

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 24 CVS

T. CRAIG TRAVIS,)
Plaintiffs,)
)
v.)
)
P. KEVIN BERGER, DIANE P.)
PARNELL, DONALD T. POWELL,)
MARK F. RICHARDSON, NORTH)
CAROLINA CONSERVATIVES FUND,)
ATLAS POLITICAL CONSULTING,)
LLC, and GOPAC, INC.,)
Defendants.)

COMPLAINT
(JURY TRIAL DEMANDED)

NOW COMES the plaintiff, by and through his undersigned counsel of record, and complaining of the defendants, alleges and says as follows:

INTRODUCTION

This case arises from conduct that has become all too common in modern American politics. Candidates for public office and the political organizations supporting them have, instead of campaigning on issues important to their constituents, elected to malign an opponent with false, repetitive, attention-grabbing ads calculated to create an unfavorable (and untrue) impression to influence the outcome of an election. While freedom of speech is a fundamental right essential to public discourse and individual autonomy, the First Amendment does not provide an impenetrable shield for those who make false statements for the purpose of subverting a democratic process. As the Supreme Court of the United States recognized 60 years ago:

At the time the First Amendment was adopted, as today, there were those unscrupulous enough and skillful enough to use the deliberate or reckless

falsehood as an effective political tool to unseat the public servant or even topple an administration. That speech is used as a tool for political ends does not automatically bring it under the protective mantle of the Constitution. For the use of the known lie as a tool is at once at odds with the premises of democratic government and with the orderly manner in which economic, social, or political change is to be effected.

Garrison v. Louisiana, 379 U.S. 64, 75, 85 S. Ct. 209, 216 (1964) (internal citation omitted).

In this case, the reelection of three incumbent members of the Rockingham County Board of Commissioners was in jeopardy because of their support for an unpopular effort to bring a commercial casino to the county. The statewide effort was spearheaded by the father of one of the Commissioners, who is the President Pro Tempore of the North Carolina Senate. When the plaintiff campaigned on his opposition to the pro-casino measures supported by the incumbent Commissioners and opposed by the majority of residents of Rockingham County, the defendant Commissioners sought to discredit him by publishing defamatory statements to voters in the 2024 Republican primary election. This unlawful course of action was financially supported by a Virginia-based dark money¹ organization, which through local conduits, spent tens of thousands of dollars to oppose the plaintiff's campaign for a seat on the Board of Commissioners.

PARTIES

1. Plaintiff T. Craig Travis (“Mr. Travis”) is a citizen and resident of Rockingham County, North Carolina. Mr. Travis served on the Rockingham County Board of Commissioners (“Board of Commissioners”) from January 2011 through December 2022. He was a candidate for the Board of Commissioners in the 2024 Republican primary election.

¹ Based on pending legislative action amending N.C. Gen. Stat. §§ 163-278.6 and 163-278.7A, it is likely that this practice will become even more common. *See* H.B. 237, 2023-24 Leg., 156th Sess. (N.C. 2024).

2. Defendant Diane P. Parnell (“Defendant GOP Chair Parnell”) is a citizen and resident of Rockingham County, North Carolina. Defendant GOP Chair Parnell is, and at all times relevant to the allegations of the complaint was, the chairman of the Rockingham County Republican Party. Defendant GOP Chair Parnell has been the chair of the Rockingham County Republican Party since September 2015.

3. Defendant P. Kevin Berger (“Defendant Berger”), Defendant Donald T. Powell (“Defendant Powell”), and Defendant Mark F. Richardson (“Defendant Richardson”) are citizens and residents of Rockingham County, North Carolina. Defendant Berger, Defendant Powell, and Defendant Richardson were Plaintiff’s opponents in the Republican primary race for the three Board of Commissioners seats up for election in 2024.

4. Defendant North Carolina Conservatives Fund (also known as Eastern Carolina Conservatives Fund, Eastern Carolina Conservative Fund, North Carolina Conservative Fund, and NC Conservatives Fund) (“Defendant NCCF”) is a domestic non-profit corporation incorporated under the laws of North Carolina on April 9, 2024. The principal place of business of Defendant NCCF is in Wake County, North Carolina. Royce E. Everette, Jr., who is the president and director of Defendant NCCF, filed articles of amendment with the North Carolina Secretary of State on February 16, 2024, to change the name of Defendant NCCF from Eastern Carolina Conservative Fund to North Carolina Conservatives Fund. Defendant NCCF is a tax-exempt political organization under 26 U.S.C. § 527 in that it functions to influence, or attempt to influence, the selection, nomination, election, and appointment of individuals to federal, state, and local public offices.

5. Defendant Atlas Political Consulting, LLC (“Defendant APC”) is a domestic limited liability company organized under the laws of North Carolina on December 11, 2019. The principal place of business of Defendant APC is in Wake County, North Carolina.

6. Defendant GOPAC, Inc. (“Defendant GOPAC”) is a foreign non-profit corporation incorporated under the laws of the Commonwealth of Virginia. Like Defendant NCCF, Defendant GOPAC is a tax-exempt political organization under 26 U.S.C. § 527 in that it functions to influence, or attempt to influence, the selection, nomination, election, and appointment of individuals to federal, state, and local public offices. Based on information filed with the North Carolina Board of Elections, Defendant GOPAC is currently the primary source of funding for Defendant NCCF.

FACTUAL BACKGROUND

7. Mr. Travis is a lifelong resident of Rockingham County, North Carolina. He graduated from Reidsville High School and has been a lineman with AT&T for more than 20 years.

8. Mr. Travis has a long history of public service to his community. He served three consecutive terms as a county commissioner on the Board of Commissioners. He has also served on the Rockingham County Animal Shelter Advisory Board, Community College Board, Fire-Rescue Commission, Hunting and Wildlife Board, Juvenile Crime Prevention Council, Solid Waste Committee, and Tourism Development Authority.

9. After serving as member of the Board of Commissioners for 12 years, Mr. Travis decided not to seek reelection in 2022, because he believed in term limits and thought that there were other qualified candidates who should be given an opportunity to serve Rockingham County.

10. The Board of Commissioners is comprised of five county commissioners who are elected to four-year terms. In 2023, after Mr. Travis left the Board of Commissioners, the five members of the Board were Defendant Berger, Defendant Powell, Defendant Richardson, Houston Barrow (“Mr. Barrow”), and Charlie G. Hall III (“Mr. Hall”).

Efforts to Bring a Commercial Casino to Rockingham County

11. On August 26, 2021, a foreign limited liability company known as NC Development Holdings, LLC was organized under the laws of Delaware. The president of NC Development Holdings, LLC is Joseph Weinberg (“Mr. Weinberg”). Mr. Weinberg is better known as the chief executive officer of Cordish Gaming Group, the casino division of The Cordish Companies (“Cordish”).

12. Cordish is a foreign corporation incorporated under the laws of Maryland on August 18, 1989. On its website, Cordish boasts that it is a “leader in gaming and development operations” and that its resorts are among the “most profitable gaming operations in the world.”^{2, 3}

13. In 2022, Cordish began an influence campaign intended to pave the way for it to expand its casino business to certain locations in North Carolina, one of which was Rockingham County.

14. In late 2022 and early 2023, senior executives of Cordish made donations to the campaign committees of legislators in key positions in the North Carolina General Assembly, including:

² Gaming, THE CORDISH COMPANIES, <https://www.cordish.com/businesses/gaming> (last visited June 13, 2024).

