

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

PHIL BRYANT

PLAINTIFF

vs.

Civil Action No. 45CI1:23-CV-00238-JM

**DEEP SOUTH TODAY d/b/a MISSISSIPPI TODAY,
MARY MARGARET WHITE, ADAM
GANUCHEAU & ANNA WOLFE**

DEFENDANTS

**THIRD AMENDED COMPLAINT
JURY TRIAL DEMANDED**

NOW INTO COURT, by and through undersigned counsel, and pursuant to Mississippi Rules of Civil Procedure 7(a), 8(a), 9(g), and 15(a), comes former-Governor Phil Bryant and amends his complaint to allege the following short and plain statement of his claims and demand for judgment:

INTRODUCTION

I. Wolfe's radio interview on December 16, 2021

1.1 During a radio interview on December 16, 2021, Mississippi Today investigative reporter Anna Wolfe accused Bryant of committing a crime related to the expenditure of federal welfare funds and expressed concern that criminal authorities would not prosecute him. Bryant did not commit a crime and hoped Wolfe's accusation was an isolated mistake.

II. White's mid-year impact report on August 11, 2022

1.2 Bryant's optimism was proven misplaced on August 11, 2022, when Mississippi Today chief executive officer Mary Margaret White claimed in the publication's mid-year impact report that Wolfe's reporting revealed Bryant misused and squandered at least \$77 million of federal welfare funds. Bryant did not misuse and squander \$77 million of federal welfare funds, and Wolfe did not report that he did. Bryant served Mississippi Today with statutory notice that

Exhibit "1"

the accusation was libelous and demanded an apology, retraction, and correction. Mississippi Today refused to comply with Bryant's demand.

III. White's embezzlement boast in February 2023

1.3 Mississippi Today and its leadership increased the severity of their accusations in February 2023. While serving on a panel at the 16th Annual Knight Media Forum in Miami, Florida, White boasted to an audience of six hundred journalists, journalism industry professionals, financiers, and Knight Foundation employees that Mississippi Today had broken the story of Bryant and his bureaucratic cronies embezzling \$77 million of welfare funds. The Knight Foundation posted White's presentation on the internet for everyone worldwide to view and share.

1.4 Although the friendly audience laughed and applauded, White's remarks were not well received back home. Broadcast and print media throughout Mississippi republished White's inflammatory statement. Editorials and opinion columns noted the brazenness of White's claim and the lack of evidence supporting it.

IV. Ganuchau's and Wolfe's coverup attempt on May 10, 2023

1.5 Mississippi Today editor-in-chief Adam Ganuchau and Wolfe addressed the editorials criticizing White's embezzlement accusation during the May 10, 2023, episode of Mississippi Today's podcast, "The Other Side." Ganuchau and Wolfe denied that White or any other person affiliated with Mississippi Today had accused Bryant of committing a crime. Their statements were outright misrepresentations calculated to mislead the podcast's listeners.

1.6 Bryant served White and Mississippi Today with written notice of defamation and demanded that White apologize, retract, and correct her slanderous remark. Bryant also demanded that Wolfe and Ganuchau retract, correct, and apologize for their false and misleading misrepresentations during the podcast.

1.7 White did not apologize for accusing Bryant of embezzling \$77 million of welfare funds and did not retract and correct her false and slanderous remark. Instead, she said that prosecutors had not charged Bryant with a crime. White’s accusation and subsequent statement convey that Bryant embezzled \$77 million of public funds, but criminal authorities have failed to prosecute him. White’s message is consistent with Wolfe’s comments 14-months earlier and with the libelous statements White wrote in Mississippi Today’s mid-year impact report. Adding insult to injury, Ganuchau and Wolfe did not apologize or retract and correct the false and misleading misinformation they supplied during the podcast.

