

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

TAYLOR DUMPSON,¹

Plaintiff,

v.

BRIAN ANDREW ADE,
7205 Old Nashville Road,
Fairview, TN 37062; and

EVAN JAMES MCCARTY,
5010 Saxon Way,
Eugene, OR 97405; and

**ANDREW ANGLIN, in his personal
capacity and d/b/a DAILY STORMER,**
6827 N High Street, Suite 121,
Worthington, OH 43085; and

and

**MOONBASE HOLDINGS, LLC, d/b/a
ANDREW ANGLIN and/or DAILY
STORMER,**
6827 N High Street, Suite 121,
Worthington, OH 43085

Defendants.

COMPLAINT

Case No. _____

COMPLAINT

1. On May 1, 2017, just one day after being inaugurated as the first female African American student government president at American University, Plaintiff Taylor Dumpson became the victim of racially motivated and threatening hate crimes on her college campus and a vicious online campaign of racially motivated harassment designed to intimidate and place

¹ Concurrent with the filing of this complaint, Plaintiff is moving this Court for leave to omit her address from the caption.

Ms. Dumpson in fear for her safety. On that day, a masked man hung bananas from nooses on American University's campus, displaying racially-charged and threatening messages that targeted Ms. Dumpson and her historically black sorority. The perpetrator hung the bananas near American University's student government offices where Ms. Dumpson was to begin carrying out her role—that very day—as the new student government president. The epithets and threats on the bananas included the phrases “AKA free,” referencing Ms. Dumpson's sorority, and “Harambe bait.” “Harambe” was the name of a gorilla that was shot and killed at the Cincinnati Zoo—and thus “Harambe bait” is a crude and racist slur that compares African Americans to gorillas and threatens to lure them to their death. The use of nooses in itself was a threat intended to intimidate and harass Ms. Dumpson and other African American students on the American University campus.

2. After the media reported on the hate crime, a known neo-Nazi, Defendant Andrew Anglin, posted an article about Ms. Dumpson and the campus hate crime on his website, the Daily Stormer. As he has done in other high-profile hate crimes against Jews and Muslims, Defendant Anglin targeted Ms. Dumpson using racist language, and directed his followers to “troll storm” Ms. Dumpson by harassing and cyberbullying her via social media. He included her name and photo in his article and provided direct links to her Facebook page and the American University Student Government's Twitter page.

3. As Defendant Anglin intended, a troll storm ensued. Defendants Brian Andrew Ade and Evan James McCarty, among others, took to social media to target, intimidate, threaten, and harass Ms. Dumpson with racist and demeaning messages. Threats included language such as “READY THE TROOPS.” Instead of celebrating her achievement as American University's first African American female student government president, Ms. Dumpson found herself fearing for her safety as intimidating comments poured in.

4. Following the nooses and the threatening statements on the bananas, as a result of the publication of her name, photo, and contact information; the exhortation to intimidate her online; and the ensuing threats and harassment, Ms. Dumpson suffered severe mental and physical trauma, the impact of which touches every aspect of her life. She was diagnosed with Post Traumatic Stress Disorder and lives in constant fear for her safety.

NATURE OF THE ACTION

5. Ms. Dumpson brings this action pursuant to the District of Columbia Human Rights Act of 1977, D.C. Code § 2-1401.01 et seq., the Bias-Related Crime Act of 1989, D.C. Code § 22-3701 et seq., and District of Columbia tort law.

6. As a result of the hate crimes and racist online attacks against her, Ms. Dumpson was denied an equal opportunity to participate in public accommodations and in her educational institution, American University. These crimes and harassment therefore violated the District of Columbia Human Rights Act of 1977 (“DCHRA”).

7. Under the DCHRA “[e]very individual shall have an equal opportunity to participate fully in the economic, cultural and intellectual life of the District and to have an equal opportunity to participate in all aspects of life, including . . . in places of public accommodation . . . [and] in educational institutions[.]” D.C. Code § 2-1402.01.

8. The DCHRA makes it unlawful “[t]o deny, restrict, or to abridge or condition the use of, or access to, any of [an educational institution’s] facilities, services, programs, or benefits of any program or activity to any person otherwise qualified, wholly or partially, for a discriminatory reason, based upon the actual or perceived: race . . . [or] sex.” D.C. Code § 2-1402.41(1).

9. The DCHRA makes it unlawful to “deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations

of any place of public accommodations” for a “discriminatory reason” including race or gender. D.C. Code § 2-1402.31(a)(1).

10. Under the Act, it is also unlawful to “coerce, threaten, retaliate against, or interfere with any person in the exercise or enjoyment of, or on account of having exercised or enjoyed, or on account of having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected under [the Act].” D.C. Code § 2-1402.61(a). Additionally, the Act makes it unlawful to “request[] or suggest” that a person interfere with protected rights, or to “attempt to cause or coerce, directly or indirectly, any person to prevent any person from complying” with the Act. D.C. Code § 2-1402.61(b)-(c).

11. The DCHRA allows a private cause of action to be brought by a victim of an unlawful discriminatory act against the perpetrator of these unlawful acts for damages and such other remedies as may be appropriate. D.C. Code § 2-1403.16(a).

12. In addition, Ms. Dumpson was targeted for and a victim of bias-related crimes, including stalking, under the District’s Bias-Related Crime Act of 1989 and the District’s criminal law.

13. Under the Bias-Related Crime Act of 1989, a “bias-related crime” is a criminal act that demonstrates the accused’s prejudice based on, inter alia, the actual or perceived race, color, or gender of the victim of the subject criminal act. D.C. Code § 22-3701(1)-(2). Under the Bias-Related Crime Act, a victim of a bias-related crime may bring a civil action for relief. D.C. Code § 22-3704(a)-(b).

14. District of Columbia tort law recognizes the tort of intentional infliction of emotional distress for intentional, extreme, and outrageous acts that led to severe emotional suffering. It also recognizes vicarious liability for a civil conspiracy to commit tortious activities.

THE PARTIES

I. PLAINTIFF

15. At the time of the events in question, Plaintiff Taylor Dumpson was a junior at American University and an active member of Alpha Kappa Alpha Sorority Inc. (“AKA”), a historically black sorority. She is African American.

16. Ms. Dumpson is a citizen of Maryland. Although she currently resides in Washington, D.C., she is doing so as a student at American University, and remains domiciled in Maryland.

II. DEFENDANTS

A. Daily Stormer and Andrew Anglin

17. The Daily Stormer is a website created and run by Defendant Andrew Anglin and named after the anti-Semitic Nazi-era weekly, *Der Stürmer*.

18. The Daily Stormer peddles and foments hate; it is a commentary site that publishes opinion pieces interpreting current events through a racist, anti-Semitic, bigoted, and frequently misogynist lens.

19. According to various sources, at the time of the events in question, the Daily Stormer was the most popular white supremacist and neo-Nazi website in the United States, and on information and belief, one of the most prolific, having published thousands of articles. The Daily Stormer’s articles and authors typically use memes² and impart messages intended to inflict

² A “meme” is a virally-transmitted cultural symbol or social idea. The majority of modern memes are captioned photos that are intended to be funny, often as a way to publicly ridicule human behavior.” Paul Gil, *What is a Meme?*, The Huffington Post (Apr. 06, 2018), <https://www.lifewire.com/what-is-a-meme-2483702>.

harm on minorities, “to spread [a] message of nationalism and anti-Semitism,”³ and to incite its readership to engage in illegal acts against women, minorities, and others. At the time of the events in question, it had active comment forums in which its readers could interact with its authors and discuss the articles.

20. Defendant Anglin and other Daily Stormer writers intentionally encourage readers to “troll” minorities, women, and anyone they consider an “enemy” of their neo-Nazi and white supremacist mission. Trolling is mocking, insulting, harassing, threatening, humiliating, defaming, and/or intimidating a targeted person through communications (typically, but not exclusively, online). Trolling has a chilling effect on the targets’ participation on social media sites, such as Facebook and Twitter and interferes with their day-to-day activities.

21. A Daily Stormer style guide advises writers that “if you’re writing about some enemy Jew/feminist/etc., link their social media accounts. Twitter especially.”⁴ The style guide also encourages its writers to dehumanize their “enemies”: “There should be a conscious agenda to dehumanize the enemy, to the point where people are ready to laugh at their deaths. *So it isn’t clear that we are doing this*—as that would be a turnoff to most normal people—we rely on lulz.”⁵ “Lulz” is malicious humor associated with trolling. As the style guide makes clear, the Daily Stormer incites illegal action and harassment, like that described in this Complaint, all the while using a veneer of humor as a shield.

³ Ashley Feinberg, *This is the Daily Stormer’s Playbook*, The Huffington Post (Dec. 13, 2017), https://www.huffingtonpost.com/entry/daily-stormer-nazi-style-guide_us_5a2ece19e4b0ce3b344492f2.

⁴ *Id.*

⁵ *Id.* (emphasis added); see also Andrew Anglin, *A Normie’s Guide to the Alt-Right*, The Daily Stormer (Aug. 31, 2016), <https://dailystormer.name/a-normies-guide-to-the-alt-right/>.

22. For instance, recent articles about the engagement of Prince Harry, a member of the British royal family, to Meghan Markle, an African American actress, used dehumanizing and inflammatory language, describing Markle as a “monkey-faced n*****r whore,”⁶ (the original article did not redact the racial slur) whose “jungle DNA compels her to have an irrational craving for bananas.”⁷

23. Likewise, in an article about the death of Heather Heyer, the woman allegedly killed by white supremacist James Fields in Charlottesville, Virginia in 2017 at the “Unite the Right” rally, Defendant Anglin described Heyer as, “A 32-year-old woman without children [who] is a burden on society and has no value.”⁸ Defendant Anglin concluded that “[h]ad she not died [], hundreds of thousands of dollars would have been spent on propping-up this gross creature who had failed to do her most basic duty – her only real duty, in fact – and reproduce,” and that “[h]aving no children at that age, it can be assumed that she had multiple abortions.”⁹

24. Similarly, an April 2018 article threatened a mother who was advocating for regulation of knives after her son was stabbed to death on his college campus. The Daily Stormer article mocked: “Bitch what you need is a punch in the face that isn’t symbolic or metaphorical and which leaves you with a permanent reminder every time you look in the mirror that THIS IS

⁶ Andrew Anglin, *Petitioners Demand That “Monkey-Faced N***** Whore” Meghan Markle Not be Given a Royal Title*, The Daily Stormer (Dec. 29, 2017), www.dailystormer.name/petitioners-demand-that-monkey-faced-nigger-whore-meghan-markle-not-be-given-a-royal-title/.

⁷ Adrian Sol, *Banana-Obsessed Monkey Bitch Meghan Markle Demands a Banana Wedding Cake! Sick!*, The Daily Stormer (Dec. 5, 2017), <https://dailystormer.name/banana-obsessed-monkey-bitch-meghan-markle-demands-a-banana-wedding-cake-sick/>

⁸ Andrew Anglin, *Heather Heyer: Women Killed in Road Rage Incident was a Fat, Childless 32-Year-Old Slut*, The Daily Stormer (Aug. 13, 2017), <https://web.archive.org/web/20170813213153/https://www.dailystormer.com/heather-heyer-woman-killed-in-road-rage-incident-was-a-fat-childless-32-year-old-slut/>

⁹ *Id.*

AMERICA AND AMERICA MEANS FREEDOMS!”¹⁰ A picture of a woman crying and cowering on the floor next to a man’s fist accompanies the article.

25. Defendant Andrew Anglin is the founder and publisher of the Daily Stormer. Upon information and belief, Defendant Anglin registered the Daily Stormer website, writes many of the articles on the site, and oversees its operations. Defendant Anglin has used the site to incite cyber mobs against journalists, minorities, political candidates, and others by, among other things, publishing victims’ photos and contact information and encouraging his followers to “take action.”¹¹ As a means of encouraging troll storms and online harassment,¹² he has provided instructions to his followers on “how to register anonymous email accounts, set up virtual private networks, mask their IP addresses, and forge Twitter and text-message conversations.”¹³ Defendant Anglin is currently the defendant in at least two lawsuits concerning his incitement of troll storms, *Gersh v. Anglin*, No. 9:17-cv-00050-DLC-JCL (D. Mont.), and *Obeidallah v. Anglin*, No. 2:17-CV-720 (S.D. Ohio). Defendant Anglin is domiciled in Ohio. Order and Findings & Recommendation, *Gersh v. Anglin*, No. 9:17-cv-00050-DLC-JCL (D. Mont. Mar. 21, 2018), ECF No. 75.

26. The underlying matter at issue in *Gersh v. Anglin* involves a troll storm against a Jewish realtor, Tanya Gersh, initiated by Defendant Anglin in December 2016 with an article

¹⁰ Andrew Anglin, *Knife Control Movement Comes to America, Kooks Trying to Appeal the Knife Amendment*, The Daily Stormer (Apr. 22, 2018), <https://dailystormer.name/knife-control-movement-comes-to-america-kooks-trying-to-appeal-the-knife-amendment/>.

¹¹ Luke O’Brien, *The Making of an American Nazi*, The Atlantic (Dec. 2017), <https://www.theatlantic.com/magazine/archive/2017/12/the-making-of-an-american-nazi/544119/>.