³ As of 2020, 38.8% of individuals in Rockingham County lived at or below 200% of the Federal Poverty Level (FPL). *See* Rockingham County, HEALTHY COMTYS. N.C., <https://healthycommunitiesnc.org/profile/geo/rockingham-county> (last visited June 13, 2024).

- a. On November 3, 2022, Mr. Weinberg donated \$5,600.00 to the Philip E. Berger Committee, the committee for Senator Phil Berger, Sr. ("Senator Berger"). Senator Berger represents Rockingham County and part of Guilford County, and he has been the President Pro Tempore of the North Carolina Senate ("Senate") since January 26, 2011. Senator Berger is the father of Defendant Berger.
- b. On November 4, 2022, Zed Smith ("Mr. Smith"), the chief operating officer of Cordish, donated \$2,500.00 to the Kyle Hall Committee, the committee for Representative Kyle Hall, who represents Forsyth and Stokes Counties and is a chairman of the North Carolina House of Representatives ("House") Appropriations Committee.
- c. On November 4, 2022, Mr. Smith also donated \$2,500.00 to the Larry C. Strickland Campaign Committee, the committee for Representative Larry Strickland, who represents Johnston County and is a chairman of the House Appropriations Committee.
- d. On November 5, 2022, Travis Lamb ("Mr. Lamb"), the chief financial officer of Cordish, donated \$2,500.00 to the Committee to Elect Amy Galey, the committee for Senator Amy Galey ("Senator Galey"), who represents Alamance and Randolph Counties and is a chairman of the Senate Appropriations on Education/Higher Education Committee.
- e. On November 7, 2022, Mr. Weinberg donated \$5,600.00 to the Jason Saine Committee, the committee for Representative Jason Saine ("Mr. Saine"), who

represents Lincoln County and is the House Republican Conference Chair and a senior chairman of the House Appropriations Committee.

- f. On November 7, 2022, Mr. Weinberg also donated \$5,600.00 to the John Bell Committee, the committee for Representative John Bell, who represents Wayne County and is the House Majority Leader.
- g. On November 16, 2022, Mr. Lamb donated \$2,500.00 to the Committee to Elect Matthew Winslow, the committee for Representative Matthew Winslow, who represents Franklin and Granville Counties and is the House Deputy Republican Conference Chair.
- h. On November 18, 2022, Mr. Lamb donated \$2,500.00 to David Willis for NC, the committee for Representative David Willis, who represents Union County and is a chairman of the House Education Appropriations Committee and a vice-chairman of the House Appropriations Committee.
- i. On December 2, 2022, Mr. Weinberg donated \$5,600.00 to the Committee to Elect Lisa Barnes, the committee for Senator Lisa Barnes, who represents Franklin, Nash, and Vance Counties and is a chairman of the Senate Appropriations on Education/Higher Education Committee.
- j. On December 4, 2022, Mr. Smith donated \$2,500.00 to Dave Craven for NC, the committee for Senator David Craven, who represents Anson, Montgomery, Randolph, Richmond, and Union Counties and is a chairman of the Senate Commerce and Insurance Committee.

k. On January 26, 2023, Mr. Lamb donated \$2,500.00 to North Carolinians for Ben Moss, the committee for Representative Ben Moss, who represents Moore and Richmond Counties and is a member of the House Local Government Land Use, Planning, and Development Committee, House Appropriations Committee, and House Commerce Committee.

15. Upon information and belief, at some point after Mr. Weinberg made the donation referenced in paragraph 14.e above to the Jason Saine Committee, Mr. Saine directed Greater Carolina, Inc. (“Greater Carolina”) to hire Spectrum Gaming Group to prepare a report supporting the legalization of casinos, among other types of gaming, in North Carolina. Greater Carolina is a domestic non-profit corporation organized under the laws of North Carolina on August 21, 2018 by Clark Riemer, Mr. Saine’s (now former) chief of staff.

16. Greater Carolina is ostensibly a tax-exempt political organization under 26 U.S.C. § 501(c)(4) in that it purports⁴ to be a “social welfare organization” that is formed “to engage in public policy advocacy.”

17. On March 22, 2023, Spectrum Gaming Group published a report titled “Gaming Market Analysis: Potential New Gaming Options in North Carolina.” One option discussed in the report was the operation of commercial casinos in Anson, Nash, and Rockingham Counties.⁵

⁴ Greater Carolina, Articles of Incorporation, N.C. SEC’Y STATE, Doc. No. C201823200504 (filed Aug. 21, 2018).

⁵ Spectrum Reports in the Public Domain, *Gaming Market Analysis: Potential New Gaming Options in North Carolina*, SPECTRUM GAMING GRP. (Mar. 22, 2023), <https://spectrumgaming.com/wp-content/uploads/2023/03/spectrum-report-for-greater-carolina-3-22-23.pdf>.

18. Upon information and belief, during the spring of 2023, Cordish was engaged in discussions with Senator Berger and Rockingham County officials, including Defendant Berger, Defendant Powell, and Defendant Richardson, regarding the legalization of commercial casinos in certain locations in North Carolina and Cordish's desire to develop and operate a casino in Rockingham County.

19. In the spring and summer of 2023, NC Development Holdings, LLC ("Cordish's Holding Company") hired North Carolina lobbyists:

- a. Zachary Almond ("Mr. Almond") registered as a lobbyist for Cordish's Holding Company on April 10, 2023. Although Mr. Almond listed his employer as Almond Miner Government Relations on the registration statement he filed, he has been affiliated⁶ with The Differentiators, a company founded and operated by Senator Berger's former chief of staff, Jim Blaine, since as early as 2021. As of the date of filing this Complaint, Mr. Almond's status with the North Carolina Secretary of State as a lobbyist for Cordish's Holding Company is active and he is listed on the "Our Team" section of The Differentiators' website.
- b. Susan Vick and Tom Fetzer of Fetzer Strategic Partners registered as lobbyists for Cordish's Holding Company on June 1, 2023.
- c. La'Tanta McCrimmon registered as a lobbyist for Cordish's Holding Company on July 6, 2023.

⁶ Mr. Almond listed The Differentiators as his employer on Federal Election Commission campaign contribution forms in connection with donations he made to candidates' committees on December 17, 2021 and September 7, 2022.

20. On June 9, 2023, Cordish’s Holding Company submitted an Application⁷ for Zoning Map Amendment (“Cordish’s Rezoning Application”) to the Rockingham County Department of Community Development, seeking rezoning of a 192.74-acre lot located on US Highway 220, Stokesdale, North Carolina 27357, parcel number 179781 (“Stokesdale Property”) from Residential Agriculture to Highway Commercial. The Stokesdale Property is adjacent to Camp Carefree, a camp for children with chronic illnesses and disabilities.

21. Upon information and belief, Cordish and/or Cordish’s Holding Company, directly or indirectly, had an agreement to purchase the Stokesdale Property from the property owners contingent upon:

- a. North Carolina state law changing to legalize the operation of a commercial casino on the Stokesdale Property; and
- b. Rockingham County rezoning the Stokesdale Property to permit the operation of a commercial casino at that location.

22. At a meeting of the Rockingham County Planning Board (“Planning Board”) on June 12, 2023, Hiram Marziano (“Mr. Marziano”), the Rockingham County Director of Community Development, proposed a text amendment (“First Text Amendment Request”) to the Unified Development Ordinance (“UDO”). Mr. Marziano stated that the First Text Amendment Request was submitted because the changes to the UDO had been requested by “county leadership.”