V. Ganuchau’s announcement in May 2023

1.8 Wolfe won the Pulitzer Prize on May 8, 2023, for articles published on April 4, April 6, April 7, April 18, August 12, September 13, and December 16, 2022. In an award announcement, Ganuchau claimed the articles “revealed for the first time how former Gov. Phil Bryant used his office to steer the spending of millions of federal welfare dollars – money intended to help the state’s poorest residents – to benefit his family and friends, including NFL Hall of Fame quarterback Brett Favre.” Bryant did not use his office to steer the spending of millions of federal welfare dollars to benefit his family and friends, and Wolfe’s articles did not reveal that he did. Ganuchau’s accusation is consistent with Wolfe’s slanderous comment during the radio interview, White’s libelous statement in the impact report, and White’s slanderous accusation during the panel presentation.

1.9 Bryant served Mississippi Today and Ganuchau with statutory notices that the accusation was libelous and demanded apologies, retractions, and corrections. Mississippi Today and Ganuchau refused to comply with Bryant’s demands. Ganuchau even threatened Bryant with abuse of process and frivolous litigation claims if he added Ganuchau as a defendant.

Ganucheau's threat amplifies the malice motivating his libelous accusation and the several defamatory accusations made by his Mississippi Today colleagues.

VI. Wolfe's articles on December 19, 2023

1.10 On December 19, 2023, Mississippi Today published two articles by Wolfe. The pieces are titled "Mississippi Welfare Funds Would Up in a Ghanaian Gold Bar Hoax, Court Filing Alleges" and "Court Filing Alleges Gov. Phil Bryant Directed Welfare Funds for Illegal Volleyball and Concussion Drug Projects."

1.11 In the article titled "Mississippi Welfare Funds Would Up in a Ghanaian Gold Bar Hoax, Court Filing Alleges," Wolfe wrote:

But after months of stringing the scientist along, Martin finally told Vanlandingham he would have to first put up \$25,000 to help pay for a "geological analysis" for the land that Martin said his overseas investor required.

Vanlandingham tried to find the money, but the scientist's contacts had dried up and he was experiencing deep personal financial problems, according to his texts. He was forced to sell his family's home to pay the taxes for Prevacus, he said, and ask his mom for a loan to get into a rental. Martin tried to put him at ease by saying things like, "I know what we are doing is pleasing to God."

Vanlandingham tried to get Favre to secure the \$25,000 through an investment in Prevacus from one of his fellow professional athletes, but they wouldn't bite.

Then Favre suggested they ask the then-Mississippi governor for help and offer him stock in the company. Bryant bit. The men met with several others for dinner in Jackson at Walker's Drive-In in late December of 2018.

(emphasis added).

1.12 Wolfe published that Bryant committed to investing \$25,000 in Prevacus at the December 2018 meeting. Bryant did not commit to investing \$25,000 in Prevacus at this meeting or any other occasion. Wolfe's statement is false, intentionally misleading, and defamatory.

1.13 Wolfe also wrote, "*Bryant, who is suing Mississippi Today for defamation and has sent threats to the news outlet for continuing to report this story*, declined through an attorney

to answer questions about this story or respond to allegations in the latest court filing.” (emphasis added). Wolfe similarly wrote in the article titled “Court Filing Alleges Gov. Phil Bryant Directed Welfare Funds for Illegal Volleyball and Concussion Drug Projects” that “[t]hrough his attorney, Bryant declined to answer questions about the allegations made in the Dec. 12 filing. ***Bryant, who is suing Mississippi Today for defamation, has sent threats to the news outlet for continuing to report this story, including basic updates about public court documents.***” (emphasis added). These statements are false, intentionally misleading, and defamatory. Bryant did not threaten Mississippi Today “for continuing to report this story,” nor has he threatened Mississippi Today for reporting on “basic updates about public court documents.”

1.14 On December 22, 2023, Bryant notified Mississippi Today and Wolfe of the defamation and demanded that Mississippi Today and Wolfe retract, correct, and apologize for the false and defamatory remarks. Mississippi Today and Wolfe refused to comply with Bryant’s demand. Wolfe even threatened Bryant with abuse of process and frivolous litigation claims if he added her as a defendant. Wolfe’s threat further amplifies the malice motivating her libelous accusations and the defamatory accusations made by her Mississippi Today colleagues.