¹² “Troll storms” involve the coordinated trolling of a person by multiple individuals via messages sent over social media platforms, postal mail, and phone.

¹³ Luke O’Brien, *The Making of an American Nazi*, The Atlantic (Dec. 2017), <https://www.theatlantic.com/magazine/archive/2017/12/the-making-of-an-american-nazi/544119/>.

entitled “Let’s Hit Em Up[.] Are y’all ready for an old fashioned Troll Storm? Because AYO [hey you] – it’s that time, fam [family].”¹⁴ Defendant Anglin provided phone numbers, email addresses, and links to social media profiles for Gersh, her immediate family members (including her twelve-year-old son), her friends, and her colleagues.¹⁵ Defendant Anglin’s article and instructions unleashed a troll storm on Gersh who, in the wake of the article, received numerous hateful messages over email, Facebook and phone, such as “Ratfaced criminal who play with fire tend to get thrown in the oven,” “Merry Christmas, you Christ-killer,” and “This is the goylash. You remember the last goylash, don’t you Tanya? Merry Christmas, you Christ killing Jew.” As a result of the troll storm Defendant Anglin intentionally unleashed, Mrs. Gersh suffered panic attacks, incurred anxiety, experienced hair loss, and had difficulty leaving her home.

27. The underlying matter at issue in *Obeidallah v. Anglin* also involves an article published by Anglin claiming that Muslim comedian Dean Obeidallah was a terrorist responsible for an attack that took place at a pop concert in Manchester, England in 2017. The article included technology (a “widget”) allowing readers to link to Obeidallah’s Twitter feed, which often indicated where he was. The article also asked readers to “confront” Obeidallah, resulting in Obeidallah receiving threats and fearing for his safety.

28. In addition to the troll storms and harassment at issue in the *Gersh* and *Obeidallah* lawsuits, Anglin has instigated numerous other coordinated attacks on individuals he deems “enemies” by writing inflammatory articles about them and then providing their contact information and encouraging his readers to harass them. These attacks include the targeting of

¹⁴ Compl. ¶ 5, *Gersh v. Anglin*, 9:17-cv-00050-DLC-JCL (D. Mont. Apr. 18, 2017), ECF No.

1.

¹⁵ *Id.* ¶ 4.

journalists such as Michael Weisman,¹⁶ Julia Ioffe,¹⁷ David French, and commentator Mickey White because of their religion and political commentary.¹⁸ In June 2016, Anglin also targeted congressional candidate Erin Schrode because of her religion.¹⁹

29. Upon information and belief, Defendant Anglin resides in Worthington, Ohio.

¹⁶ In May 2016, Weisman, a Jewish journalist who has worked at the New York Times and Washington Post, was targeted by Anglin who “sic[ed] his Stormtroopers” on Weisman. Weisman received an “onslaught” of hate messages on Twitter, voicemail and email, including images of his face “superimposed on a victim of the Holocaust leaning over and about to be shot in the head by a Nazi.” Terry Gross, *Attacked by Alt-Right Trolls, a Jewish Journalist Links Trump to the Rise of Hate*, NPR (Mar. 19, 2018), <https://www.npr.org/2018/03/19/594894657/attacked-by-alt-right-trolls-a-jewish-journalist-links-trump-to-the-rise-of-hate>.

¹⁷ Anglin wrote to his supporters, “Please go ahead and send her a tweet and let her know what you think of her dirty kike trickery. Make sure to identify her as a Jew working against White interests, or send her the picture with the Jude star from the top of the article.’ Anglin provided Ioffe’s Twitter address and the anti-Semitic picture he mentioned.” Anti-Defamation League, *Anti-Semitic Targeting of Journalists During the 2016 Presidential Campaign* (Oct. 19, 2016), https://www.adl.org/sites/default/files/documents/assets/pdf/press-center/CR_4862_Journalism-Task-Force_v2.pdf.

¹⁸ In an article from October 2016, Anglin included a picture of the teenage daughter of reporter David French, who had written an article critical of Trump, linked to his daughter’s Instagram account, and wrote: “Someone should ask her if her mother and father pressure her into Black sex. Here’s her instagram [link]. Ask her if she needs help.” In the same article, Anglin provide a link to the Twitter handle for another commentator who had been critical of Trump, Mickey White, and wrote: “Mickey White is on twitter. @BiasedGirl [link]. You may wish to give her diet tips.” Andrew Anglin, *David French: “I Saw Images of My Daughter’s Face in Gas Chambers, with a Smiling Trump in a Nazi Uniform”*, The Daily Stormer (Oct. 22, 2016), www.dailystormer.name/david-french-i-saw-images-of-my-daughters-face-in-gas-chambers-with-a-smiling-trump-in-a-nazi-uniform/.

¹⁹ Anglin published at least six articles about Schrode, unleashing a vicious troll storm on the 25 year-old. The first article Anglin published about her, from June 3, 2016, mocked Schrode and her bid to become the youngest women ever elected to Congress. Defendant Anglin also posted Schrode’s personal email, social media handles, and cellphone number to the Daily Stormer and she received a barrage of anonymous messages in the following months, including messages such as “Get to Israel to where you belong. That or the oven. Take your pick” and “All would laugh with glee as they gang raped her and then bashed her bagel eating brains in.” Toi Staff, *‘Fire Up the Oven’: Neo-Nazis Target Jewish Candidate in California*, The Times of Israel (June 5, 2016), <https://www.timesofisrael.com/fire-up-the-oven-neo-nazis-target-jewish-candidate-in-california/>. In addition to emails and tweets, Schrode’s campaign website was also hacked, and the hackers changed her name on her campaign website to Adolf Hitler. In addition, she received a voicemail from someone making a hissing noise after Defendant Anglin dubbed her a “hissing weasel” on the Daily Stormer.

B. Moonbase Holdings, LLC

30. Upon information and belief, Defendant Moonbase Holdings, LLC is for-profit, limited-liability corporation organized and existing under the laws of the State of Ohio. Moonbase Holdings is registered by Andrew Anglin, and assists in the operation of the Daily Stormer and provides Defendants Anglin and Daily Stormer with financial support. Upon information and belief, Defendant Anglin signed and filed the articles of incorporation for Moonbase Holdings with the Ohio Secretary of State in September 2016.

C. Brian Andrew Ade

31. Upon information and belief, Brian Andrew Ade sent hateful, intimidating, and harassing messages directed at Ms. Dumpson to various Twitter accounts associated with her, American University, the American University Student Government, and/or the American University Student Government President beginning in May 2017 after Ms. Dumpson was inaugurated as student government president.

32. Upon information and belief, Defendant Ade controls one or more of the following Twitter accounts: @BrianAndrewAde, @BrianAndrewA.

33. Upon information and belief, Defendant Ade is a citizen of Tennessee.

D. Evan James McCarty

34. Upon information and belief, Evan James McCarty sent hateful, intimidating, and harassing messages directed at Ms. Dumpson to various Twitter accounts associated with her, American University, the American University Student Government, and/or the American University Student Government President beginning in May 2017 after Ms. Dumpson was inaugurated as student government president.

35. Upon information and belief, at the time of these events Defendant McCarty controlled the following Twitter account: @byron_vandal. Defendant McCarty's profile picture

on his @byron_vandal account was an illustration of a Caucasian man and woman with the phrase, “We Have a Right to Exist.” This phrase is a reference to the racist “white genocide” meme.²⁰ Defendant McCarty’s Twitter name at the time was “Byron de la Vandal,” which is a reference to Byron de la Beckwith, the man who assassinated civil rights leader Medgar Evers in 1963.²¹

36. Upon information and belief, Defendant McCarty is a citizen of Oregon.

37. According to news reports, Defendant McCarty is a member of white supremacist and/or neo-Nazi groups such as Vanguard America, and interacts with other extremists on the Daily Stormer.²²

JURISDICTION AND VENUE

38. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332(a), based on the diversity of the parties. The amount in controversy, exclusive of costs and interest, exceeds \$75,000.

39. This Court has personal jurisdiction over each Defendant pursuant to Federal Rule of Civil Procedure 4 and D.C. Code § 13-423(a)(3). Defendant Andrew Anglin published articles on his website, Daily Stormer (owned by Defendant Moonbase Holdings, LLC), which concerned activities occurring entirely in the District of Columbia and regarding Ms. Dumpson, a resident of

²⁰ “White genocide” is a white supremacist conspiracy theory holding that the growth of minority populations threatens to overwhelm the white population, and that once white people fall into the minority they will be subjugated by non-white people. The theory supports white nationalism and racial violence in order to maintain a majority white “ethno-state.” See Andrew Anglin, *A Normie’s Guide to the Alt-Right*, The Daily Stormer (Aug. 31, 2016), <https://dailystormer.name/a-normies-guide-to-the-alt-right/>; White Nationalist, SPLC, <https://www.splcenter.org/fighting-hate/extremist-files/ideology/white-nationalist> (last visited April 22, 2018).

²¹ David Stout, *Byron De La Beckwith Dies; Killer of Medgar Evers Was 80*, The New York Times (Jan. 23, 2001), <https://www.nytimes.com/2001/01/23/us/byron-de-la-beckwith-dies-killer-of-medgar-evers-was-80.html>.

²² Bob Keefer, *Eugene Actor is Secret Neo-Nazi, Rose City Antifa Says*, Eugene Weekly (Apr. 19, 2018), <https://www.eugeneweekly.com/2018/04/19/eugene-actor-is-secret-neo-nazi-rose-city-antifa-says/>.

the District of Columbia. Defendant Anglin directed readers to inflict harm upon Ms. Dumpson. Additionally, each of the Defendants caused tortious injury to Ms. Dumpson, who was residing in the District of Columbia, and the effects and injury of their actions was suffered within the District of Columbia.

40. Venue is proper in the district pursuant to 28 U.S.C. § 1391(b)(2) because the Defendants intended to harm Ms. Dumpson, a resident of District of Columbia, and the effects and injury of Defendants' tortious conduct was suffered within the District of Columbia.

FACTUAL BACKGROUND

I. AMERICAN UNIVERSITY

41. American University ("AU") is a private university located in northwest Washington, D.C. It was chartered by an Act of Congress in 1893 as "The American University."

42. While some academic, residential, and other facilities are reserved for students, faculty, and staff, AU's campus is generally open to the public. The public can walk the school's paths, enjoy its gardens, eat at its numerous restaurants, and shop at its stores. The University has athletic arenas where members of the public can attend sporting events. The public can pick up and drop off rental cars at AU's Zipcar locations and park their own cars in AU's garages. The public can visit AU's theater, amphitheater, and art museum.

43. There are many cafes, coffee shops, restaurants, and other dining facilities in a multitude of campus buildings, including many buildings in close proximity to the events in this case. These food service venues are open to the public.

44. Upon information and belief, AU provides security cards to people unaffiliated with the University that live in nearby neighborhoods so that they may more easily access some parts of campus.

45. The general public can purchase memberships to exercise or swim at the University's Jacobs Fitness Center, Cassell Fitness Center, Congressional Fitness Center, and Reeves Aquatic Center, as well as the University's outdoor athletic facilities, such as its track and tennis courts. AU's athletic facilities also offer group exercise classes, personal training, and swim lessons to the public.

46. The American Public Gardens Association has designated AU's entire campus as a public garden and arboretum.²³ The Association defines a "public garden" as "an institution that maintains collections of plants for the purposes of public education and enjoyment, in addition to research, conservation, and higher learning. It must be open to the public and the garden's resources and accommodations must be made to all visitors."²⁴ The Association defines an "arboretum" by quoting the Merriam Webster Dictionary: "A place where trees and plants are grown in order to be studied or seen by the public."²⁵

47. The Morton Register of Arboreta likewise lists AU as an ArbNet Accredited Arboretum Level II. "The American University Arboretum and Gardens encompasses the entire 84 acre campus located within Washington, D.C. With more than 2,500 trees, the Arboretum provides a welcoming oasis for the local community and visitors to the nation's capital."²⁶ Level

²³ American University, American Public Gardens Association, <https://publicgardens.org/about-public-gardens/gardens/american-university> (last visited on Apr. 27, 2018).

²⁴ What is a Public Garden?, American Public Gardens Association, <https://publicgardens.org/about-public-gardens/what-public-garden> (last visited on Apr. 27, 2018).

²⁵ *Id.*

²⁶ American University Arboretum & Gardens, ArbNet, <http://www.arbnet.org/morton-register/american-university-arboretum-and-gardens> (last visited on Apr. 27, 2018).

II arboretum accreditation requires significant public access and public educational programming.²⁷

48. Upon information and belief, in many AU non-residential buildings, the halls and elevators are open to the public.

49. For example, the Mary Graden Center (“MGC”) is a student center and hub of campus life that is used for many purposes and—at the time of these events—its common areas were accessible by the public at all hours. Since January 2018, MGC’s common areas are open to the public from 6:00 AM to midnight. The MGC contains several restaurants that serve the public. The AU Student Government (“AUSG”) offices are in the MGC.

50. Directly adjacent to the MGC on campus are a United Parcel Service (UPS) store and the AU campus store that are open to the public, as well as the AU Career Center.