23. The changes requested by the First Text Amendment Request would:

⁷ Meeting Packet, ROCKINGHAM CNTY. BD. COMM’R, at 69 (Aug. 21, 2023), <https://www.rockinghamcountync.gov/files/documents/BoardofCommissionersPacket08-21-23050219081423PM1401.pdf>.

- a. Authorize the use and operation of any business licensed by the State of North Carolina by right in areas zoned as Highway Commercial. The significance of this change to the UDO was that, if legislation authorizing a commercial casino to operate in Rockingham County was enacted, the casino could operate by right on any property zoned as Highway Commercial.
- b. Authorize the use and operation of any business licensed by the State of North Carolina by special use permit in non-residential districts zoned as anything other than Highway Commercial.
- c. Eliminate the requirement of a special use permit for electronic gaming operations in areas zoned as Highway Commercial.

24. Immediately after Mr. Marziano presented the First Text Amendment Request to the Planning Board at the June 12, 2023 meeting, the Planning Board voted to recommend approval of the request, with five members voting in favor of approval and two members voting in favor of denial. The two dissenting members were James Fink (“Mr. Fink”) and Jeff Kallam (“Mr. Kallam”).

25. On June 13, 2023, Cordish’s Holding Company applied to the North Carolina Secretary of State for a certificate of authority to conduct business in North Carolina.

26. On June 15-16, 2023, Defendant Berger, Defendant Powell, and Defendant Richardson traveled with other Rockingham County employees and officials (“Other Cordish Meeting Attendees”), including Mr. Barrow, Mr. Hall, Lance Metzler, the County Manager, and Leigh Cockram, the Director of Economic Development and Tourism, to Maryland to meet with Cordish. Upon information and belief, the purpose of this meeting was to discuss Cordish’s plan

to develop a casino on the Stokesdale Property and Cordish's Rezoning Application, which had been submitted less than a week earlier.

27. Defendant Berger, Defendant Powell, Defendant Richardson, and the Other Cordish Meeting Attendees' meeting on June 15-16, 2023 with Cordish in Maryland was an official meeting of the Board of Commissioners within the meaning of N.C. Gen. Stat. § 143-318.10(d).

28. Although the June 15-16, 2023 meeting with Cordish was an official meeting of the Board of Commissioners, the Board of Commissioners did not give public notice of the time and place of the meeting as required by N.C. Gen. Stat. § 143-318.12(b). In fact, the Board of Commissioners, including Defendant Berger, Defendant Powell, and Defendant Richardson, deliberately concealed this meeting from the citizens of Rockingham County.

29. The Board of Commissioners was required to keep full and accurate minutes of the meeting with Cordish on June 15-16, 2023 pursuant to N.C. Gen. Stat. §§ 143-318.10(e) and 153A-42. Upon information and belief, the Board of Commissioners did not keep any minutes of the meeting with Cordish on June 15-16, 2023.

30. Over the past year, upon information and belief, several people have requested the minutes of the meeting(s) of the Board of Commissioners with Cordish on June 15-16, 2023, but the Board of Commissioners, through Clyde Albright ("Mr. Albright"), the County Attorney, has refused to provide the minutes of this meeting or to say whether any minutes of the meeting exist.

31. On July 10, 2023, the Planning Board met to consider, among other business, Cordish's Rezoning Application. At 2:03 p.m., a few hours before the meeting, Paul Ksieniewicz ("Mr. Ksieniewicz"), the chairman of the Planning Board, sent an email to Planning Board members about Cordish's Rezoning Application. In this email Mr. Ksieniewicz told the Planning Board

members that they were “not legally permitted to ask the applicant what the intended use [of the Stokesdale Property] will be,” that the Planning Board would not be taking questions from people signed up to speak during the public comment period, and that he would “not hesitate to have any disruptive attendees removed by the Deputy Sheriffs.” Upon information and belief, Mr. Ksieniewicz knew that the intended use of the Stokesdale Property by Cordish’s Holding Company—operating a commercial casino—was illegal as of July 10, 2023. Upon information and belief, Mr. Ksieniewicz also knew that the North Carolina General Assembly would be voting on legislation championed by Senator Berger to authorize the operation of a commercial casino in Rockingham County and that Cordish’s Holding Company had an agreement with the owners of the Stokesdale Property to purchase the property only if the pro-casino legislation was enacted and Cordish’s Rezoning Application was approved. Mr. Ksieniewicz, upon information and belief, recognized that allowing Cordish’s Holding Company’s representative to be questioned would reveal the existence of the agreement between Cordish’s Holding Company and the Stokesdale Property owners, draw attention to Senator Berger’s strong support for legislation intended to bring a casino to Rockingham County, and raise unwanted questions about the Board of Commissioners’ knowledge of Cordish’s Holding Company’s plans to construct a casino on the Stokesdale Property and coordination with Cordish.

32. During the July 10, 2023 Planning Board meeting, seven people who had signed up to speak during the public comment period addressed the Board, and all expressed opposition to Cordish’s Rezoning Application. The Planning Board voted to recommend denial of Cordish’s Rezoning Application, with five members voting in favor of denial and two members voting in

favor of approval. The five members who voted to deny Cordish’s Rezoning Application were Mr. Fink, Mr. Kallam, Matt Cardwell, Cyndy Hayworth (“Ms. Hayworth”), and Cory Scott.

33. On July 13, 2023, a draft of the Rural Tourism Incentive Program bill (“Pro-Casino Bill”), designated Bill Draft 2023-BAxf-5 [v.4] and dated July 11, 2023 at 1:39:54 p.m., was provided to WRAL.⁸ This version of the Pro-Casino Bill did not identify sponsors, specify whether it originated in the House or Senate, or reflect any committee action.

34. The Stokesdale Property would satisfy the criteria for an “eligible location” pursuant to proposed N.C. Gen. Stat. § 143B-437.02C(b)(5) of the July 11, 2023 draft of the Pro-Casino Bill in that it is located in Rockingham County, which:

- a. Is a development tier one area pursuant N.C. Gen. Stat. § 143B-437.08 for the 2022 calendar year;
- b. Has a majority of its land within 60 miles of an international airport;
- c. Is east of counties traversed by Interstate 77;
- d. Did not contain Indian lands with gaming as of July 1, 2023;
- e. Is a border county;
- f. Had a population of less than 100,000 as of the most recent federal census; and
- g. Is not one of the counties excluded by proposed N.C. Gen. Stat. § 14-292.4(c).

35. On July 20, 2023, Senator Berger and Speaker of the House Tim Moore (“Speaker Moore”) held a press conference, during which they discussed the Pro-Casino Bill. Speaker Moore stated

⁸ Brian Murphy, Travis Fain & Laura Leslie, *Draft casino bill calls for \$1.5B investment, one company to run 3 sites*, WRAL (July 20, 2023), <https://www.wral.com/story/draft-casino-bill-calls-for-1-5b-investment-one-company-to-run-3-sites/20963816/> (linking a PDF of the July 11, 2023 version of the Pro-Casino Bill).

that the casinos authorized by the Pro-Casino Bill would be located in Anson, Nash, and Rockingham Counties.

36. Throughout the summer of 2023, Defendant Berger, Defendant Powell, and Defendant Richardson knowingly and falsely denied that there was any plan for a casino to be constructed in Rockingham County.

37. Reflecting their awareness of public opposition of a casino, throughout the summer of 2023, Defendant Berger, Defendant Powell, and Defendant Richardson also knowingly and falsely stated that Cordish's Rezoning Application had nothing to do with operating a casino on the Stokesdale Property.

