

February 13, 2017

Sent via email to FidelFajardo-Acosta@creighton.edu

Mr. Fidel Fajardo-Acosta, PhD
Professor of English
Creighton University

Re: Cease and Desist - Defamatory Statements

Dear Mr. Fajardo-Acosta:

This firm and the undersigned represent Turning Point USA (NFP). I am directing you to immediately cease and desist from posting or otherwise publishing all false, injurious, and otherwise defamatory information regarding Turning Point USA.

I am aware of numerous false and/or actionable statements published by you to Mr. Rick Ruggles of the Omaha World-Herald, as well as numerous colleagues of yours at Creighton University, including but not limited to:

1. That Turning Point USA "is not a legitimate student organization but a political attack group funded by billionaire political extremists.";
2. "Though the organization claims to promote 'fiscal responsibility, free markets, and limited government,' its main purpose is to harass and persecute liberal academics.";
3. That Turning Point USA is "criminal because it incites hate, violence and racist attacks against individuals based on their ideas, political views, and ethnicity.";
4. "The leaders of Turning Point USA at Creighton have been documented engaging in academic dishonesty, launching waves of hate mail, obscenities and racial slurs against faculty, and making hate-related statements in social media, including expressing approval of the murder of African-Americans.";
5. That Turning Point USA is "engaged in tax fraud, as it claims 501(c)3 nonprofit status while pursuing political aims.";

Publishing these false statements is not protected free speech, but rather an intentional and calculated decision on your part to publish defamatory statements regarding Turning Point USA and the individuals to whom you are referring.

Publishing these false statements, as well as others not discussed herein, support several potential causes of action against you and any other person who publishes such false statements,

including, but not limited to actionable tort claims for defamation, libel, misrepresentation, and intentional interference with business relationships.

Therefore, we hereby demand that you immediately cease and desist from publishing any such false information in the future. If you ignore this demand, we are prepared to initiate litigation to recover (1) damages related to the harm to Turning Point USA's reputation; (2) damages for interference with Turning Point USA's business relationships; (3) punitive damages; and (4) all other recoverable damages and costs.

Within five business days of your receipt of this letter, please provide our office with written assurance via email that you are willing to comply with the foregoing request. Failure to provide such assurances may result in further legal action. If you have any questions, please do not hesitate to contact me at the above-listed phone number or via email at claude@wagenmakerlaw.com. We thank you in advance for your anticipated cooperation.

Sincerely,



Claude O. Tackett
Attorney at Law

cc: Charlie Kirk (*via email*)