51. American University’s campus in general is a place of public accommodation, with specific private areas, such as residence halls, carved out for non-public purposes.

52. In order for the public to use the specific places of public accommodation discussed in the preceding paragraphs, the public necessarily must traverse American University’s campus to access such facilities. Because of the large number of public accommodations spread across the campus, the public routinely uses most of the outdoor areas on campus.

53. American University has thousands of students, faculty, and/or staff.

54. American University serves meals on a regular basis.

²⁷ Level II Criteria, ArbNet, <http://www.arbnet.org/accreditation/levels-accreditation/level-ii-criteria> (last visited on Apr. 27, 2018).

55. American University regularly receives payments for the use of space, facilities, services, meals, or beverages directly or indirectly from or on behalf of the public for the furtherance of trade or business.

II. HATE CRIME AT AU: BANANAS HANGING FROM NOOSES

56. In March 2017, AU junior Taylor Dumpson was elected as the first African American female president of the AU Student Government.²⁸

57. On or about April 28 and 29, 2017, Ms. Dumpson won a leadership award from her historically-black sorority, Alpha Kappa Alpha (“AKA”) and traveled to Baltimore, Maryland to receive the award at the AKA’s 86th North Atlantic Regional Conference. The AU AKA chapter had eight members at the time, including Ms. Dumpson. Ms. Dumpson’s membership in AKA at the time was public knowledge. Ms. Dumpson returned to AU’s campus after receiving the award.

58. On April 30, 2017, Ms. Dumpson was inaugurated as president of the AUSG.

59. Early the next morning, Ms. Dumpson was targeted by a racially-motivated hate crime.

60. Specifically, on May 1, 2017, at or around 2:00 to 4:00 A.M. AUPD received a report that there was a suspicious man on campus wearing dark clothing, including a mask, stocking, hood or other sort of covering over his face. The man was reportedly carrying a grocery-type plastic bag.

61. Upon information and belief, at or around 3:45 A.M. to 4:10 A.M. on May 1, 2017, the man walked around AU’s campus and used nooses made of black rope to hang bananas from lampposts at several locations.

²⁸ Lydia Calitri & Maria Carrasco, *Dumpson, Self, Machovec and Schneider Elected to SG Executive Board*, The Eagle (Mar. 31, 2017), <http://www.theeagleonline.com/article/2017/03/dumpson-self-machovec-and-schneider-elected-to-sg-executive-board>.

62. Upon information and belief, security camera footage shows some or all of the man's activities on campus.

63. Upon information and belief, after the man hung the bananas he got into a white or silver sedan near Rockwood Parkway and left campus.

64. At or around 4:00 A.M. to 6:00 A.M. on May 1, 2017, a student found the bananas hanging from nooses in at least two or three locations, such as near the MGC and Eric Friedheim Quadrangle. The bananas were labeled with phrases such as "AKA Free" and/or "Harambe bait." The student took pictures of the bananas and called AUPD, who responded to the scene.





65. Harambe was a Western lowland silverback gorilla that was shot and killed at the Cincinnati Zoo in a high-profile incident in 2016. Afterward, it became a popular Internet meme, and it was particularly popular in some white supremacist forums.

66. Comparing African Americans to apes or monkeys is a common form of racist insult used to dehumanize, belittle, or intimidate African Americans.

67. The use of the phrase “Harambe bait” suggests a racist threat to kill African Americans by using bananas to lure them into a trap.

68. The use of nooses, especially in combination with bananas (connoting apes or monkeys), expresses hateful animus against African Americans.

69. Nooses, like burning crosses, have long been used to threaten, encourage, or engage in bias-related violence against African Americans. Nooses are particularly threatening when

considered within historical context: at least 4,700 people were lynched in the late 19th and early 20th centuries by mobs eager to maintain a system of white supremacy.²⁹ The noose became “a stand-in for vigilantism, for murder by community, an unveiled threat and a symbol to brandish to keep blacks, especially, ‘in their place.’”³⁰ The racial overtones of the noose and similar symbols and language has long been recognized by multiple courts.³¹

70. The lampposts from which the man hung the bananas are near the MGC, which houses the AU student government offices, and is centrally located on AU’s campus next to the Eric Friedheim Quadrangle.

71. Each location in which the man hung the bananas either is a place of public accommodation itself, or in close proximity to a place of public accommodation, such as the MGC.

III. THE INITIAL AU RESPONSE TO THE HATE CRIME

72. AUPD initiated a hate crime investigation and reached out to the D.C. U.S. Attorney’s Office and Federal Bureau of Investigation for assistance. Law enforcement investigators took pictures of the bananas, collected surveillance camera footage and other evidence, and interviewed witnesses.

73. On or around 9:00 A.M. on May 1, 2017, Ms. Dumpson received a message from a friend notifying her of the incident. Ms. Dumpson also saw photos of the bananas that were shared via social media.

²⁹ Jack Shuler, *The Ominous Symbolism of the Noose*, LA Times (Oct. 27, 2014), <http://www.latimes.com/opinion/op-ed/la-oe-shuler-noose-hate-crimes-20141028-story.html>.

³⁰ *Id.*

³¹ *See, e.g., Washington v. Francisco*, No. C 14-05083 WHA, 2015 WL 9300413, at *4 (N.D. Cal. Dec. 22, 2015) (“[T]he noose is one of the most vile symbols in American history... The severity of the hostility inherent in a display of a noose cannot be overstated.”); *United States v. Baca*, 610 F. Supp. 2d 1203, 1212-13 (E.D. Cal. 2009) (“A hangman’s noose is a symbol of extrajudicial murder and racial hatred... [and is] a universally recognized symbol of racial intolerance, unfair punishment, and injustice.”).

74. Upon information and belief, it was clear to AU, AUSG, law enforcement, and Ms. Dumpson that she was the primary target of the hate crime. Ms. Dumpson was one of the highest profile members of the AU AKA at the time; in addition to her student government involvement, she also had a leadership role in campus Greek life. These facts were widely known around the AU campus. The hate crime occurred immediately after her inauguration as the first African American woman to serve as president of the AUSG.

75. Upon learning of the incident, Ms. Dumpson immediately called the AU Office of Campus Life, which was already aware of the incident. Later that day, the University sent a notification to all students about the incident.

76. Ms. Dumpson next called her parents to let them know that she had been targeted by a hate crime perpetrator. Both of her parents drove to D.C. and arrived later that day.

77. On or around 4:00 P.M. on May 1, Ms. Dumpson and her mother met with AU administration officials and AUPD to discuss the incident.

78. Later that day—on her first day on the job—Ms. Dumpson made a public statement in her official capacity as AUSG President addressing the hate crime targeted at herself.

IV. COMMUNITY, LOCAL, AND NATIONAL RESPONSE TO THE HATE CRIME

79. In the first few days after the hate crime, Ms. Dumpson was in shock. She hurried or was hurried from one meeting to the next in a whirlwind of activity.

80. On May 2, 2017, Ms. Dumpson's mother did not leave her side, as Ms. Dumpson continued to be in shock, feeling overwhelmed as she tried to move through the days following the incident. The University held a town hall. The town hall and associated student protests garnered media coverage.

81. On May 3, 2017, Ms. Dumpson gave interviews to the media, including WTOP, NBC4, and the CBS Evening News. The story of the hate incident at AU became national news.

Additional public events were held on campus in response to the hate crime, as dialogue continued between students, faculty, and administrators.

82. On May 4, 2017, Ms. Dumpson attended a press conference about the hate crime on Capitol Hill with members of the Congressional Black Caucus.

83. Once back at campus, Ms. Dumpson was asked to participate in another public event with the AU administration. The AU officials and Ms. Dumpson held a meeting in a glass-walled conference room with media cameras pressed against the glass from the outside.

84. Because of the trauma of the events, Ms. Dumpson was unable to eat or sleep normally. From May 1 through May 4, Ms. Dumpson slept a mere 14 hours combined. She ate less than one full meal on May 1. She was unable to eat on May 2 or 3. She was only able to eat one full meal on May 4.

V. ANDREW ANGLIN TARGETS TAYLOR DUMPSON

85. Upon information and belief, around the middle of the day on May 4, someone called the information desk at the MGC, where a student answered the phone. The caller did not identify him or herself. The caller asked: “How many more bananas and how much more rope is it going to take to make this all stop?” The caller then hung up.

86. At or around 7:00 P.M. on May 4, Ms. Dumpson was in her apartment by herself. She checked her phone—having not looked at it for most of the day—and discovered unusual comments from strangers on Facebook that were harassing, mocking, and trolling her.

87. Ms. Dumpson saw an email from the Anti-Defamation League (“ADL”), a civil rights organization, that had been sent at 5:51 P.M. that day. In the email, ADL told her that

Andrew Anglin, publisher of The Daily Stormer, had written an article about Ms. Dumpson and the hate crime.³²

88. As discussed above, Daily Stormer is a leading white supremacist and neo-Nazi website owned and operated by Defendant Anglin, who has a history of using the platform to incite his followers to hatefully “troll” racial and religious minorities in order to inflict harm upon them.³³

89. In his Daily Stormer publication, Defendant Anglin mocked AU’s and law enforcement’s response to the noose incident. In his typical style, he conveyed his hateful and racist message and incited others to harass Ms. Dumpson unlawfully. For example, his article included a photo of African American comedian and actress Leslie Jones with the caption, “RIP Harambe! We miss you!”³⁴ In 2016, Jones deactivated her Twitter account because she was frequently bombarded with racist and misogynist harassment.³⁵

90. Defendant Anglin explicitly targeted Ms. Dumpson and encouraged his followers to do so as well. “No one feels safe around bananas. Some racists have taken to calling this African Queen ‘Dumpy Dumpson,’ smdh [shaking my damn head].”³⁶ Following his typical playbook, Defendant Anglin included a photo of Ms. Dumpson, linked directly to Ms. Dumpson’s Facebook

³² Andrew Anglin, *FBI Called in to Investigate Bananas of Hatred on College Campus*, The Daily Stormer (May 4, 2017), <https://dailystormer.name/fbi-called-in-to-investigate-bananas-of-hatred-on-college-campus/>.

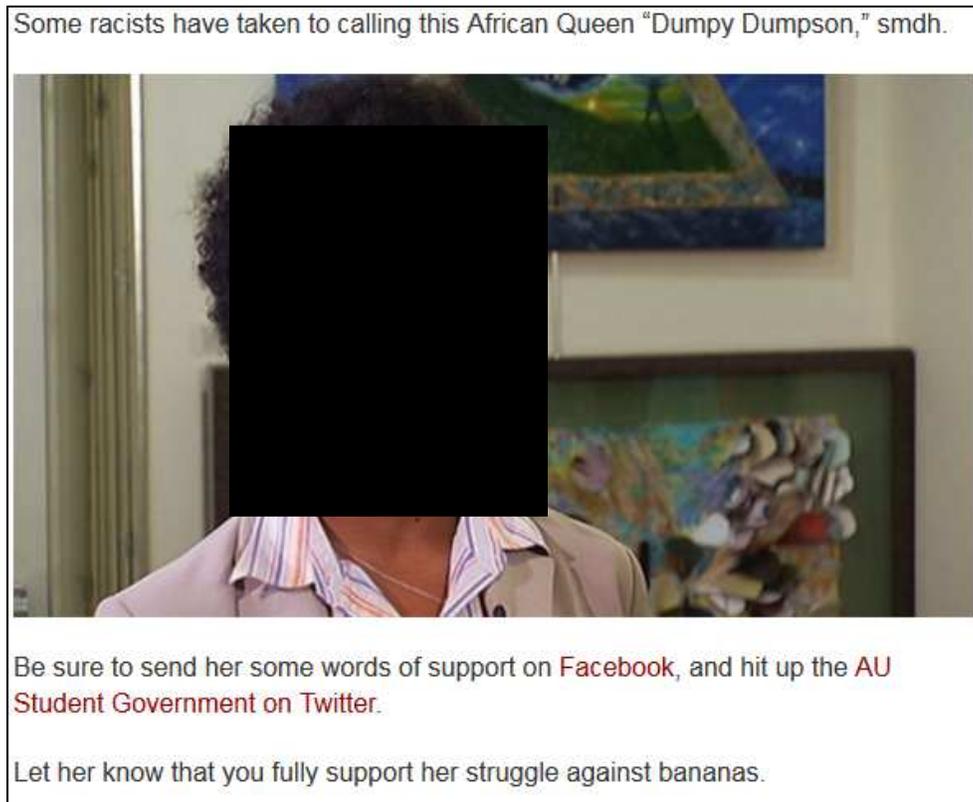
³³ See *supra* ¶¶ 17–29.

³⁴ Andrew Anglin, *FBI Called in to Investigate Bananas of Hatred on College Campus*, The Daily Stormer (May 4, 2017), <https://dailystormer.name/fbi-called-in-to-investigate-bananas-of-hatred-on-college-campus/>.

³⁵ Luchina Fisher and Brian McBride, ‘*Ghostbusters*’ Star Leslie Jones Quits Twitter After Online Harassment, ABC News (July 20, 2016), <https://abcnews.go.com/Entertainment/ghostbusters-star-leslie-jones-quits-twitter-online-harassment/story?id=40698459>; see also Leslie Jones Twitter Post, Twitter, <https://twitter.com/lesdoggg/status/755271004520349698?lang=en>.

