly discuss race in America without being censored and chased out of the financial system. Okay. Now, if you could talk about these things honestly, you could deal with this politically. And since you can't discuss it honestly, it can't be dealt with politically, and so the people who are calling for shootings win the fucking argument.

**Reporter:** But you have never called for shootings?

**CC:** No. I've literally never done that.

**Reporter:** But you're accused of threatening Roberta Kaplan in this lawsuit.

**CC:** Well if you read, if you read what they're saying is threats against Roberta Kaplan, you'll, you'll find yourself incapable of agreeing with the categorization of threats. Okay. I didn't do that. Of course Roberta Kaplan accused me of threatening her. She's a fucking Jew, lying, asshole. That's what Roberta Kaplan does. Roberta Kaplan also says that gays have a constitutional right to marry and it's not true, right. So what Roberta Kaplan does is lie for a living and nobody should be surprised that I find myself the target of her dishonesty.

**Reporter:** Okay. Um, but I guess—

**CC:** But that's exactly what it is, right? So like I do not threaten Roberta Kaplan, Roberta Kaplan accuses me of threatening her, which kind of removes the incentive for not threatening Roberta Kaplan, right?

**Reporter:** Okay. So like I guess you could quote, what I see quoted in the Daily Beast is, "after this stupid gay whore loses this fraudulent lawsuit, we're going to have a lot of f-ing fun with her."

**CC:** Yeah.

**Reporter:** And that's not a threat?

**CC:** Well did you read, did you read my response to the motions?

**Reporter:** Um, was it in what you sent me?

**CC:** Yeah. That's the—the link I sent you is, is having somewhat fun with someone after the proceeding is hardly a threat. Okay. I'm, a, I'm a radio host. I talk shit about people. It's what I



do for a living. Okay. All I had said was we're going to have fun with her as in I would be well-advised not to say everything I want to say about this asshole while I'm in the process of this legal proceeding. But according to, but according to Roberta Kaplan, every fucking mention that I make of somebody is a threat because the only reason I would mention somebody is to have somebody shoot them, which is patently ridiculous because there's absolutely zero evidence of that. There's absolutely nothing even remotely close to that. I talk about people all day, every day. This is what I do for a living is talk shit about people who put themselves in the news. And nobody goes out and shoots any of them.

**Reporter:** Yeah. But then, but then when your lawyers, uh, left you—

**CC:** Because I'm not paying them, right. So like—and, and by the way, and it's humorous, right. So like, you know, they had asked to pull out some time ago because like I hadn't paid them and I'm like, alright, I'll get you some money. Withdraw that fucking motion, right. And then this thing happens, and what happens is because she starts filing these fucking motions, it puts increased burdens on their time and they're trying to—they want \$750 a month out of me while the Jews strangle me out of the financial system. So, you know, it becomes impossible for me to make that payment, and they've been—and, and they've been threatening to fucking pull out because I haven't paid. And then this happens and they're like, I can't be bothered with this shit, and then they pull out. And they're like, yeah, whatever, fucking he did this thing. It, it, it troubles us and so we're pulling out, right. Meanwhile, if you find—you know, if you look—again, I mentioned it in that response, but James Kolenich—go look at his interview with Cincinnati.com. You know, James Kolenich agrees with me, okay. Uh, you know, he's got a different style than I do, but he, he—absolutely. He's, he's as hostile to the Jews as I am, but nobody says that fucking—you know, but he's, but he's not a media personality, right. So, you know, it's the idea, the idea that they find what I do repugnant is patently ridiculous. Elmer Woodard, you know, they signed up for representing me while I was in Charlottesville on trial for fucking assaulting a Jew and I fucking—and I—and the only thing that stopped me from talking about them was repeated court orders, you know. And so, you know, and so Elmer Woodard is completely familiar with that, so is James Kolenich. They, they—I said in that response that nothing I said between the time that—between their prior motion to withdraw and this motion to withdraw is remotely as offensive as anything I had said prior, which is absolutely 100% true and they know it. But because they're not being paid, understandably, they want out and they just piled on whatever they could, you know.

**Reporter:** But as far as your message to convey to say the hate spewed—now I'm just making up words that I think are consistent with what I'm hearing from that side. The hate spewed by Mr. Cantwell is inspiring or otherwise somehow comforting or otherwise leading to these massacres of convenience.

**CC:** Alright. So, so people—look, it would be more legitimate to say that the Communist terrorism that has been allowed to go on unmitigated in our society for the last two years is responsible for Connor Betts taking a hundred round drum to a bar, you know. But nobody is going to run with that narrative. Why? Because the Jews are fine with Connor Betts murdering fucking nine people. They don't care if he kills his sister. That's okay with them, right. The

Jews care about the political implications, about what I'm talking about, and so they make me out to be a murderous monster. But there's absolutely zero evidence for that. As a matter of fact, if, if, if Patrick Crusius had been listening to the Radical Agenda, he would not have done that. Okay. He would have, he would have heard me actively condemning these types of things because—and not even for any moral reason. I just don't think they're in our interest. Okay. These are propaganda victories for my enemies. I don't appreciate it. I tell people specifically not to do that. And so that is intentionally obfuscated by the Jewish press because the Jewish press doesn't want me talking about Jewish influence. Does that make sense?

**Reporter:** I don't know. I mean it's, it's, it's—what point do you most want out there about any relationship between criticism of ethnicity of, of what you see as an immigration overrun and violence?

**CC:** Well if, if you—if, if we can't have these discussions honestly, they will devolve into violence. There's no preventing that.

**Reporter:** Can you, can you say that again because there's a little bit of—

**CC:** If, if we, if we can't have these discussions openly and honestly, then violence will ensue. I'm trying to have these discussions openly and honestly. I do a live, uncensored open phones talk show. Anybody can talk to me in public. I'm trying to talk. They're saying the time for talk is over, right. And so if we decide—you know, every, every episode of Radical Agenda, I play an audio clip. My intro music contains a clip from a guy named Jordan Peterson. When he says, "You know what you call people you can't talk to? Enemies. And if we want to divide our society into armed camps of enmity, then all we have to do is keep doing what we're doing." That's part of the intro music for the Radical Agenda. And I play that for a reason. I do a live uncensored open phones talk show. Anybody who wants to talk to me, can. The Jews decided that the time for talk is over. And so while I'm saying we got to talk and the Jews are saying, no talking, the accelerationists win the argument and people go out shooting.

**Reporter:** Okay. I think that's all I got.

**CC:** Okay. If you have any follow-ups you feel free, feel free to get in touch.

**Reporter:** Okay. And are you in, are you in New Hampshire again?

**CC:** Yeah.

**Reporter:** Okay. Cool. Alright. Nice talking with you.

**CC:** You're welcome.

[01:07:20]