38. On August 21, 2023, the Board of Commissioners met to consider, among other business, Cordish's Rezoning Application. By this time—notwithstanding the misrepresentations of Defendant Berger, Defendant Powell, and Defendant Richardson—many Rockingham County residents suspected that Cordish's Rezoning Application was intended to pave the way for a commercial casino operated by Cordish to be constructed on the Stokesdale Property if the Pro-Casino Bill supported by Senator Berger became law.

39. Approximately 900 people attended the August 21, 2023 Board of Commissioners meeting to oppose Cordish's Rezoning Application. The crowd was so large that most attendees had to listen to a live broadcast of the meeting over speakers in an overflow area outside the building.

40. Eighteen people, including Congressman Mark Walker and Rockingham County Sheriff Sam Page, spoke during the public comment period on Cordish's Rezoning Application at the August 21, 2023 Board of Commissioners meeting before the public hearing was closed. Each person who spoke during the public hearing on Cordish's Rezoning Application opposed it.

41. Despite the strong, vocal and unwavering opposition of the citizens of Rockingham County to Cordish’s Rezoning Application, the Board of Commissioners voted unanimously to approve the application.

42. On September 18, 2023, the version of the proposed Pro-Casino Bill, designated H149-CCSMCxr-1 [v.22]⁹ and dated September 18, 2023 at 8:54:13 a.m., was released. The short title of this version of the Pro-Casino Bill was “Gaming and Medicaid Modifications.” Upon information and belief, when it became apparent to Senator Berger and other pro-casino members of the General Assembly that a significant number of Republicans in the House and Senate were not in favor of legalizing the operation of commercial casinos in the state budget, Senator Berger proposed tying the pro-casino legislation to Medicaid expansion to win the votes of enough Democrats to make up for the Republicans who would not vote for it.

43. Rockingham County met the criteria for an “eligible location” pursuant to proposed N.C. Gen. Stat. § 143B-437.02C(b)(6) in the September 18, 2023 draft of the Pro-Casino Bill.

44. The Stokesdale Property met the criteria for a “rural tourism district” pursuant to proposed N.C. Gen. Stat. §143B-437.02C(b)(11) in the September 18, 2023 draft of the Pro-Casino Bill.

45. On the evening of September 19, 2023, Senator Berger and Speaker Moore held a press conference, during which Senator Berger announced that legalization of casinos in “rural tourism districts” would not be part of the budget or tied to Medicaid expansion, and he did not anticipate that the General Assembly would vote on casino legalization during the 2023-24 session.

⁹ Keylan Lyons, *Casino-Medicaid bill also includes proposal for spending ARPA windfall*, N.C. NEWSLINE (Sept. 19, 2023), <https://ncnewsline.com/2023/09/19/casino-medicaid-bill-also-includes-proposal-for-spending-arpa-windfall/> (linking a PDF of the Sept. 18, 2023 version of the Pro-Casino Bill).

46. Immediately after the Pro-Casino Bill failed to secure the votes necessary to pass in the General Assembly, the Board of Commissioners, including Defendant Berger, Defendant Powell, and Defendant Richardson, removed Ms. Hayworth and Mr. Fink from the Planning Board.

47. During a Planning Board meeting on October 9, 2023, Mr. Marziano proposed a text amendment to the UDO eliminating term limits for Planning Board members and requiring that members be appointed by the Board of Commissioners every three years for staggered terms (“Second Text Amendment Request”).

48. Upon information and belief, the purpose of the Second Text Amendment Request was to provide cover for Defendant Berger, Defendant Powell, and Defendant Richardson to purge from the Planning Board two members who had hindered their efforts to smoothly gain approval for Cordish’s Rezoning Application and who had opposed efforts to bring a casino to Rockingham County.

49. During the October 9, 2023 Planning Board meeting, Mr. Ksieniewicz moved to recommend approval of the Second Text Amendment Request, but the motion failed because no one seconded the motion. Mr. Fink then moved to recommend denial of the Second Text Amendment Request, and Mr. Kallam seconded the motion, but it was withdrawn before a vote. Ms. Hayworth moved to recommend an amended version of the Second Text Amendment Request, Mr. Fink seconded the motion, and Ms. Hayworth’s motion passed with five Planning Board members voting in favor and one member voting against. Mr. Ksieniewicz was the sole dissenting vote.

50. During a meeting of the Board of Commissioners on October 9, 2023, Keith Duncan and Bernie Parnell (“Mr. Parnell”) were appointed to replace Mr. Fink and Ms. Hayworth, who had

both voted to recommend denial of Cordish's Rezoning Application, on the Planning Board. Mr. Parnell is the husband of Defendant GOP Chair Parnell.

Defamatory Mailers and Mass Text Messages Regarding Mr. Travis

51. Many people in Rockingham County were upset with the Board of Commissioners after the August 21, 2023 meeting and believed that Defendant Berger, Defendant Powell, Defendant Richardson, Mr. Barrow, and Mr. Hall were not serving the interests of their constituents. Several disgruntled citizens contacted Mr. Travis after the meeting and encouraged him to run for a seat on the Board of Commissioners in the 2024 election, because they believed that Mr. Travis had been a dedicated public servant who was guided by the will of the people of Rockingham County during his 12 years in office. Mr. Travis, like most residents of Rockingham County, opposed efforts to allow the operation of a casino on the Stokesdale Property, because he believed it would be detrimental to the community.

52. On December 5, 2023, Mr. Travis filed his notice of candidacy for a seat on the Board of Commissioners in the 2024 election.

53. Upon information and belief, beginning in February 2024 and continuing through March 5, 2024, Defendant NCCF, Defendant GOPAC, Defendant Berger, Defendant Powell, and Defendant Richardson published and caused to be circulated to constituents in Rockingham County, by text message and materials sent through the United States Postal Service, false and derogatory statements about Mr. Travis (collectively "False Attack Ads").

54. The false statements made about Mr. Travis in the False Attack Ads, Facebook posts, email, and other communications described herein constitute more than the mere vituperation and name calling that is characteristic of political campaigns and protected by the First

Amendment. These false statements were made with actual malice and intended to harm Mr. Travis's reputation in Rockingham County by lowering Mr. Travis in the estimation of potential voters in the 2024 Board of Commissioners election through deliberate deception and deterring them from supporting his campaign.

55. Upon information and belief, from March 1, 2024 through March 5, 2024, Defendant Berger, Defendant Powell, and Defendant Richardson made false statements about Mr. Travis in text messages¹⁰ they either sent or caused to be sent to potential voters in the Rockingham County Board of Commissioners 2024 Republican primary election. One example of a False Attack Ad sent to Rockingham County voters by text message in the days leading up to the election on March 5, 2024 is set out below:



¹⁰ The text messages referenced in this paragraph and set out below violate N.C. Gen. Stat. § 163-274(a)(8), which provides that it is a Class 2 misdemeanor “[f]or any person to publish in a newspaper or pamphlet **or otherwise**, any charge derogatory to any candidate or calculated to affect the candidate’s chances of nomination or election, unless such publication be signed by the party giving publicity to and being responsible for such charge.” (Emphasis added.)