³⁶ Andrew Anglin, *FBI Called in to Investigate Bananas of Hatred on College Campus*, The Daily Stormer (May 4, 2017), <https://dailystormer.name/fbi-called-in-to-investigate-bananas-of-hatred-on-college-campus/>.

account and the AUSG Twitter account, and continued, “*Be sure to send her some words of support on Facebook, and hit up the AU Student Government on Twitter. Let her know that you fully support her struggle against bananas.*”³⁷



(Photo of Ms. Dumpson redacted. In the original, her face is visible.)

91. Thus, Defendant Anglin gave his readers direct access to Ms. Dumpson’s social media and directed his readers to harass her on those accounts.

92. Given the explicit instructions Defendant Anglin espouses on how to encourage harassment, troll, and dehumanize those the site targets, and given his history of inciting hateful harassment, unlawful acts, and/or troll storms against individuals, he knew that the language he used in this article would or was likely to encourage his followers to immediately take unlawful acts against Ms. Dumpson.

³⁷ *Id.* (emphasis added).

93. Ms. Dumpson had heard about how white supremacist Dylann Roof, who had been an active member of the Daily Stormer community, had violently murdered nine African Americans in a church.³⁸ She had also heard about the lawsuit against Defendant Anglin brought by Ms. Gersh in Montana; Ms. Dumpson was aware of how debilitating and vicious the white supremacist and neo-Nazi trolls had been in that case. Ms. Dumpson was also keenly aware of the history of white supremacist violence against African Americans, having researched the history of lynching in her hometown a few years earlier.

94. As soon as she read the ADL letter informing her that Defendant Anglin, a well-known white supremacist and neo-Nazi, was encouraging people to troll her, Ms. Dumpson read the Daily Stormer article and had a severe panic attack. Based on her knowledge of white supremacist violence against African Americans, Defendant Anglin's revelation of her personal details in his article, and Defendant Anglin's history of encouraging and inciting white supremacists, she was immediately afraid for her safety. She was scared that someone might be coming to physically attack her at that very moment and that fear caused her to experience intense trauma.

95. Ms. Dumpson called AUPD, who responded to her home at or around 8:30 P.M. She filed a police report.

96. On May 5, 2017, the following day, Ms. Dumpson was too afraid to leave her home.

VI. ONLINE WHITE SUPREMACISTS AND NEO-NAZIS TARGET TAYLOR DUMPSON

97. Once Defendant Anglin wrote his first article—and continuing for days thereafter—Ms. Dumpson's Facebook account and the AU, AUSG, and AUSG President Twitter

³⁸ Andrew Anglin, *Civil Rights Activist Dylan "DyRo" Roof's HAWT Teenage Sister Arrested on Weapon Charge*, The Daily Stormer (Mar. 15, 2018), <https://dailystormer.name/civil-rights-activist-dylan-dyro-roofs-hawt-teenage-sister-arrested-on-weapon-charge>.

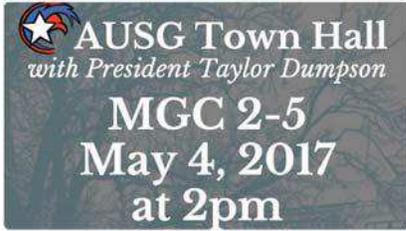
accounts were bombarded with harassing, hateful, racist, and intimidating messages. Ms. Dumpson was able to quickly change the privacy settings on her Facebook account to stop the onslaught of hate-filled messages, but the attacks against her continued on Twitter.

98. Many of the tweets tagged or responded to news reports or AU announcements of events that Ms. Dumpson had participated in (such as the Congressional Black Caucus press conference) or was likely to participate in (such as University town halls).

99. On May 4, around 1:14 P.M., Defendant McCarty, using the Twitter account @byron_vandal, tweeted at @AUSG and @AUSGPresident, in response to an announcement of a University town hall, detailing the location of Ms. Dumpson's whereabouts, "Everybody bring bananas." In addition, in response to the announcement with details regarding when and where Ms. Dumpson would be later that day, he tweeted a picture of bananas captioned, "READY THE TROOPS," and in another tweet tagged @AUSGPresident and wrote: "OOGA BOOGA,"³⁹ and commented again tagging @AUSGPresident with a picture of a banana and the caption, "Hey, would you like one?"

³⁹ "OOGA BOOGA" is meant to be a monkey noise or otherwise imply that African Americans are primitive, tribal savages.

 **AUStudentGovernment** @AUSG · 8h
In one hour, join @AUSGPresident Taylor Dumpson for a town hall in MGC 2-5.



AUSG Town Hall
with President Taylor Dumpson
MGC 2-5
May 4, 2017
at 2pm

3 3 2

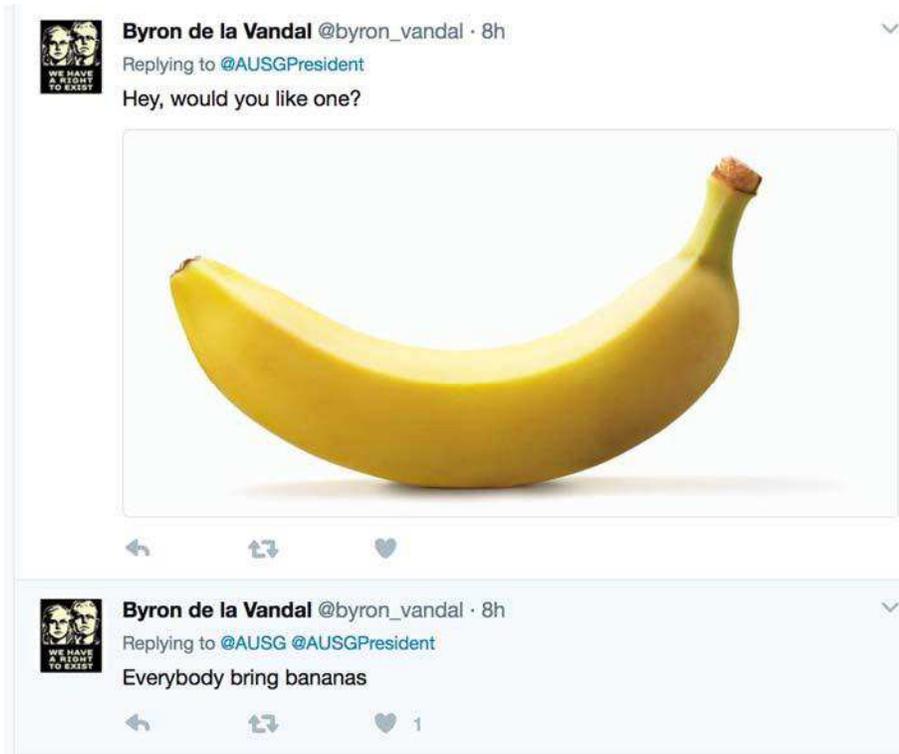
 **Byron de la Vandal** @byron_vandal
Replying to @AUSG and @AUSGPresident
Everybody bring bananas
5/4/17, 1:14 PM
1 LIKE

 **Byron de la Vandal** @byron_vandal · 8h
Replying to @AUSGPresident
READY THE TROOPS



← ↻ ❤

 **Byron de la Vandal** @byron_vandal · 8h
Replying to @nbcwashington @AUSGPresident
OOGA BOOGA



100. One of the more prolific trolls was Defendant Ade, through his Twitter account @BrianAndrewAde. He wrote several tweets tagging @AUSGPresident and/or @AUSG, with racist statements—many of which seek to mock racist stereotypes of how African Americans talk—such as:⁴⁰

- “I beez prezdent n sheeeit” [“I am president and shit.”]
- “Turdler takes a Dump son”
- “OOOOOOK EEEEEK CHIMPOUT!” [Monkey noises, “Chimpout!”]
- “You beez 100% sheboon!” [“You are 100% a female baboon!”]

⁴⁰ The screenshots for some tweets identify the user as “AUSG President Yami Payano” because Ms. Payano succeeded Ms. Dumpson as President, and those screenshots were taken after the presidential transition occurred and the account was renamed. However, the timestamps show when Defendant Ade sent his tweets. At each of those times, the account was identified as Ms. Dumpson’s.

- “Sheeeeit I dindu nuffins she was axing fo it n sheeeit!” [“Shit, I didn’t do anything. She was asking for it and shit!”]⁴¹
- “Raccoons Rule, coons, drool”⁴²
- “Waaah, waah, Dats Rayceez!” [Crying and claiming, “That’s racist!”]
- “Chimpout!”
- In response to an announcement of a community meeting detailing Ms. Dumpson’s whereabouts: “So in black people time, this will start whenever”⁴³

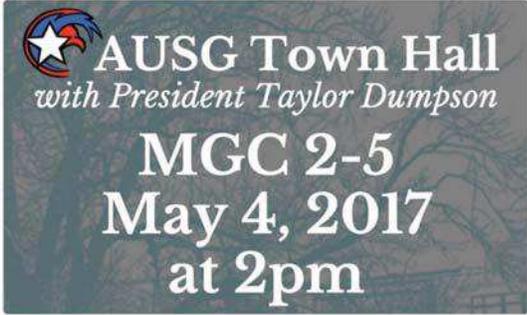


⁴¹ “Dindu” or “dindu nuffin” are racist epithets for African Americans, frequently used in white supremacist and alt-right memes. They are derived from the phrase “I didn’t do nothing,” which is a racist trope that stereotypes African Americans responding to being arrested. See Andrew Anglin, *A Normie’s Guide to the Alt-Right*, *The Daily Stormer* (Aug. 31, 2016), <https://dailystormer.name/a-normies-guide-to-the-alt-right/>; Justin Caffier, *Get to Know the Memes of the Alt-Right and Never Miss a Dog-Whistle Again*, *Vice* (Jan. 25, 2017), https://www.vice.com/en_us/article/ezagwm/get-to-know-the-memes-of-the-alt-right-and-never-miss-a-dog-whistle-again.

⁴² “Coon” is a racist slur for African Americans. See *List of ethnic slurs*, Wikipedia, https://en.wikipedia.org/wiki/List_of_ethnic_slurs#C (last visited April 24, 2018).

⁴³ “Black people time” alludes to the racist stereotype that African Americans are frequently late because they are lazy or irresponsible. See *Colored people’s time*, Wikipedia, https://en.wikipedia.org/wiki/Colored_people%27s_time (last visited April 24, 2018).

AUStudentGovernment @AUSG · 9h
In one hour, join @AUSGPresident Taylor Dumpson for a town hall in MGC 2-5.



3 replies 3 retweets 2 likes

Brian Andrew Ade' @BrianAndrewAde Follow

Replying to @AUSG @AUSGPresident

Turdler takes a Dump son

2:05 PM - 4 May 2017

NBCWashington @nbcwashington · 8h
WATCH LIVE: "We're not going to be stopped." Congresswomen in AKA sorority decrying racist acts at American Univ.
nbc4dc.com/RmYtuHF



3 replies 22 retweets 22 likes

Brian Andrew Ade' @BrianAndrewAde

Replying to @nbcwashington and @AUSG

OOOOOOK EEEEEK, CHIMPOUT!

5/4/17, 2:04 PM

(Photo of Ms. Dumpson is redacted.)

Brian Andre... @BrianAndrewAde · May 4
Replying to @AUSGPresident and @AUSG
I beez prezdent n sheeeit

Brian Andre... @BrianAndrewAde · May 4
Replying to @BrianAndrewAde and @FoxNews
Sheeeit I dindu nuffins she was axing fo it n sheeeit!

Brian Andre... @BrianAndrewAde · May 4
Replying to @BrianAndrewAde @suburbanbohemia and 2 others
Raccoons Rule, coons drool

Brian Andre... @BrianAndrewAde · May 4
'Waaah waah, Dats Rayceez!'

AU Campus Life @aucampuslife
Anti-Racism and Allyship: A Campus Conversation
WEDNESDAY, MAY 3
Unsure how to help? Come to "Anti-Racism & Allyship" on...

AUSG President Yami Payano @AUSGPresident · 10 Nov 2016
I'm 100% dedicated to ensuring the safety of our students who are black, brown, Muslim, Jewish, women, have a disability or are survivors.

5 26 91

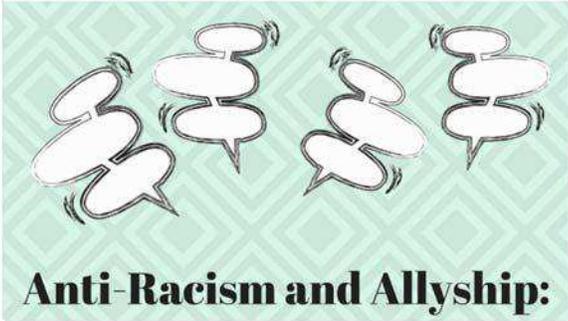
Brian Andrew Ade' @BrianAndrewAde
Replying to @AUSGPresident
You beez 100% sheboon!
9:56 AM - 4 May 2017

Follow

 **Brian Andrew Ade'**
@BrianAndrewAde

'Waaah waah, Dats Rayceez!'