1.15 Bryant brings this action to prove that Mississippi Today, White, Ganucheau, and Wolfe have repeatedly defamed him and placed him in a false light as part of a malicious scheme to damage his reputation and business interests.

1.16 Bryant demands recovery of special and general damages, including past and future income losses, impairment of reputation and standing in local, state, national, and business communities, personal humiliation, mental anguish, suffering, and emotional distress. Bryant also demands recovery of punitive damages, attorneys’ fees, costs, and pre- and post-judgment interest

from all defendants for engaging in a malicious, intentional, and unlawful scheme to defame and otherwise harm Bryant.

1.17 Bryant hereby places all defendants on notice that he seeks compensatory damages, punitive damages, attorneys' fees, costs, and pre- and post-judgment interest that far exceed the \$1 million of insurance coverage that Mississippi Today purportedly maintains and that all defendants in this action are personally exposed for liabilities arising from their tortious conduct.

PARTIES

2.1 Phil Bryant is an adult resident of Copiah County, Mississippi. He was the 64th governor of the State of Mississippi and served two terms in office, spanning from 2012 to 2020.

2.2 Deep South Today is incorporated in Mississippi as a nonprofit corporation and maintains its principal place of business in Madison County, Mississippi. Deep South Today does business as Mississippi Today. Deep South Today is referred to herein as Mississippi Today. All references to Mississippi Today should be considered references to Deep South Today and vice versa.

2.3 Mary Margaret White is an adult resident of Hinds County, Mississippi.

2.4 Adam Ganucheau is an adult resident of Hinds County, Mississippi.

2.5 Anna Wolfe is an adult resident of Hinds County, Mississippi.

SERVICE OF PROCESS

3.1 Service of process may be had upon the defendants pursuant to Rule 4 of the Mississippi Rules of Civil Procedure, which allows personal service of a summons and complaint upon each defendant by any person who is not a party and not less than 18 years of age.

3.2 Service of process may be had on Deep South Today through White, its registered agent for service of process. Service of process may be had on Deep South Today at its principal place of business, 750 Woodlands Parkway, Ste. 100, Ridgeland, Mississippi 39157.

3.3 Service of process may be had on White at her residence or wherever she may be found. White's residence is 3908 Cambridge Street, Jackson, Mississippi 39216.

3.4 Service of process may be had on Ganuchau at his residence or wherever he may be found. Ganuchau's residence is 802 Lakeland Drive, Apartment 322, Jackson, Mississippi 39216.

3.5 Service of process may be had on Wolfe at her residence or wherever she may be found. Wolfe's residence is 349 Decelle Street, Jackson, Mississippi 39216.

JURISDICTION & VENUE

4.1. This court has subject matter jurisdiction over this civil action pursuant to Miss. Const. art. VI, § 156, and Miss. Code Ann. § 9-7-81.

4.2. This court has personal jurisdiction over the defendants because they are citizens of Mississippi, they are physically present in Mississippi, and they will be served with process in Mississippi.

4.3. This court is an appropriate venue for this civil action pursuant to Miss. Code Ann. § 11-11-3(1)(a)(i) because Deep South Today maintains its principal place of business in Madison County, substantial alleged acts and omissions occurred in Madison County, and substantial events causing injury to Bryant occurred in Madison County.

JURY TRIAL DEMAND

5.1 Bryant demands a trial by jury for all issues in this action that are so triable.

FACTUAL BACKGROUND

I. Wolfe's Radio Interview

6.1 On December 16, 2021, former-U.S. Representative Ronnie Shows interviewed Wolfe on his radio program to discuss her reporting of a scandal involving the expenditure of federal welfare funds by employees and contractors of the Mississippi Department of Human Services (MDHS). Mississippi Today published an edited interview transcript on its website.¹ The following exchange occurred during the interview:

Shows: Like they say, follow the money. Follow the money, and you'll find out.