56. The text message shown above embedded a deceptively edited video clip from an interview¹¹ of Mr. Travis with Star News TV on February 29, 2024. The short excerpt omitted material context and falsely represented to recipients that Mr. Travis intended to raise property taxes for Rockingham County residents. In the actual interview, Mr. Travis predicted that, although Defendant Berger, Defendant Powell, and Defendant Richardson would lead voters to believe that they were lowering property taxes by saying that they were decreasing the tax rate, in actuality they were going to raise the property taxes of Rockingham County residents because the current Board of Commissioners would not be adopting a revenue neutral tax rate. It is impossible for Mr. Travis or potential Republican primary voters in Rockingham County to know for certain which defendant(s) sent this text message, because it did not include the attribution required by N.C. Gen. Stat. § 163-274(a)(8). However, Defendant Berger, Defendant Powell, and Defendant Richardson benefited from the false statements made about Mr. Travis in this mass text message, and it is consistent with false statements made by Defendant Berger, Defendant Powell, and Defendant Richardson about Mr. Travis at other times during the 2024 Rockingham County Board of Commissioners campaign.

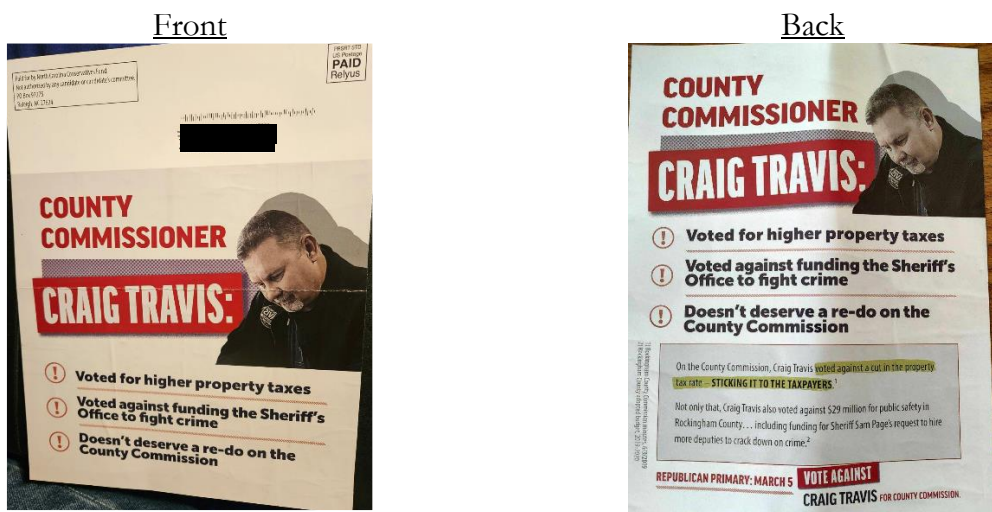
57. In February and March 2024, Defendant NCCF, using funds received from Defendant GOPAC, made false, derogatory statements about Mr. Travis in False Attack Ad mailers sent by Defendant APC through the United States Postal Service to potential primary voters in Rockingham County. Senator Berger is a member of Defendant GOPAC's advisory board.

¹¹ Star News TV (@StarNewsTV), FACEBOOK (Feb. 29, 2024), <https://www.facebook.com/share/v/3yvjmkKVVnTv88d/>.

58. On February 16, 2024, Defendant NCCF received \$25,000.00 from Defendant GOPAC. On the same day, Defendant NCCF paid \$24,044.00 to Defendant APC for the False Attack Ads described in paragraphs 59 and 60 below.

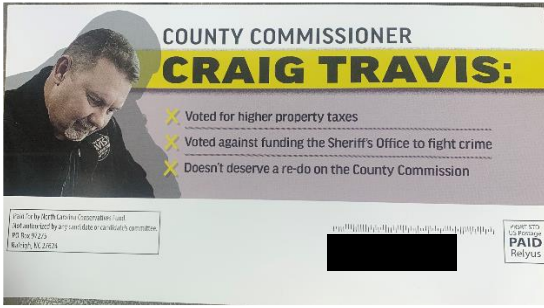
59. Defendant NCCF and Defendant GOPAC, through Defendant APC, sent the false, derogatory mailers described in subparagraphs (a) through (c) below to potential voters in the 2024 primary election in Rockingham County:

- a. The following mailer, sent by Defendant NCCF and Defendant GOPAC, through Defendant APC, and delivered to Rockingham County constituents on or about on February 20, 2024:



- b. The following mailer, sent by Defendant NCCF and Defendant GOPAC, through Defendant APC, and delivered to Rockingham County constituents on or about on February 26, 2024:

Front

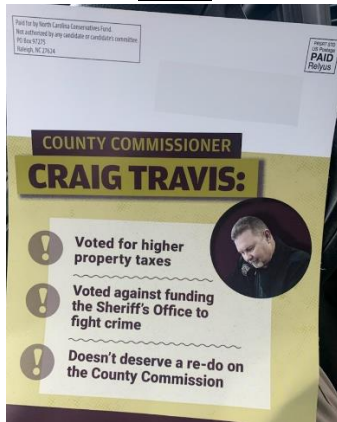


Back



- c. The following mailer, sent by Defendant NCCF and Defendant GOPAC, through Defendant APC, and delivered to Rockingham County constituents on or about on March 1, 2024:

Front



Back



60. All of the False Attack Ads described in paragraph 59(a)-(c) above falsely state that:
- a. Mr. Travis “[v]oted for higher property taxes” and “voted against a cut in the property tax rate—STICKING IT TO THE TAXPAYERS,” citing the Board of Commissioners meeting minutes from June 3, 2019 as a source. As reflected in the minutes from this meeting, the Board of Commissioners, chaired by Mr. Hall, used a legislative practice known as “logrolling” to tie a motion to amend the property

tax rate to \$0.695 per \$100.00 valuation to an 11% salary raise for Register of Deeds Ben Curtis (“Mr. Curtis”). Mr. Travis made it clear that he only opposed increasing Mr. Curtis’s salary, but he was not given the option to vote on that issue separately.

- b. Mr. Travis “voted against funding the Sheriff’s Office to fight crime” and “voted against \$29 million for public safety in Rockingham County . . . including funding for Sheriff Sam Page’s request to hire more deputies to crack down on crime,” citing the Rockingham County budget for 2019-20. Mr. Travis did not vote against any funding request by the Sheriff’s Office. Mr. Travis did not vote against any proposed funding for public safety in Rockingham County. The only funding request Mr. Travis opposed in the 2019-20 budget was the salary increase for Mr. Curtis described in subparagraph (a) above. Mr. Travis was an advocate for public safety and rescue services throughout his time on the Board of Commissioners. In fact, Sheriff Sam Page supported Mr. Travis in the 2024 Republican primary election because of Mr. Travis’s history of consistently supporting law enforcement and public safety in Rockingham County.

Defamatory Facebook Posts, Emails, and Other Communications Regarding Mr. Travis

61. Both before and after Mr. Travis declared his candidacy for a seat on the Board of Commissioners in the 2024 election, Defendant Berger, Defendant GOP Chair Parnell, Defendant Powell, and Defendant Richardson made false statements about Mr. Travis in an effort to discredit him and sabotage his candidacy.

62. Mr. Travis, along with other residents of Rockingham County, suspected that Defendant Berger, Defendant Powell, and Defendant Richardson voted to approve Cordish’s Rezoning

Application—despite the strong opposition of their constituents—because they knew that Cordish intended to operate a commercial casino on the Stokesdale Property and wanted to ensure that the Stokesdale Property could be used by Cordish and Cordish’s Holding Company in this manner with the expectation that the Pro-Casino Bill would become law.

63. Beginning in August 2023 and continuing through April 17, 2024, Defendant Berger, Defendant GOP Chair Parnell, Defendant Powell, and Defendant Richardson knowingly and falsely stated that Cordish’s Rezoning Application had nothing to do with a casino.