AU Campus Life @aucampuslife
Unsure how to help? Come to "AntiRacism & Allyship" on Wed, 10am-12pm, MGC 328. Students, faculty, staff welcome @auCDI @AUcollege @AU_CCES



Anti-Racism and Allyship:

5/4/17, 9:46 AM

 **Brian Andrew Ade'**
@BrianAndrewAde

Chimpout!

CBS News @CBSNews
JUST IN: FBI is investigating an incident on American University's campus as a hate crime, CBS News has confirmed [cbsn.ws/2pFqMQH](https://www.cbsnews.com/news/american-university-hate-crime/)



5/4/17, 9:45 AM



101. On May 4, around 5:00 P.M., Twitter user @KekistanMayor⁴⁴—whose Twitter name at the time was “Otto (((Weininger)))”⁴⁵—sent several harassing messages to @AUSG. His profile picture was a cartoon Pikachu dressed like Hitler, giving a Nazi salute. @KekistanMayor

⁴⁴ “Kekistan” is the imaginary nation of the fictional, facetious, pseudo-religion “Kek.” Both are alt-right and white supremacist memes. Kek is often held up as the “official” religion of the alt-right trolling community, and they often use Kekistan symbols and flags as standards or heralds. These memes and related symbols are often used to connote support for Nazism and/or white supremacy while maintaining a veneer of irony to deflect criticism. See David Neiwert, *What the Kek: Explaining the Alt-Right ‘Deity’ Behind Their ‘Meme Magic’*, SPLC (May 8, 2017), <https://www.splcenter.org/hatewatch/2017/05/08/what-kek-explaining-alt-right-deity-behind-their-meme-magic>.

⁴⁵ Putting a Jewish-sounding name inside of multiple parentheses is an anti-Semitic meme called “echoes.” Members of the alt-right and neo-Nazis often use it online when calling out or trolling Jewish journalists. See Echo, ADL, <https://www.adl.org/education/references/hate-symbols/echo> (last visited April 22, 2018); Andrew Anglin, *A Normie’s Guide to the Alt-Right*, The Daily Stormer (Aug. 31, 2016), <https://dailystormer.name/a-normies-guide-to-the-alt-right/>.

tweeted at @AUSG, in response to an NBC article about the incident, “#nigsgonanig #bananalivesmatter”. In several other messages tagging @AUSG, he tweeted, “How to remove #racism- send all #dindus back to Africa. Remove the American from #African-American” and “#hatecrime [crying while laughing emoji] just giving the #monkeys their natural food [followed by 17 monkey and banana emojis.]”



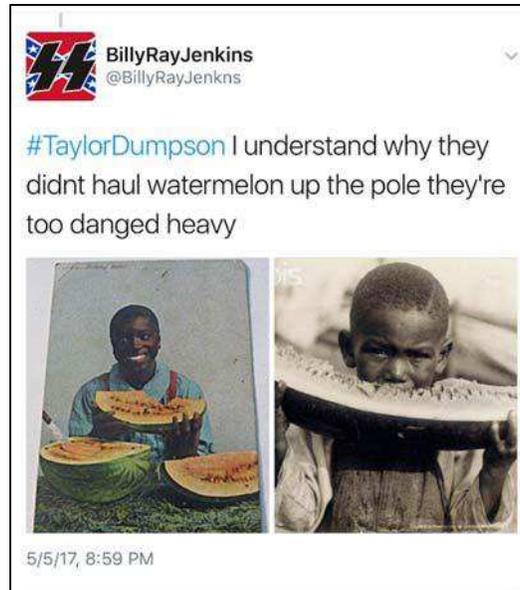
(Photo of Ms. Dumpson is redacted.)

102. On May 4, around 11:15 P.M., Twitter user @BillyRayJenkins tweeted a picture of a giant watermelon to @AUSG, “Now THIS would be enough to get you killed in Washington, DC. This watermelon would have to be escorted by armed guards in the ghetto.”⁴⁶ He sent a second tweet at @AUSG at 11:17 P.M. with a picture of bananas, “Bananas are yummy why y’all hating on them? Nanner pudding with vanilla wafers, good stuff.” On May 5, around 8:59 P.M., he tweeted, “#TaylorDumpson I understand why they didnt [sic] haul watermelon up the pole they’re too danged heavy,”⁴⁷ along with two images depicting racial stereotypes of African American boys eating watermelon. @BillyRayJenkins’ profile picture on Twitter at the time was Nazi SS thunderbolts overlaid on a Confederate flag.

⁴⁶ A common racist stereotype used to infantilize African Americans is that they have an uncontrollable obsession for watermelon. “The trope came into full force when slaves won their emancipation during the Civil War. Free black people grew, ate, and sold watermelons, and in doing so made the fruit a symbol of their freedom. Southern whites, threatened by blacks’ newfound freedom, responded by making the fruit a symbol of black people’s perceived uncleanliness, laziness, childishness, and unwanted public presence.” William R. Black, *How Watermelons Became a Racist Trope*, *The Atlantic* (Dec. 2014), <https://www.theatlantic.com/national/archive/2014/12/how-watermelons-became-a-racist-trope/383529/>.

⁴⁷ This is an implication that the man who hung the nooses would have hung watermelons from the nooses if watermelons were not so heavy, and that because African Americans love watermelons, the nooses would have been an even more effective trap.





103. On May 4, around 2:49 P.M., Twitter user @redubious—who at the time used the Twitter name “Lossevaril”—tweeted at @AUSG and @AmericanUAlum (AU’s alumni Twitter handle), in response to a photo of one of the AU town halls that contained a number of people of color, and wrote, “Looking at the demographics, this university could use more bananas to raise awareness of violent crime.” This user’s profile picture at the time was a variation of a Sonnenrad, a Nazi symbol.⁴⁸

⁴⁸ See Sonnenrad, ADL, <https://www.adl.org/education/references/hate-symbols/sonnenrad> (last visited April 22, 2018).



104. On May 4, around 7:07 P.M., Twitter user @HaxoAngmark replied to a tweet about one of the AU town hall events, tagging @AUSG and @AmericanUAlum, “that’s number of people, ‘ya dumb group-entitled ‘groid. See also: ‘number of racist bananas’.”⁴⁹

⁴⁹ “Groid” is short for “negroid,” which is now considered a racial epithet for African Americans derived from discredited racist pseudoscience. See Negroid, Wikipedia, <https://en.wikipedia.org/wiki/Negroid> (last visited April 22, 2018).



105. On May 4, around 7:10 P.M., Twitter user @whitelion110816 tweeted at @AUSG, “you have my full support in your struggle against bananas on campus.” This closely echoes the language of Anglin’s article calling on his followers to troll Ms. Dumpson.



106. Twitter user @goyknow585,⁵⁰ using the Twitter name “Samir1776,” tweeted a reply at @AUSG and @AUSGPresident, “Who ever hung dat banana dindu nuffin” with a banana

⁵⁰ “Goy” is a Yiddish slang word for a non-Jewish person.

emoji. This user’s profile picture was a modernized variation of the anti-Semitic “Happy Merchant” meme.⁵¹



107. On May 4, around 5:36 P.M., Twitter user @chuckbo7, responding to an NBC article about the hate crime and linking to a live stream of Ms. Dumpson at a town hall, tagged @AUSG and @AmericanU and wrote, “God, black people ruin everything.”



108. On May 4, around 10:43 A.M., Twitter user @ASatirist, who used the Twitter name “autistic satirist,” replied to a CBS News story about the hate crime while tagging @AUSG, writing, “#bananalives matter rip bananas.” The phrase “banana lives matter” mocks the Black

⁵¹ The Happy Merchant meme is a stereotyped caricature of a Jewish man with hunched shoulders and a big hooked nose, grinning mischievously and rubbing his hands together. It is meant to depict Jews as greedy, devious, manipulative, and monstrous. See Happy Merchant, KnowYourMeme, <http://knowyourmeme.com/memes/happy-merchant> (last visited April 22, 2018); Andrew Anglin, *A Normie’s Guide to the Alt-Right*, The Daily Stormer (Aug. 31, 2016), <https://dailystormer.name/a-normies-guide-to-the-alt-right/>.

Lives Matter civil rights movement. This Twitter user's profile picture was Pepe the Frog dressed like the villain Bane from the movie *The Dark Knight Rises*.⁵²



109. On May 4, around 11:16 A.M., Twitter user @AndreBlimeyII tweeted at @AUSG (the AUSG's Twitter handle) and @aucampuslife (one of AU's Twitter handles), among others, "Bananas are friends of black and brown bears," along with an image from a children's television show of people dressed in bear and banana costumes.

⁵² Pepe the Frog is an alt-right, white supremacist, and neo-Nazi meme involving a cartoon frog, Pepe, who is treated like a mascot by those communities. Pepe is frequently an ingredient in more complicated bigoted memes. See #77 The Grand Tapestry of Pepe, Reply All, The Gimlet (Sept. 21, 2016), <https://www.gimletmedia.com/reply-all/77-the-grand-tapestry-of-pepe>; Pepe the Frog, ADL, <https://www.adl.org/education/references/hate-symbols/pepe-the-frog> (last visited April 22, 2018). The character Bane is also frequently held up by the alt-right and white supremacists as a pseudo-hero and used in racist or neo-Nazi memes. Andrew Anglin, *A Normie's Guide to the Alt-Right*, The Daily Stormer (Aug. 31, 2016), <https://dailystormer.name/a-normies-guide-to-the-alt-right/>.



110. On May 4, around 12:40 P.M., Twitter user @jacuoco88⁵³ tweeted a series of monkey and banana emojis at @AUSG.



111. The online trolling continued beyond the initial days after the incident as well. For example, more than two months after the online trolling began, on July 4, 2017, Twitter user

⁵³ Neo-Nazis use “88” as an abbreviation for “Heil Hitler.” The letter H is the eighth letter in the alphabet, so “88” connotes “HH, or “Heil Hitler.” “88” is often used in subtle displays, like tattoos, to publicly signal neo-Nazi allegiance to other sympathizers without alerting bystanders who are unlikely to recognize the symbol. 88, ADL, <https://www.adl.org/education/references/hate-symbols/88> (last visited April 22, 2018).

@Brianandrewa replied to a photo Ms. Dumpson posted on the @AUSGPresident Twitter feed: “dumpy turd.” Upon information and belief, Defendant Ade controlled this account.



(Photo of Ms. Dumpson is redacted.)

112. Defendant Anglin’s initial article was shared and reposted on white supremacist and neo-Nazi websites such as “Jew World Order.”⁵⁴

113. On May 8, 2017, Twitter user @saboteur365 tweeted a link to his article, “Negress Taylor Dumpson to Receive Special Police Protection Following Alleged Trolling by ‘White

⁵⁴ Andrew Anglin, *FBI Called in to Investigate Bananas of Hatred on College Campus*, The Daily Stormer (May 4, 2017), <http://www.jewworldorder.org/fbi-called-in-to-investigate-bananas-of-hatred-on-college-campus/>.

Supremacists.”⁵⁵ The author, who may also use the alias “Paladin Justice, Ph.D,” wrote, “Most of these stories of threats against uppity Negroes originate with the Negro herself or with some loony leftist social justice warrior who wants to stir the pot.”⁵⁶ After quoting an NBC report about the hate crime, which mentioned that some students of color asked for extensions because the crime happened right before final exams, the article continues, “Haha. Blacks are always trying to escape taking tests, which leave them with furrowed brows and curses against their professors. Priceless!”⁵⁷ The author tagged the article with a number of keywords, including, “conspiracies,” “White Genocide,” “d.c. false flags,”⁵⁸ “negroids,” “negros,” “n*****s” (the slur is not redacted in the original), “race war,” “taylor dumpson,” “trolling,” and “trolls.”

⁵⁵ Saboteur265, *Negress Taylor Dumpson to Receive Special Police Protection Following Alleged Trolling by “White Supremacists,”* (May 8, 2017), <https://saboteur365.wordpress.com/2017/05/08/negress-taylor-dumpson-to-receive-special-police-protection-following-alleged-trolling-by-white-supremacists/>.

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ A “false flag” or “false flag attack” is a hoax perpetrated by someone to try to frame their opponents and stir up an angry backlash against the attack. A common trope and conspiracy theory amongst white supremacists and neo-Nazis is to claim that most hate crimes are really false flag attacks perpetrated by African Americans, Jews, or other minorities. *See* False Flag Conspiracies, KnowYourMeme, <http://knowyourmeme.com/memes/false-flag-conspiracies> (last visited April 22, 2018); Jason Wilson, *Crisis actors, deep state, false flag: the rise of conspiracy theory code words*, The Guardian (Feb. 21, 2018), <https://www.theguardian.com/us-news/2018/feb/21/crisis-actors-deep-state-false-flag-the-rise-of-conspiracy-theory-code-words>.