Well, Anna, what's your next step in your story? Are you going to keep staying on top of it or what?

Wolfe: Oh yeah. *I think the big questions that I have now that I'm trying to answer are the big questions that everyone has about how far up the chain this is going to go. And if the people that are investigating this and have the power to do something about it, if they're really going to go after everyone that they should, and everyone who should be held accountable, namely the former governor Phil Bryant.*

(emphasis added).

6.2 "[T]he people that are investigating" and "have the power to do something" include state and federal criminal prosecutors.

6.3 The "this" and "it" is the MDHS scandal.

6.4 The "something" includes pursuing a criminal indictment and prosecution of Bryant.

6.5 The accountability that Wolfe referenced includes a criminal prosecution and conviction of Bryant.

¹ <https://mississippitoday.org/2021/12/23/anna-wolfe-mississippi-welfare-fraud-case/> (emphasis added).

6.6 Wolfe heavily implied that Bryant committed a crime; she said prosecutors should “go after” him; and she said that Bryant should be held “accountable.” Wolfe expressed concern, however, that prosecutors would not pursue an indictment and conviction of Bryant.

6.7 Wolfe’s statements are false and slanderous per se.

6.8 Mississippi Today’s publication of Wolfe’s statements is libelous per se.

6.9 Wolfe made her statement, and Mississippi Today continued to publish it with actual malice. The Journalist’s Resource recently interviewed Ganucheau and Wolfe to obtain “tips for journalists navigating . . . complex investigations.”² The Journalist’s Resource noted the following concerning Wolfe’s attempt to determine whether Bryant violated any laws in conjunction with the MDHS scandal:

Wolfe did reach out to legal experts to try to report whether laws had been broken, but the case was too “sprawling” for those experts to comment definitively, Ganucheau says.

6.10 Wolfe’s malice is further revealed in an article titled “Welfare Head Pleaded Guilty to Federal Charges One Year Ago. What’s Happened Since?” that Mississippi Today published on September 22, 2023.³ Wolfe interviewed former Democratic U.S. Senator and U.S. Attorney for the Northern District of Alabama, Doug Jones, for her article. Wolfe wrote:

One year ago today, a former Mississippi state agency director stood before a state and federal judge and admitted to steering federal welfare funds to enrich the sons of a wealthy retired WWE wrestler.

The crimes represent just a sliver of a larger scandal inside a welfare agency that, *under the direction of Gov. Phil Bryant*, systematically prioritized federal grant spending on pet projects over people.

“This is often what happens when you have a political party, whether it’s Republican or Democrat, so dominating a state that they think they’re invincible, that they can do anything,” said Doug Jones, a former U.S. senator and U.S. attorney for the Northern District of Alabama.

² <https://journalistsresource.org/media/mississippi-today-welfare-scandal/>.

³ <https://mississippitoday.org/2023/09/22/federal-welfare-scandal-investigation-update/>.

(emphasis added).

6.11 Wolfe further quoted Jones, “There is a culture. Whether or not legally it rises to federal cases, and goes that high up, from a criminal standpoint, it may or may not. But it certainly is morally corrupt what they did and people ought to pay a political price for it.”

6.12 Bryant did not engage in criminal or otherwise illegal activity while in or out of office, and there is no objective evidence proving he did so. Yet, the defendants continue to accuse Bryant of criminal and otherwise illegal activity to hold him “accountable” and cause him to “pay a political price.” In doing so, the defendants have intentionally defamed Bryant on multiple occasions and forced him to sustain undue harm.

6.13 Wolfe’s accusation during her radio interview was the first attempt by Mississippi Today personnel to harm Bryant with outright lies. Wolfe’s interview injured and continues to damage Bryant’s reputation; it diminished and continues to reduce the esteem, respect, goodwill, and confidence in which Bryant is held; and it excited and continues to excite adverse, derogatory, and unpleasant feelings or opinions about Bryant.

6.14 Wolfe and Mississippi Today made the false and defamatory accusation to market Wolfe’s upcoming series of articles, to harm Bryant, and to criticize law enforcement for not performing their jobs consistent with Wolfe’s wishes.