64. Beginning in August 2023 and continuing through April 17, 2024, Defendant Berger, Defendant GOP Chair Parnell, Defendant Powell, and Defendant Richardson knowingly and falsely stated that Mr. Travis was lying when he said that their vote to approve Cordish’s Rezoning Application was part of an effort to bring a casino to Rockingham County. Upon information and belief, although residents of Rockingham County began requesting documents and information about the June 15-16, 2023 Board of Commissioners meeting with Cordish prior to the August 21, 2023 meeting at which Corish’s Rezoning Application was approved, Rockingham County, acting through Mr. Albright, did not acknowledge that the meeting with Cordish had occurred or that the entire Board of Commissioners had attended until after the 2024 primary election. Mr. Albright did not provide the dates of the Board of Commissioners meeting with Cordish or list of attendees until April 18, 2024—more than one month after the results of the 2024 primary election in Rockingham County were finalized. Upon information and belief, throughout the campaign leading up to the 2024 primary election and until Mr. Albright responded on behalf of Rockingham County on April 18, 2024, Defendant Berger, Defendant Powell, and Defendant Richardson gaslighted their constituents by falsely stating that they had not met with

Cordish in connection with the possibility of Cordish expanding its casino business into Rockingham County and that Mr. Travis was lying when he said that they had.

65. Beginning on February 8, 2022 and continuing through March 5, 2024, Defendant Powell falsely stated to many people that Mr. Travis had vandalized his vehicle. Specifically, Defendant Powell falsely stated that, on February 8, 2022, Mr. Travis had engaged in criminal conduct by ripping the valve stems out of the tires on his vehicle.

66. Beginning on or about February 20, 2024 and continuing through March 5, 2024, Defendant Berger, Defendant Powell, and Defendant Richardson falsely stated to many people on multiple occasions that Mr. Travis had stolen their campaign signs for the 2024 Rockingham County Board of Commissioners race. During the same period of time, Defendant GOP Chair Parnell repeated the false statements of Defendant Berger, Defendant Powell, and Defendant Richardson accusing Mr. Travis of criminal conduct by stealing their campaign signs.

67. On February 4, 2024, Defendant GOP Chair Parnell made false statements about Mr. Travis on her Facebook page, which were published to Defendant GOP Chair Parnell's Facebook friends and followers. Defendant GOP Chair Parnell's false statements about Mr. Travis were as follows:

- a. Defendant GOP Chair Parnell falsely stated that Mr. Travis had been banned from the Rockingham County Republican Party headquarters for "cussing and carrying on" at a Men's Club meeting.
- b. Defendant GOP Chair Parnell also falsely implied that Mr. Travis had committed a crime by ripping the valve stems out of the tires on Defendant Powell's vehicle when he left a meeting early one day.

- c. In response to Defendant GOP Chair Parnell's false statements about Mr. Travis, one of Defendant GOP Chair Parnell's Facebook followers commented on the February 4, 2024 post that Mr. Travis would not be getting her vote.

68. On February 21, 2024, Defendant GOP Chair Parnell made false statements about Mr. Travis on her Facebook page, which were published to Defendant GOP Chair Parnell's Facebook friends and followers. Defendant GOP Chair Parnell falsely stated that Mr. Travis had committed a crime in that he had removed campaign signs for Defendant Powell and Defendant Richardson from places where they had been posted.

69. On February 22, 2024, Defendant GOP Chair Parnell made false statements about Mr. Travis in an email sent from rockingham@nc.gop to subscribers to the Rockingham County Republican Party email distribution list. Defendant GOP Chair Parnell's false statements about Mr. Travis in the February 22, 2024 email include the following:

- a. "Remember that removing candidate signs is a misdemeanor. Yes, signs are being taken. Yes, they have been seen, three different times. We need pictures."
- b. "On March 6, we hopefully will wake up and know the primary is over. Did you vote for the right candidate? Do you know the truth from the lies, and there are plenty being told? Will you still have that feeling of integrity, of doing the right thing for the right reason? Will you lose friends over this Primary? Will you have regrets? We should act like adults, like respectable Republicans! I have to believe the truth will win out!"
- c. Based on Ms. Parnell's earlier statements on her Facebook page, in private messages, and in personal conversations, the subscribers who received the email

from her would have understood that her false statements were referring to Mr. Travis.

70. On March 4, 2024, Defendant GOP Chair Parnell made false statements about Mr. Travis on her Facebook page, which were published to Defendant GOP Chair Parnell's Facebook friends and followers. Defendant GOP Chair Parnell's false statements about Mr. Travis in her March 4, 2024 Facebook post were as follows: "When you do not see signs for [Defendant Powell], [Defendant Berger], Ben Curtis and [Defendant Richardson], they have been stolen. Signs put out at 5 and gone by 8... signs replaced... and the 'dark side' is out there again... stealing campaign signs..." Based on Defendant GOP Chair Parnell's earlier statements on her Facebook page, in private messages, and in personal conversations, the Facebook friends and followers who read the false statements posted by her would have understood that her statements about "the dark side" were referring to Mr. Travis.

71. At the time Defendant Berger, Defendant GOP Chair Parnell, Defendant Powell, Defendant Richardson, Defendant APC, Defendant NCCF, and Defendant GOPAC published the false and derogatory statements about Mr. Travis in the False Attack Ads, Facebook posts, email, and other communications described above, accurate, factual information regarding the subject matter of these statements was known to Defendants and easily obtainable to any individual with access to the internet.

72. The statements made about Mr. Travis in the False Attack Ads, Facebook posts, email, and other communications described above, were not reasonably susceptible to a non-defamatory interpretation by the audience to whom these statements were published—voters in the 2024 Republican primary election and members of Mr. Travis's community in Rockingham County.

73. Prior to publication of the false, derogatory statements about Mr. Travis in the False Attack Ads, Facebook posts, email, and other communications by Defendants described above, Mr. Travis had an excellent reputation in Rockingham County. Mr. Travis and his family live in Rockingham County and have been actively involved in the community for decades. Mr. Travis was well regarded and trusted by Rockingham County residents and had earned his good reputation through many years of public service and being fair, honest, and respectful.

74. The false statements made by Defendants about Mr. Travis in the False Attack Ads, Facebook posts, email, and other communications described above caused Rockingham County voters in the 2024 primary election and other members of Mr. Travis's community in Rockingham County to have an unfavorable view of Mr. Travis.

75. The false statements made by Defendants about Mr. Travis in the False Attack Ads, Facebook posts, email, and other communications described above damaged Mr. Travis's reputation among voters in the 2024 primary election in Rockingham County and in the community in general.

Results of 2024 Republican Primary Election in Rockingham County

76. On March 5, 2024, results on election night showed that the top three candidates receiving the most votes in the 2024 Republican primary election for the Board of Commissioners were Mr. Kallam, Defendant Richardson, and Mr. Travis. As of the time counting votes stopped on March 5, 2024, Defendant Berger, who was in fourth place, trailed Mr. Travis by seven votes.

77. On March 11, 2024, the Rockingham County Board of Elections met to count absentee and provisional ballots. Mr. Travis received 30 absentee votes and 11 votes on provisional ballots

that were accepted. Defendant Berger received 35 absentee votes and 16 votes on provisional ballots that were accepted.

78. After a recount of ballots in the Board of Commissioners race on March 19, 2024, the vote totals were as follows:

- a. Mr. Kallam: 6,103
- b. Defendant Richardson: 5,613
- c. Defendant Berger: 5,509
- d. Mr. Travis: 5,506
- e. Greg Ziglar: 5,483
- f. Defendant Powell: 4,678
- g. Gary Corns: 1,046

79. Upon information and belief, the false statements made by Defendants about Mr. Travis in the False Attack Ads, Facebook posts, email, and other communications described above caused Mr. Travis to lose the election for a seat on the Board of Commissioners in the 2024 primary election to Defendant Berger by only three votes.