114. The Daily Stormer published additional articles that mocked this hate crime and responded positively to news reports of Ms. Dumpson’s harassment by white supremacists. On May 11, 2017, an author using the pen name “Zeiger” published an article titled “Hardcore Hatred is Winning on American College Campuses.”⁵⁹

115. Upon information and belief, the man behind the alias “Zeiger” or “Charles Zeiger” is a Canadian Quebecois living in Montreal.⁶⁰ He has written around 800 articles for the Daily Stormer and was previously involved with the neo-Nazi and extremist publications *Iron March*, *Blanche Europe*, and *Noose*. He has described the style of the Daily Stormer as using humor to sugarcoat the use of bigotry and Nazism to harm minorities. “We literally tell people that we make buffoonery and propaganda, which is part of the irony and humor [of the site]. It doesn’t seem

⁵⁹ Zeiger, *Hardcore Hatred is Winning on American College Campuses*, The Daily Stormer (May 11, 2017), <https://dailystormer.name/hardcore-hatred-is-winning-on-american-college-campuses/>.

⁶⁰ Nicholas De Rosa, *The Quebecer who Feeds the World’s Largest Neo-Nazi Propaganda Machine*, The Medium (Dec. 6, 2017), <https://medium.com/tabloid/le-qu%C3%A9becois-qui-alimente-la-plus-grande-machine-de-propagande-n%C3%A9onazie-au-monde-777606dca80b>.

sinister, it just seems comical. But, of course, behind the comical, there is seriousness.”⁶¹ On his profile page on Gab, a far-right extremist social media website, Zeiger describes himself as an “Advocate of national-deathsquadism.”⁶² His profile picture on Gab, Facebook, and Twitter is a variation of a Totenkopf—an illustrated “death’s head” skull used as a logo by the SS in Nazi Germany.⁶³

116. Zeiger’s article led with a photo of Ms. Dumpson speaking at the Congressional Black Caucus press conference, noting, “Our revolution is all about ‘hate.’ The thing is, though, that *hate is good*.” (emphasis in original). The article quotes news reports of the AU hate crime, commenting, “The brown swine want special privileges and a campus police hounding Whites non-stop—nothing short of being treated like gods will satisfy them. . . . But anyway, they’re pushing young men straight into our arms, and insuring our ultimate victory. And it’s all part of the plan.”⁶⁴

117. On July 27, 2017, Defendant Anglin wrote an article in response to a report on The Root⁶⁵ that discussed Defendant Anglin’s history inciting racist harassment of Ms. Dumpson and others. Defendant Anglin bragged: “I want to thank Negro blog The Root for writing a resume for me. Writing a resume is a difficult task, so it’s great to have Negroes doing that kind of task for

⁶¹ *Id.* (translated from French).

⁶² Death squads are secret police or paramilitary forces in fascist or totalitarian regimes that murder political dissidents and commit crimes against humanity. *See* Death squad, Wikipedia, https://en.wikipedia.org/wiki/Death_squad (last visited April 24, 2018).

⁶³ *See* Totenkopf, ADL, <https://www.adl.org/education/references/hate-symbols/totenkopf> (last visited April 24, 2018).

⁶⁴ Zeiger, *Hardcore Hatred is Winning on American College Campuses*, The Daily Stormer (May 11, 2017), <https://dailystormer.name/hardcore-hatred-is-winning-on-american-college-campuses/>.

⁶⁵ Michael Harriot, *Neo-Nazi Leader Orders White Supremacists to Harass American University’s 1st Black Female Student Body President*, The Root (May 10, 2017), https://www.theroot.com/neo-nazi-leader-orders-white-supremacists-to-harass-ame-1795094288#_ga=2.34851047.778164117.1500903672-1117822155.1484937587.

me for free. It's kinda like the good old days, when Negroes used to do all sorts of things for us for free."⁶⁶ This is an endorsement of slavery.

118. These messages, both separately and taken as a whole, are not just offensive or obnoxious; they are threats that are meant to intimidate Ms. Dumpson, interfere with her day to day activities, and subjugate her on the basis of her race and gender. The trolling of Ms. Dumpson put her in fear for her physical safety. This fear did disrupt and continues to disrupt Ms. Dumpson's daily life. The context of the physical hate crime on campus amplifies the severity of the trolling. Because nooses are clear symbols of racial violence against African Americans, the violent context of that crime colors the nature of Anglin's actions and the subsequent trolling.

VII. THE AFTERMATH, INJURIES, AND LINGERING EFFECTS

119. Ms. Dumpson experienced severe trauma resulting in serious physical and emotional reactions in response to Defendant Anglin's actions and the subsequent online harassment by Defendants Ade and McCarty and other online trolls.

120. From June 2017 to January 2018, Ms. Dumpson lost more than 15% of her body weight as a result of her mental trauma. This was an unhealthy weight loss.

121. Ms. Dumpson experienced flashbacks, nightmares, depression, anxiety, and disordered eating, and engaged in avoidance behavior, as a result of these events. There were days when she was unable to carry on a conversation without having an anxiety attack, or get out of bed and eat a proper meal, or do anything other than stare at the ceiling.

122. Beginning in June 2017, and continuing through the present, Ms. Dumpson has been receiving regular psychiatric counseling.

⁶⁶ Andrew Anglin, *Negro Blog Works for White Overlord Andrew Anglin for Free, Producing Incredible Resume*, The Daily Stormer (July 27, 2017), <https://dailystormer.name/negro-blog-works-for-white-overlord-andrew-anglin-for-free-producing-incredible-resume/>.

123. Ms. Dumpson's therapist diagnosed her with Post Traumatic Stress Disorder ("PTSD"). She is being treated for this condition.

124. Ms. Dumpson feels constantly afraid and on edge. She carries an alarm on her keyring at all times. She owns three pepper spray canisters for self-defense, which she keeps in different locations for easy access. She carries one with her at all times.

125. Ms. Dumpson is an extremely extroverted person but is now terrified of leaving her home at night. Before the hate crime, she would walk, bike, or take public transportation to commute to school and travel around town. She used to walk regularly around campus at night, and stay late at the library to study. Since the events in question, Ms. Dumpson has incurred additional expenses to adjust her travel habits out of fear for her safety. She avoids unnecessary trips to campus, especially at night, and is fearful when she must navigate public spaces on campus. She stopped studying at the library at night. She is afraid of being attacked.

126. Ms. Dumpson is constantly scared of being harassed and stalked online, including on social media. The hate crime and subsequent harassment have had a chilling effect on her online presence and self-expression and have interfered with her day-to-day activities.

127. Ms. Dumpson's academic studies suffered as a result of the hate crime and subsequent trolling. She missed some of her final exams, withdrew from one class, had to take incompletes in some others, and had to do extra work to catch up. She had to drop her sociology minor because the subject matter became too traumatic and could aggravate her PTSD. The hate crime and trolling impeded her preparation to attend law school.

CAUSES OF ACTION

I. AGAINST ANDREW ANGLIN AND MOONBASE HOLDINGS, LLC

COUNT I

**Inviting Interference and/or Interfering with Ms. Dumpson’s Right to Full and Equal
Enjoyment of Places of Public Accommodation under the D.C. Human Rights Act, D.C.
Code § 2-1401.01 *et seq.***

128. Ms. Dumpson realleges and incorporates all prior paragraphs of this Complaint as if fully set forth herein.

129. D.C. Code § 2–1402.01 states that “[e]very individual shall have an equal opportunity to participate fully in the economic, cultural and intellectual life of the District and to have an equal opportunity to participate in all aspects of life, including, but not limited to . . . in places of public accommodation.”

130. Further, D.C. Code § 2-1402.31(a)(1) makes it unlawful to “deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodations” on the basis of race or gender.

131. Based on the DCHRA, Ms. Dumpson has a right to full and equal enjoyment of places of public accommodation.

132. American University is protected as a place of public accommodation under the DCHRA. Pursuant to D.C. Code § 2-1401.02 a “place of public accommodation” means all places included in the meaning of such terms as restaurants or eating houses or any place where food is sold for consumption on the premises; and establishments dealing with the goods or services of any kind including, swimming pools, gymnasiums, recreational parks, and garages.

133. American University houses all of the aforementioned establishments on its campus. Further, American University permits both students and the public at large to make use

of these establishments. For example, American University offers a non-student gymnasium membership that is open to all of the public. Likewise, the public at large can make use of the University's swimming pool, restaurants, stores, recreational parks, and parking garages. The entire campus has been designated and accredited as a public garden and arboretum. In totality, American University comprises a plethora of public accommodations and as such, the public is afforded rights under D.C. Code § 2-1402.31 with respect to American University.

134. Moreover, the specific locations where the masked man hung the nooses and bananas are “place[s] of public accommodation” and in close proximity to “places of public accommodation” that fall within the meaning of the DCHRA. The locations of the selected lampposts were near the MGC, which is a centrally located hub that houses restaurants open to the public. Additionally, the MGC is directly adjacent to a UPS store, the AU campus store, Jacobs Fitness Center, and several restaurants, which are all establishments open to the public. In order for the public to be afforded their rights under the DCHRA at each establishment, the public must have equal and full access to this campus hub.

135. Under D.C. Code § 2-1402.61, it is unlawful for any individual—including Defendants Anglin and Moonbase Holdings—“to coerce, threaten, retaliate against, or interfere with any person in the exercise or enjoyment of, or on account of having exercised or enjoyed, or on account of having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected” under the DCHRA or “to require, request, or suggest that a person retaliate against, interfere with, intimidate or discriminate against a person, because that person has opposed any practice made unlawful by” the DCHRA. Under D.C. Code § 2-1402.62, it is unlawful for any person “to aid, abet, invite, compel, or coerce the doing of any of the acts

forbidden under the [DCHRA] or to attempt to do so.” Many of the tweets targeting Ms. Dumpson were specifically connected to events at places of public accommodation, including the MGC.

136. Defendants Anglin and Moonbase Holdings, LLC mocked the noose incident and Ms. Dumpson in the May 4, 2017 Daily Stormer article and directed others to harass, troll, and attack Ms. Dumpson online. Defendants knew based on past experience that issuing such instructions would result in actual and imminent online attacks, trolling, and harassment of Ms. Dumpson, and that this would interfere with her enjoyment of public accommodations.

137. Defendants Anglin and Moonbase Holdings, LLC wrote the May 4, 2017 article and encouraged others to target and harass Ms. Dumpson on the basis of Ms. Dumpson’s race or gender.

138. The May 4, 2017 article was directed at inciting or causing interference with Ms. Dumpson’s full and equal access to a public accommodation, and did produce such action, as Defendants Ade and McCarty and others followed Defendant Anglin’s directions and stalked and harassed Ms. Dumpson, thereby interfering with her access to campus. Based on Defendants Anglin and Moonbase Holdings, LLC’s previous experiences inciting troll storms of other individuals, they knew their actions were likely to imminently result in unlawful action and they intended this result.

139. Additionally, by directing Defendants Ade and McCarty and others to undertake this course of action, Defendants Anglin and Moonbase Holdings, LLC engaged in a conspiracy with them to interfere with Ms. Dumpson’s right to full and equal enjoyment of American University.

140. Defendants Anglin and Moonbase Holdings, LLC agreed with Defendants Ade and McCarty and others to act in concert to commit the unlawful act of interfering with Ms. Dumpson’s

right to full and equal enjoyment of American University by trolling, harassing, and attacking Ms. Dumpson online. Each of these defendants knowingly participated in this agreement with the intent to so interfere, as Defendants Anglin and Moonbase Holdings, LLC knowingly directed Defendants Ade and McCarty and others to commit these actions, and they knowingly followed these directions.

141. By posting links to Ms. Dumpson's Facebook and Twitter accounts, Defendants Anglin and Moonbase Holdings, LLC committed an overt act in furtherance of the conspiracy.

142. The harassing comments sent by Defendants Ade and McCarty and others were also overt acts in furtherance of the conspiracy.

143. As a result of these actions, Ms. Dumpson has incurred numerous injuries. Ms. Dumpson has experienced severe emotional and physical trauma that continues to impact her daily life. Ms. Dumpson suffers from PTSD, disordered eating, depression, and anxiety. As a result, Ms. Dumpson requires ongoing treatment, including medication and psychiatric counseling. Additionally, these events have had a significant negative impact on her academic experience and her ability to socialize. By taking these actions and targeting Ms. Dumpson on the basis of her race and gender, Defendants Anglin and Moonbase Holdings, LLC caused Ms. Dumpson to fear for her safety and interfered with her use and enjoyment of public accommodations of AU's campus generally, including the area surrounding the MGC where the initial hate crime occurred.

COUNT II

Interfering and/or Inviting Interference with Ms. Dumpson's Right to Equal Opportunity to Education under the D.C. Human Rights Act, D.C. Code § 2-1401.01 *et seq.*

144. Ms. Dumpson realleges and incorporates all prior paragraphs of this Complaint as if fully set forth herein.

145. D.C. Code § 2–1402.01 states that “every individual shall have an equal opportunity to participate fully in the economic, cultural and intellectual life of the District and to have an equal opportunity to participate in all aspects of life, including, but not limited to . . . in educational institutions.” As such, Ms. Dumpson has a right to full and equal participation in educational institutions.

146. American University is an educational institution under the DCHRA. *See* D.C. Code § 2–1401.02(8) (“‘Educational institution’ means any public or private institution including [a] university”).

147. Under D.C. Code § 2–1402.61, it is unlawful for any individual “to coerce, threaten, retaliate against, or interfere with any person in the exercise or enjoyment of, or on account of having exercised or enjoyed, or on account of having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected” under the DCHRA or “to require, request, or suggest that a person retaliate against, interfere with, intimidate or discriminate against a person, because that person has opposed any practice made unlawful by” the DCHRA. Under D.C. Code § 2–1402.62, it is unlawful for any person “to aid, abet, invite, compel, or coerce the doing of any of the acts forbidden under the [DCHRA] or to attempt to do so.”

148. Defendants Anglin and Moonbase Holdings, LLC mocked the noose incident and Ms. Dumpson in the May 4, 2017, Daily Stormer article, and directed others to harass and troll storm Ms. Dumpson. Defendants knew based on past experience that issuing such instructions would result in a troll storm and harassment of Ms. Dumpson.

149. Defendants Anglin and Moonbase Holdings, LLC wrote and published the May 4, 2017 article and encouraged others to target and harass Ms. Dumpson on the basis of Ms. Dumpson’s race or gender.

150. By taking these actions, Defendants Anglin and Moonbase Holdings, LLC put Ms. Dumpson in fear for her safety. This prevented Ms. Dumpson from enjoying and participating in her education at AU where the hate crime occurred. Because of her increased fear, Ms. Dumpson missed exams and no longer feels safe being on campus alone at night, and her academic experience has significantly suffered.

151. Additionally, by directing Defendants Ade and McCarty and others to undertake this course of action, Defendants Anglin and Moonbase Holdings, LLC engaged in a conspiracy with them to interfere with Ms. Dumpson's right to equal opportunity to education.

152. Defendants Anglin and Moonbase Holdings, LLC agreed with Defendants Ade and McCarty and others to act in concert to commit the unlawful act of interfering with Ms. Dumpson's right to full and equal participation in her education at American University by trolling, harassing, and attacking Ms. Dumpson online. Each of these defendants knowingly participated in this agreement with the intent to so interfere, as Defendants Anglin and Moonbase Holdings, LLC knowingly directed Defendants Ade and McCarty and others to commit these actions, and they knowingly followed these directions.

153. By posting links to Ms. Dumpson's Facebook and Twitter accounts, Defendants Anglin and Moonbase Holdings, LLC committed an overt act in furtherance of the conspiracy.

154. The harassing comments sent by Defendants Ade and McCarty and others were also overt acts in furtherance of the conspiracy.

155. As a result of these actions, Ms. Dumpson has incurred numerous injuries. Ms. Dumpson has experienced severe emotional and physical trauma that continues to impact her daily life. Ms. Dumpson suffers from PTSD, disordered eating, depression, and anxiety. As a result, Ms. Dumpson requires ongoing treatment, including medication and psychiatric counseling.

Additionally, these events have had a significant negative impact on her academic experience and her ability to socialize. She has incurred significant financial expenses as a result of Defendants' actions as well.

156. Defendants' May 4, 2017 Daily Stormer article incited imminent unlawful interference with Ms. Dumpson's full and equal access to education. Based on Defendants' previous experiences inciting troll storms of other individuals, they knew their actions were likely to imminently result in unlawful action and they intended this result.

157. As such, Defendants Anglin and Moonbase Holdings, LLC interfered with Ms. Dumpson's right to full and equal participation in her education at AU, on the basis of race or gender, in violation of D.C. Code § 2-1402.61.

COUNT III

Bias-Related Incitement of and/or Conspiracy to Commit Stalking, D.C. Code §§ 22-1805, 22-1805a, 22-3131 *et seq.*, 22-3704

158. Ms. Dumpson realleges and incorporates all prior paragraphs of this Complaint as if fully set forth herein.

159. Under D.C. Code § 22-3704, "[i]rrespective of any criminal prosecution or the result of a criminal prosecution, any person who incurs injury to his or her person or property as a result of an intentional act that demonstrates an accused's prejudice based on the actual or perceived race . . . [or] sex" of the victim may bring a civil cause of action.

160. D.C. Code § 22-3133 prohibits "stalking," making it unlawful "for a person to purposefully engage in a course of conduct directed at a specific individual" that the person intends to cause, or knows or should know will cause the person to "[f]ear for his or her safety or the safety of another person; [f]eel seriously alarmed, disturbed, or frightened; or [s]uffer emotional distress."

161. In the May 4, 2017 article, Defendants Anglin and Moonbase Holdings, LLC directed others to harass, troll, and attack Ms. Dumpson online by posting comments that demonstrated their prejudice towards Ms. Dumpson based on Ms. Dumpson's race or gender.

162. Upon receiving these directions, Defendants Ade and McCarty and others directed harassing comments at Ms. Dumpson on numerous occasions that demonstrated their prejudice towards Ms. Dumpson based on her race or gender.

163. Upon information and belief, Defendants Anglin and Moonbase Holdings, LLC, Defendants Ade and McCarty and others undertook this course of action with the intent of causing Ms. Dumpson to fear for her safety and the safety of her friends and family; to feel alarmed, disturbed, and frightened; to suffer emotional distress; and to suffer physical injuries.

164. Defendant Anglin's May 4, 2017, Daily Stormer article was directed at inciting or producing the imminent lawless action of stalking, and his article did produce such action, as Defendants Ade and McCarty and others followed these directions and stalked Ms. Dumpson through harassment, trolling, and online attacks. Based on Defendants' previous experiences inciting troll storms of other individuals, they knew their actions were likely to imminently result in unlawful action and they intended this result.

165. Upon information and belief, Defendants knew that their actions would cause Ms. Dumpson to reasonably have the reactions described above.

166. Defendants should have known that their actions would cause a reasonable person in Ms. Dumpson's circumstances to have the reactions described above.

167. This course of conduct was directed at Ms. Dumpson specifically.

168. This course of conduct constitutes stalking under D.C. Code § 22-3133.

169. By directing Defendants Ade and McCarty and others to undertake this course of action, Defendants Anglin and Moonbase Holdings incited Defendants Ade and McCarty and others to commit this criminal activity. As such, under D.C. Code § 22–1805, Defendants Anglin and Moonbase Holdings are principals in this crime.

170. Moreover, by directing Defendants Ade and McCarty and others to undertake this course of action and providing links to Ms. Dumpson’s social media accounts, Defendants Anglin and Moonbase Holdings aided and abetted Defendants Ade and McCarty and others in committing this criminal activity. As such, under D.C. Code § 22–1805, Defendants Anglin and Moonbase Holdings are principals in this crime.

171. Additionally, by directing Defendants Ade and McCarty and others to undertake this course of action, Defendants Anglin and Moonbase Holdings, LLC engaged in a conspiracy with Defendants Ade and McCarty and others to commit the criminal offense of stalking in violation of D.C. Code § 22–3133.

172. Defendants Anglin and Moonbase Holdings, LLC knew from past experience that directing followers to post harassing comments would result in many followers following these directions, and attacking Ms. Dumpson online by posting harassing comments.

173. Defendants Anglin and Moonbase Holdings, LLC agreed with Defendants Ade and McCarty and others to act in concert to commit the unlawful act of stalking Ms. Dumpson by trolling, harassing, and attacking her online. Each of these defendants knowingly participated in this agreement with the intent to stalk Ms. Dumpson, as Defendants Anglin and Moonbase Holdings, LLC knowingly directed Defendants Ade and McCarty and others to commit this crime, and they knowingly followed these directions.

174. By posting links to Ms. Dumpson's Facebook and Twitter accounts, Defendants Anglin and Moonbase Holdings, LLC committed an overt act in furtherance of the conspiracy.

175. The harassing comments sent by Defendants Ade and McCarty and others were also overt acts in furtherance of the conspiracy, as they constitute the crime of stalking.

176. As a result of these actions, Ms. Dumpson has incurred numerous injuries. Ms. Dumpson has experienced severe emotional and physical trauma that continues to impact her daily life. Ms. Dumpson suffers from PTSD, disordered eating, depression, and anxiety. As a result, Ms. Dumpson requires ongoing treatment, including medication and psychiatric counseling. Additionally, these events have had a significant negative impact on her academic experience and her ability to socialize. She has incurred significant financial expenses as a result of Defendants' actions as well.

COUNT IV

Incitement of Intentional Infliction of Emotional Distress, and/or Conspiracy to Commit Intentional Infliction of Emotional Distress

177. Ms. Dumpson realleges and incorporates all prior paragraphs of this Complaint as if fully set forth herein.

178. Intentional infliction of emotional distress occurs when "(1) extreme and outrageous conduct on the part of the defendants . . . (2) intentionally or recklessly (3) causes plaintiff severe emotional distress." *Williams v. District of Columbia*, 9 A.3d 484, 493–94 (D.C. 2010)."

179. Defendants Anglin and Moonbase Holdings, LLC posted the May 4, 2017 article, which mocked Ms. Dumpson and the noose incident, and encouraged others to target, harass, and attack Ms. Dumpson online because she is an African American woman. Encouraging harassment and online attacks on the basis of race and gender is conduct that is so outrageous in character, and

so extreme in degree, as to go beyond all possible bounds of decency, and is intolerable in a civilized society.

180. By posting the May 4, 2017 article—with links to Ms. Dumpson’s social media accounts—Defendants Anglin and Moonbase Holdings intentionally or recklessly encouraged others to harass, troll, and attack Ms. Dumpson online, and knew based on prior experience that others would in fact harass Ms. Dumpson based on this request.

181. As a direct result of the May 4, 2017 article and the subsequent online attacks it incited, Ms. Dumpson suffered emotional distress. Ms. Dumpson has experienced severe emotional trauma that continues to impact her daily life. Ms. Dumpson suffers from PTSD, disordered eating, depression, and anxiety. As a result, Ms. Dumpson requires ongoing treatment, including medication and psychiatric counseling. Additionally, these events have had a significant negative impact on her academic experience and her ability to socialize.

182. Defendant Anglin’s May 4, 2017 Daily Stormer article was directed at inciting or producing the imminent lawless action of the intentional infliction of emotional distress, and his article did produce such action, as Defendants Ade and McCarty and others followed his directions and stalked Ms. Dumpson through harassment, trolling, and online attacks, which caused Ms. Dumpson extreme emotional distress. Based on Defendants’ previous experiences inciting troll storms of other individuals, they knew their actions were likely to result in unlawful action and they intended this result.

183. Additionally, Defendants Anglin and Moonbase Holdings engaged in a conspiracy with Defendants Ade and McCarty and others to intentionally inflict emotional distress on Ms. Dumpson.

184. Defendants Anglin and Moonbase Holdings agreed with Defendants Ade and McCarty and others to act in concert to intentionally inflict emotional distress on Ms. Dumpson, by harassing and attacking her online. Each of these defendants knowingly participated in this agreement with the intent to inflict emotional distress, as Defendants Anglin and Moonbase Holdings knowingly directed Defendants Ade and McCarty and others to troll, harass, and attack Ms. Dumpson online and they knowingly followed these directions.

185. By posting links to Ms. Dumpson's Facebook and Twitter accounts, Defendants Anglin and Moonbase Holding committed an overt act in furtherance of the conspiracy.

186. The harassing comments sent by Defendants Ade and McCarty and others were also overt acts in furtherance of the conspiracy.

187. These overt actions worked in concert to cause Ms. Dumpson significant injury, as they have caused her emotional trauma that impacts her daily life as described above.

188. Defendants Anglin and Moonbase Holdings, along with Defendants Ade and McCarty and others have intentionally inflicted emotional distress on Ms. Dumpson.

II. AGAINST BRIAN ANDREW ADE AND EVAN JAMES MCCARTY

COUNT V

Interfering and/or Aiding and Abetting Interference with Ms. Dumpson's Right to Full and Equal Enjoyment of Places of Public Accommodation under the D.C. Human Rights Act, D.C. Code § 2-1401.01 *et seq.*

189. Ms. Dumpson realleges and incorporates all prior paragraphs of this Complaint as if fully set forth herein.

190. D.C. Code § 2-1402.01 states that “[e]very individual shall have an equal opportunity to participate fully in the economic, cultural and intellectual life of the District and to have an equal opportunity to participate in all aspects of life, including, but not limited to . . . in places of public accommodation.”

191. The DCHRA makes it an unlawful discriminatory practice to “deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodations” “wholly or partially for a discriminatory reason based on the actual or perceived: race, color . . . [or] sex . . . of any individual.” D.C. Code § 2-1402.31(a)(1).

192. Based on the DCHRA, Ms. Dumpson has a right to full and equal enjoyment of places of public accommodation.

193. American University is protected as a place of public accommodation under the DCHRA. Pursuant to D.C. Code § 2-1401.02 a “place of public accommodation” means all places included in the meaning of such terms as restaurants or eating houses or any place where food is sold for consumption on the premises; and establishments dealing with the goods or services of any kind including, swimming pools, gymnasiums, recreational parks, and parking garages.

194. American University houses all of the aforementioned establishments on its campus. Further, American University permits both students and the public at large to make use of these establishments. For example, American University offers a non-student gymnasium membership that is open to all of the public. Likewise, the public at large can make use of the University’s swimming pool, restaurants, stores, recreational parks, and parking garages. The entire AU campus has been designated and accredited as a public garden and arboretum. In totality, American University comprises of a plethora of public accommodations and as such, the public is afforded rights under D.C. Code § 2-1402.31 with respect to American University.