FIRST CLAIM FOR RELIEF
(Libel *Per Se*)

80. Paragraphs 1 through 79 above are hereby realleged and incorporated by reference as if fully set forth herein.

81. Defendant Berger, Defendant GOP Chair Parnell, Defendant Powell, Defendant Richardson, Defendant APC, Defendant NCCF, and Defendant GOPAC published false statements about Mr. Travis in writings, printings, pictures, and text messages in the False Attack

Ads, Facebook posts, email, and other communications described above that are susceptible to only one meaning, which is defamatory, and are of such a nature that they were intended to injure Mr. Travis's reputation with voters in the 2024 primary election in Rockingham County.

82. Defendants made the libelous statements about Mr. Travis in the False Attack Ads, Facebook posts, email, and other communications described above with actual malice. At the time Defendants published the statements described above, they knew of the falsity of the statements, or at the very least, acted with reckless disregard for the truth of the statements. In support of this allegation, Mr. Travis shows the Court as follows:

- a. Defendant Berger, Defendant Powell, and Defendant Richardson knew that they had taken a trip to Maryland to meet with Cordish to discuss the possibility of Cordish expanding its casino business to Rockingham County, specifically by operating a commercial casino on the Stokesdale Property. Upon information and belief, Defendant Berger, Defendant Powell, and Defendant Richardson knew that the prospect of a casino coming to Rockingham County would be unpopular with their constituents and deliberately concealed their involvement with Cordish and knowledge of Cordish's plans from Rockingham County residents. When Mr. Travis spoke about his opposition to a casino in Rockingham County and the actions of Defendant Berger, Defendant Powell, and Defendant Richardson, who had met with Cordish and taken actions to facilitate Cordish's expansion to Rockingham County, Defendant Berger, Defendant Powell, and Defendant Richardson falsely stated that Mr. Travis was lying. By saying that Mr. Travis was lying, Defendant Berger, Defendant Powell, and Defendant Richardson, without

any legitimate basis or justification, gaslit the residents of Rockingham County and attacked Mr. Travis’s honesty and integrity—attributes that they knew would be important to voters in Rockingham County.

- b. Defendant Powell knew that Mr. Travis had not ripped out the valve stems of his vehicle’s tires or otherwise damaged his vehicle. Defendant Powell made a report to the Reidsville Police Department (“RPD”) on or about February 8, 2022. The RPD thoroughly investigated Defendant Powell’s allegations, and Mr. Travis fully cooperated with the RPD investigation, including voluntarily submitting to a voice stress test. Later in February 2022, the RPD closed its investigation and did not find any basis to conclude that Mr. Travis was responsible for the alleged damage to Defendant Powell’s tires. Despite Mr. Travis being cleared of responsibility, Defendant Powell has continued to falsely accuse Mr. Travis of engaging in criminal conduct by causing damage to his tires.
- c. In February and March 2024, Defendant Berger, Defendant Powell, and Defendant Richardson knew that Mr. Travis had not stolen their campaign signs. There are no photos, videos, or other evidence that would cause any reasonable person to believe that Mr. Travis stole his opponents’ signs during the 2024 Republican primary election. Notwithstanding the lack of any reasonable basis for Defendant Berger, Defendant Powell, and Defendant Richardson to believe that Mr. Travis had stolen their campaign signs, these Defendants falsely stated that Mr. Travis had engaged in criminal conduct by stealing their signs.

d. Upon information and belief, Defendant GOP Chair Parnell knew that Mr. Travis had not lied about Defendant Berger, Defendant Powell, and Defendant Richardson taking action that created the conditions necessary for a casino to operate in Rockingham County if the Pro-Casino Bill became law; that Mr. Travis had not damaged Defendant Powell's tires and had been cleared of that allegation by the RPD's investigation; and that Mr. Travis had not stolen the campaign signs of his opponents in the 2024 Republican primary election. Notwithstanding this knowledge, Defendant GOP Chair Parnell published false statements about Mr. Travis as set out in paragraphs 68 through 70 above. Upon information and belief, Defendant GOP Chair Parnell felt beholden to Defendant Berger, Defendant Powell, and Defendant Richardson because they had appointed Mr. Parnell to the Planning Board and, during the same meeting on October 16, 2023, appointed her to the Rockingham County Library Board of Trustees. Defendant GOP Chair Parnell bears a personal ill will towards Mr. Travis because of an argument between Mr. Travis and Mr. Parnell on February 8, 2022 arising from Mr. Parnell's false allegation that Mr. Travis was the administrator and/or content creator for the Facebook page for NC Patriot Project. Thus, although Defendant GOP Chair Parnell was the chairman of the Rockingham County Republican Party and should have remained neutral during the 2024 Republican primary election, Defendant GOP Chair Parnell vigorously opposed Mr. Travis's candidacy and knowingly made defamatory statements about him to ensure that he would not be elected to the Board of Commissioners.

- e. Upon information and belief, Defendant Berger, Defendant Powell, and Defendant Richardson made false statements about Mr. Travis in the False Attack Ad text messages described in paragraphs 53 through 56 above to mislead voters by causing them to believe that Mr. Travis planned to raise property taxes, because they knew that this was an issue important to Rockingham County residents. There was no basis for Defendant Berger, Defendant Powell, and Defendant Richardson to believe that Mr. Travis intended to raise property taxes. Mr. Travis did not say that he planned to vote to raise property taxes, and the video embedded in the text message was deceptively edited to make it seem as though Mr. Travis said that he would raise taxes when the full, unedited video of his interview with Star TV News clearly shows that is not Mr. Travis's position.
- f. Upon information and belief, Defendant APC and Defendant NCCF published and distributed the False Attack Ad mailers, which were funded by Defendant GOPAC, with knowledge of the falsity of the statements about Mr. Travis contained therein. The sources cited by Defendant APC and Defendant NCCF in the False Attack Ad mailers funded by Defendant GOPAC do not support the statements made in the mailers, as described in paragraphs 58 through 60 above. Upon information and belief, Defendant APC and Defendant NCCF deliberately selected issues that they knew would be important to Rockingham County voters and made false statements about Mr. Travis regarding his position on these issues to mislead voters and thereby damage his candidacy.

83. Mr. Travis has been injured as a proximate result of the defamatory statements made by Defendants in the False Attack Ads, Facebook posts, email, and other communications described above. Mr. Travis had to spend substantial personal funds to counter the malicious, false, derogatory statements made about him by Defendants and to mitigate the damage to his reputation and candidacy caused by the defamatory statements made by Defendants. Mr. Travis has suffered substantial embarrassment, mental anguish, and distress due to the damage to his reputation proximately caused by Defendants' defamatory statements.

84. Mr. Travis has been damaged by the libelous statements made by Defendants in the False Attack Ads, Facebook posts, email, and other communications described above in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00).

SECOND CLAIM FOR RELIEF
(Libel *Per Quod*)

85. Paragraphs 1 through 84 above are hereby realleged and incorporated by reference as if fully set forth herein.

86. If the Court determines that any of the statements made by Defendants in the False Attack Ads, Facebook posts, email, and other communications described above are not on their face defamatory, they are defamatory when considered in light of the explanatory circumstances described above.

87. Mr. Travis has been damaged by the false statements of Defendants constituting libel *per quod* in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00).