195. Moreover, the specific locations where the masked man hung the nooses and bananas are “place[s] of public accommodation” or in close proximity to “place[s] of public accommodation” that fall within the meaning of the DCHRA. The locations of the selected

lampposts were near the MGC, which is a centrally located hub that houses restaurants open to the public. Additionally, the MGC is directly adjacent to a UPS store, the AU campus store, Jacobs Fitness Center, and several restaurants, which are all establishments open to the public. Moreover, in order for the public to be afforded their rights under the DCHRA at each establishment, the public must have equal and full access to this campus hub. Many of the tweets targeting Ms. Dumpson were specifically connected to events at places of public accommodation, including the MGC.

196. Under D.C. Code § 2–1402.61, it is unlawful for any individual—including Defendants Ade and McCarty—”to coerce, threaten, retaliate against, or interfere with any person in the exercise or enjoyment of, or on account of having exercised or enjoyed, or on account of having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected” under the DCHRA or “to require, request, or suggest that a person retaliate against, interfere with, intimidate or discriminate against a person, because that person has opposed any practice made unlawful by” the DCHRA. Under D.C. Code § 2–1402.62, it is unlawful for any person “to aid, abet, invite, compel, or coerce the doing of any of the acts forbidden under the [DCHRA] or to attempt to do so.”

197. Defendants Ade and McCarty’s online attacks were a part of a coordinated and intentional effort at the direction of Defendants Anglin and Moonbase, LLC to interfere with Ms. Dumpson’s ability to exercise her right to fully enjoy places of public accommodation, including her university campus and central areas like the MGC. Defendants Ade and McCarty and others mocked the noose incident and sent threatening, racially charged, misogynistic, and hateful messages to Ms. Dumpson making references to the nooses and bananas found near MGC. Defendants Ade and McCarty and others intended to instill fear and emotional distress in

Ms. Dumpson. Defendants Ade and McCarty and others created further trauma for Ms. Dumpson around these places of public accommodation.

198. Defendants Ade and McCarty and others' coordinated effort to interfere with Ms. Dumpson's campus life through intimidation and threats amounted to aiding and abetting Defendants Anglin and Moonbase Holdings, LLC, and each other. Defendants Ade and McCarty and others complied with Defendant Anglin's explicit charge for his readers to send Ms. Dumpson hateful messages by tagging AUSG's Twitter account and posting to Ms. Dumpson's Facebook account.

199. In aiding and abetting Defendant Anglin's plan to attack Ms. Dumpson online, Defendants Ade and McCarty and others caused Ms. Dumpson to experience severe emotional and psychological distress. Ms. Dumpson developed anxiety after learning that a community of self-described white supremacists and Neo-Nazis knew her identity (including what she looked like), were tracking her public activity, and had quickly mobilized to actively "troll storm" her at Defendant Anglin's behest. Defendants Ade and McCarty and others thus caused Ms. Dumpson to feel unsafe while navigating places of public accommodation throughout American University's campus and otherwise interfered with Ms. Dumpson's full use and enjoyment of places of public accommodation.

COUNT VI

Interfering and/or Aiding and Abetting Interference with Ms. Dumpson's Right to Equal Opportunity to Education under the D.C. Human Rights Act, D.C. Code § 2-1401.01 *et seq.*

200. Ms. Dumpson realleges and incorporates all prior paragraphs of this Complaint as if fully set forth herein.

201. Defendant Ade and McCarty's collective and concerted efforts to attack Ms. Dumpson online interfered with Ms. Dumpson's right to an equal opportunity to education.

202. It is unlawful to “deny, restrict, or to abridge or condition the use of, or access to, any of its facilities, services, programs, or benefits of any program or activity to any person otherwise qualified, wholly or partially, for a discriminatory reason, based upon the actual or perceived race [or] color[.]” D.C. Code § 2–1402.41(1).

203. Defendants Ade and McCarty and others abridged Ms. Dumpson’s right to an equal opportunity to education through their online attacks. Defendants Ade and McCarty and others targeted Ms. Dumpson directly in her role as a student government president of AUSG because she was an African American woman. The cyberbullying messages were sent to Ms. Dumpson by using tags such as @AUSG and @AUSGPresident. Defendants Ade and McCarty and others limited the educational opportunities that Dumpson would have benefited from through her role as student body president.

204. Further, Ms. Dumpson’s educational experience was substantially impaired by the Defendants Ade and McCarty and others’ troll storm. Ms. Dumpson suffered from panic attacks and had to alter the course of her educational studies, dropping her sociology minor because the subject matter aggravated her trauma. She also had to change her study patterns because she was afraid to walk around campus at night.

205. As a result of the intimidation and harassment inflicted by Defendants Ade and McCarty and others Ms. Dumpson’s educational experience and opportunities were substantially impaired.

206. Defendants Ade and McCarty restricted Ms. Dumpson’s educational life on her college campus based upon her race and gender, and compromised her right to an equal opportunity to an education.

COUNT VII

Bias-Related Stalking, Aiding and Abetting Stalking, and/or Conspiracy to Commit Stalking, D.C. Code §§ 22-1805a, 22-3131 *et seq.*, 22-3704

207. Ms. Dumpson realleges and incorporates all prior paragraphs of this Complaint as if fully set forth herein.

208. Under D.C. Code § 22–3704, “[i]rrespective of any criminal prosecution or the result of a criminal prosecution, any person who incurs injury to his or her person or property as a result of an intentional act that demonstrates an accused’s prejudice based on the actual or perceived race . . . [or] sex” of the victim may bring a civil cause of action.

209. D.C. Code § 22–3133 prohibits “stalking,” making it unlawful “for a person to purposefully engage in a course of conduct directed at a specific individual” that the person intends to cause, or knows or should know will cause the person to “[f]ear for his or her safety or the safety of another person; [f]eel seriously alarmed, disturbed, or frightened; or [s]uffer emotional distress.”

210. In the May 4, 2017 article, Defendants Anglin and Moonbase Holdings, LLC directed others to harass, troll, and attack Ms. Dumpson online by posting racially-charged, misogynistic, harassing comments that demonstrated their prejudice towards Ms. Dumpson based on Ms. Dumpson’s race and gender.

211. Upon receiving these directions, Defendants Ade and McCarty and others directed harassing comments at Ms. Dumpson on numerous occasions that demonstrated their prejudice towards Ms. Dumpson based on Ms. Dumpson’s race and gender.

212. Upon information and belief, Defendants Anglin, Moonbase Holdings, LLC, Ade, and McCarty and others undertook this course of action with the intent of causing Ms. Dumpson to fear for her safety, as well as the safety of her friends and family; to feel seriously alarmed,

disturbed, and frightened; to suffer emotional distress; and to suffer physical injuries. She did in fact incur these injuries.

213. Upon information and belief, Defendants knew that their actions would cause Ms. Dumpson to reasonably have the reactions described above.

214. Defendants also knew that their actions would cause a reasonable person in Ms. Dumpson's circumstances to have the reactions described above.

215. This course of conduct was directed at Ms. Dumpson specifically.

216. This course of conduct constitutes stalking, and violates under D.C. Code § 22–3133.

217. Additionally, by directing Defendants Ade and McCarty and others to undertake this course of action, Defendants Anglin and Moonbase Holdings, LLC engaged in a conspiracy with them to commit the criminal offense of stalking. D.C. Code § 22–3133.

218. Defendants Anglin and Moonbase Holdings, LLC agreed with Defendants Ade and McCarty and others to act in concert to stalk Ms. Dumpson by trolling, harassing, and attacking her online. Each of these defendants knowingly participated in this agreement with the intent to stalk Ms. Dumpson, as Defendants Anglin and Moonbase Holdings, LLC knowingly directed Defendants Ade and McCarty and others to commit this crime, and they knowingly followed these directions.

219. By posting links to Ms. Dumpson's Facebook and Twitter accounts, Defendants Anglin and Moonbase Holdings, LLC committed an overt act in furtherance of the conspiracy.

220. The harassing comments sent by Defendants Ade and McCarty and others were also overt acts in furtherance of the conspiracy, as they constitute the crime of stalking.

221. Defendants Ade and McCarty and others' stalking of Ms. Dumpson involved and demonstrated racial animus and bias against Ms. Dumpson's gender.

222. Defendants Ade and McCarty and others aided and abetted each other, and Defendants Anglin and Moonbase Holdings LLC, in their stalking of Ms. Dumpson. Each Defendants' stalking actions reinforced, encouraged, and supported each other Defendants' stalking actions. As a result, the damaging harms of the stalking were amplified.

223. As a result of these actions, Ms. Dumpson has incurred numerous injuries. Ms. Dumpson has experienced severe emotional trauma that continues to impact her daily life. Ms. Dumpson suffers from PTSD, disordered eating, depression, and anxiety. As a result, Ms. Dumpson requires ongoing treatment, including medication and psychiatric counseling. Additionally, these events have had a significant negative impact on her academic experience and her ability to socialize. She has incurred significant financial expenses as a result of Defendants' actions.

224. Defendants Ade and McCarty committed bias-related crimes against Ms. Dumpson, which are actionable under D.C. Code § 22–3704.

COUNT VIII

Intentional Infliction of Emotional Distress, and/or Conspiracy to Commit Intentional Infliction of Emotional Distress

225. Ms. Dumpson realleges and incorporates all prior paragraphs of this Complaint as if fully set forth herein.

226. Intentional infliction of emotional distress occurs when “(1) extreme and outrageous conduct on the part of the defendants . . . (2) intentionally or recklessly (3) causes the plaintiff severe emotional distress.” *Williams v. District of Columbia*, 9 A.3d 484, 493–94 (D.C. 2010).”

227. As discussed above, Defendants Ade and McCarty and others conspired together and with Defendants Anglin and Moonbase Holdings LLC, for the purpose of committing unlawful acts against Ms. Dumpson.

228. The conduct of Defendants Ade and McCarty and others sending hateful and threatening messages to an African American student, on the basis of racial or gender animus, and doing so on a public forum for everyone on the Internet to see is extreme and outrageous.

229. Moreover, Defendants Ade and McCarty and others' conspiracy to troll storm a person based on racial or gender animus is extreme and outrageous. The actions of Defendants Ade and McCarty and others go beyond all possible bounds of decency and are intolerable to the average or reasonable person in a civilized community.

230. Defendants Ade and McCarty and others intended to cause Ms. Dumpson severe and serious emotional distress through their online attacks and trolling.

231. As a direct result of the May 4, 2017, article and the subsequent online attacks it incited, Ms. Dumpson suffered emotional distress. Ms. Dumpson has experienced severe emotional trauma that continues to impact her daily life. Ms. Dumpson suffers from PTSD, disordered eating, depression, and anxiety. As a result, Ms. Dumpson requires ongoing treatment, including medication and psychiatric counseling. Additionally, these events have had a significant negative impact on her academic experience and her ability to socialize. She has incurred significant financial expenses as a result of Defendants' actions.

232. Moreover, Defendants Ade and McCarty and others knew or should have known that their actions would result in Ms. Dumpson's severe and serious emotional distress by, among other things, impacting Ms. Dumpson's ability to live without fear and anxiety of being cyberbullied, trolled, physically assaulted, and/or stalked.

233. Defendants Ade and McCarty's conduct is the proximate cause of Ms. Dumpson's emotional distress. Ms. Dumpson has become fearful for her safety and continues to feel fearful for her safety since being trolled on the internet.

RELIEF REQUESTED

234. WHEREFORE, Ms. Dumpson respectfully pray that the Court:

235. Issue a judgment declaring that the acts of the Defendants described herein violate the D.C. Human Rights Act, D.C. Code § 22-3701 et seq., the D.C. Bias-Related Crimes Act, D.C. Code § 22-3701 et seq., and the common law of the District of Columbia.

236. Issue an injunction ordering Defendants to stop engaging in the unlawful acts described herein, including but not limited to the following:

- a. Require Defendants to stop including Ms. Dumpson's name or likeness in any publications, articles, internet posts or Tweets and to remove or delete any such previously posted publications, articles, internet posts or Tweets, including without limitation on the Daily Stormer, Twitter, and Facebook;
- b. Require Defendants to stop making any reference to Ms. Dumpson through the use of any other names, images, or symbols in any publications, articles, internet posts, or Tweets;
- c. Require Defendants to cease harassing and trolling Ms. Dumpson either directly, through Ms. Dumpson's university, or through any other means;
- d. Require Defendants to participate in anti-racism and anti-sexism training;

237. For compensatory damages to be awarded to Ms. Dumpson according to proof at trial, including damages for pain and suffering;

238. For punitive damages to be awarded to Ms. Dumpson according to proof at trial;

239. For costs of suit and attorney's fees; and

240. For such other and further relief as the Court may deem just, proper, and appropriate.

JURY DEMAND

241. Ms. Dumpson requests a trial by jury on any and all issues raised by this Complaint which are triable by right of a jury.

Dated: April 30, 2018

Respectfully submitted,

/s/ Ragan Naresh

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