**THIRD CLAIM FOR RELIEF
(Slander)**

88. Paragraphs 1 through 87 above are hereby realleged and incorporated by reference as if fully set forth herein.

89. Defendant Berger, Defendant GOP Chair Parnell, Defendant Powell, and Defendant Richardson uttered defamatory statements that tended to prejudice Mr. Travis's reputation and candidacy. These statements were false and published to many third parties through interviews, personal conversations, and campaign speeches.

90. Mr. Travis has been damaged by the slanderous statements of Defendant Berger, Defendant GOP Chair Parnell, Defendant Powell, and Defendant Richardson in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00).

**FOURTH CLAIM
(Civil Conspiracy)**

91. Paragraphs 1 through 90 above are hereby realleged and incorporated by reference as if fully set forth herein.

92. Upon information and belief, a conspiracy existed between Defendants to commit wrongful, malicious acts to defame Mr. Travis and interfere with the right of the voters of Rockingham County to make a decision about which candidates to vote for in the 2024 primary election for Board of Commissioners without interference with and subversion of the democratic process by the deceptive conduct of Defendants.

93. Upon information and belief, Defendants had an agreement to publish defamatory statements about Mr. Travis. Upon information and belief, Defendants agreed on a course of action to unlawfully interfere with Mr. Travis's campaign for a seat on the Board of

Commissioners in the 2024 Republican primary election by engaging in a coordinated effort to publish defamatory statements about Mr. Travis. In support of this allegation, Mr. Travis shows the Court as follows:

- a. Upon information and belief, Defendant GOPAC coordinated with Defendant NCCF to provide funding to allow Defendant NCCF, through Defendant APC, to create the False Attack Ad mailers to defame Mr. Travis and damage his candidacy by deliberately misleading voters in the 2024 Rockingham County primary election. On the same day that Defendant GOPAC contributed \$25,000.00 to Defendant NCCF, Defendant NCCF paid \$24,044.00 to Defendant APC for the False Attack Ad mailers opposing Mr. Travis. It is inconceivable that Defendant GOPAC did not know the purpose for which the funds contributed to Defendant NCCF would be used, particularly since Senator Berger is on the advisory board of Defendant GOPAC.
- b. Upon information and belief, Defendant Berger, Defendant GOP Chair Parnell, Defendant Powell, and Defendant Richardson agreed to publish and reiterate the same false statements about Mr. Travis to unlawfully damage his campaign and ensure that he would not defeat any of the incumbent Commissioner Defendants. As described in paragraphs 61 through 75 above, the false statements made by Defendant Berger, Defendant GOP Chair Parnell, Defendant Powell, and Defendant Richardson about Mr. Travis all involve the same topics and were made within the same timeframe. Upon information and belief, Defendant Berger, Defendant Powell, and Defendant Richardson met at the office of Seth Woodall

on or about February 8, 2024 to coordinate their unlawful, defamatory attack against Mr. Travis.

94. Defendants' wrongful actions pursuant to their agreement defamed Mr. Travis, unlawfully interfered with Mr. Travis's campaign, and proximately caused damage to Mr. Travis's reputation as set out herein.

95. Mr. Travis has been injured by Defendants' wrongful acts done in furtherance of their conspiracy, and Defendants should be jointly and severally liable for the damage caused to Mr. Travis.

PUNITIVE DAMAGES

96. Paragraphs 1 through 95 above are hereby realleged and incorporated by reference as if fully set forth herein.

97. Defendants engaged in malicious and willful and wanton conduct that was intended to interfere with, and did actually interfere with, the rights of Mr. Travis.

98. Upon information and belief Defendant Berger, Defendant GOP Chair Parnell, Defendant Powell, and Defendant Richardson possessed an ill will towards Mr. Travis. Upon information and belief, Defendants resented Mr. Travis's positive reputation and strong candidacy for a seat on the Board of Commissioners when he announced his candidacy.

99. Upon information and belief, Defendant Berger, Defendant Powell, and Defendant Richardson were furious with Mr. Travis for exposing their misrepresentations regarding their involvement with Cordish and Cordish's Holding Company, the efforts they made to bring a commercial casino to Rockingham County, and their attempts to conceal the plan to bring a casino to Rockingham County from its residents.

100. The actions of Defendants described herein above were malicious, willful and wanton, atrocious, reprehensible, and with reckless indifference to the rights and wellbeing of Mr. Travis.

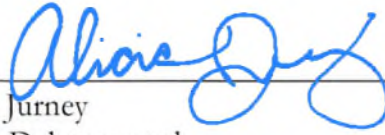
101. Mr. Travis is entitled to recover punitive damages from Defendants in accordance with N.C. Gen. Stat. § 1D-15.

PRAYER FOR RELIEF

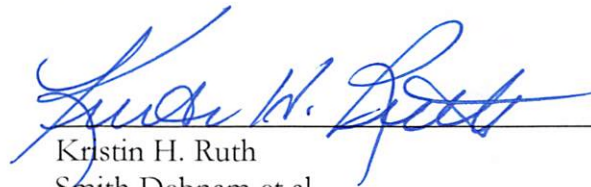
WHEREFORE, Mr. Travis prays that this Court grant him the following relief:

1. Award Mr. Travis compensatory damages in excess of \$25,000.00 against Defendants, jointly and severally, on his claim for libel *per se*;
2. Award Mr. Travis compensatory damages in excess of \$25,000.00 against Defendants, jointly and severally, on his claim for libel *per quod*;
3. Award Mr. Travis compensatory damages in excess of \$25,000.00 against Defendant Berger, Defendant GOP Chair Parnell, Defendant Powell, and Defendant Richardson, jointly and severally, on his claim for slander;
4. Award Mr. Travis punitive damages in excess of \$25,000.00 to punish each Defendant;
5. Allow a jury trial on all issues so triable;
6. Tax the costs of this action against Defendants; and
7. Grant Mr. Travis such other and further relief as the Court deems just and proper.

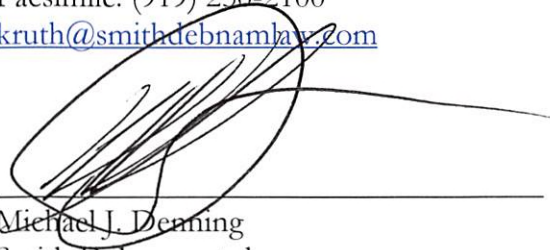
This the 17th day of June, 2024.



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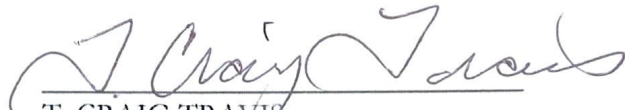
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STATE OF NORTH CAROLINA
COUNTY OF Rockingham

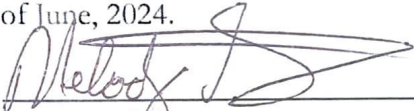
VERIFICATION

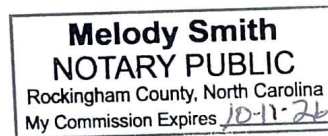
I, T. CRAIG TRAVIS, do hereby affirm, depose, and state that I am the Plaintiff herein, that I have read the foregoing Complaint and know the statements therein to be true of my own personal knowledge, except for those matters alleged upon information and belief, and as to those matters, I believe them to be true.

This the 14 day of June, 2024.


T. CRAIG TRAVIS

Sworn and subscribed
before me this 14 day
of June, 2024.


Notary Public



My Commission expires:

10-11-26