II. The Backchannel series

A. Wolfe's introductory piece to The Backchannel series

6.15 Mississippi Today's "The Backchannel" series consists of nine articles written by Wolfe.⁴ On April 3, 2022, Wolfe authored an introductory piece to the series titled "Mississippi Today Investigation Exposes New Evidence of Phil Bryant's Role in Welfare Scandal."⁵

6.16 The third sentence of the article reads, "While he was Mississippi's governor, *the welfare department that Bryant oversaw* misused and squandered at least \$77 million in federal funds meant to assist the state's poorest residents – and *so far he's skirted all accountability.*" (emphasis added).

6.17 The sentence is partially accurate:

- a. Bryant served as "Mississippi's governor" from 2012 to 2020;
- b. MDHS is the State Department of Public Welfare;⁶
- c. the state auditor demanded the return of "more than \$77 million of misspent TANF (Temporary Assistance for Needy Families) money;"⁷
- d. MDHS alleges Davis and others within the department misspent federal funds;⁸
- e. TANF funds are federal funds;⁹ and,
- f. MDHS is part of the executive branch.

⁴ <https://mississippitoday.org/2023/05/08/pulitzer-prize-winning-backchannel/>.

⁵ <https://mississippitoday.org/2022/04/03/phil-bryant-mississippi-welfare-scandal-investigation/> (emphasis added).

⁶ Miss. Code Ann. § 43-1-1.

⁷ <https://www2.osa.ms.gov/news/auditor-demands-repayment-of-misspent-welfare-money/>.

⁸ *Mississippi Dep't of Human Services v. Mississippi Community Education Center, Inc., et al.*, No. 25CI1:22-cv-286-EFP (Hinds Cty. Cir. Ct.).

⁹ <https://www.cbpp.org/research/family-income-support/policy-basics-an-introduction-to-tanf>.

6.18 However, Wolfe’s sentence contains statements with alternate interpretations, one false and the other true. The first is Wolfe’s claim that Bryant “oversaw” MDHS (“Oversight Statement”). The second is that Bryant has “skirted all accountability” (“Accountability Statement”).

1. The Oversight Statement

a. Bryant did not conspire with, aid-and-abet, or assist Davis in misusing and squandering at least \$77 million in federal funds.

6.19 Merriam-Webster defines “oversee” as “to watch over and direct (an undertaking, a group of workers, etc.) in order to ensure a satisfactory outcome or performance.”¹⁰

6.20 Wolfe’s claim that the “welfare department that Bryant oversaw misused and squandered at least \$77 million in federal funds” is susceptible to alternate interpretations.

6.21 The first interpretation is that Bryant conspired with, aided-and-abetted, or assisted Davis in misusing and squandering at least \$77 million in federal funds. This interpretation is absolutely and unequivocally false.

6.22 Miss. Code Ann. § 43-1-2 *et. seq.* addresses the governor’s statutory role concerning MDHS:

- a. Miss. Code Ann. § 43-1-2(1) states that MDHS is under the governor’s “policy direction.”
- b. Miss. Code Ann. § 43-1-2(2) explains that the governor “shall appoint the Executive Director of Human Services with the advice and consent of the Senate, and he shall serve at the will and pleasure of the Governor, and until his successor is appointed and qualified.”
- c. Miss. Code Ann. § 43-1-2(6) provides that the “executive director shall have the authority to organize offices as deemed appropriate to carry out the responsibilities of the

¹⁰ <https://www.merriam-webster.com/dictionary/oversee>.

department” and that the “organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.”

- d. Miss. Code Ann. § 43-1-5(3) states that “[w]ithin ninety (90) days after the end of each fiscal year, and at each regular session of the Legislature,” MDHS shall “make and publish one (1) report to the Governor and to the Legislature, showing for the period of time covered, in each county and for the state as a whole: (a) the total number of recipients; (b) the total amount paid to them in cash; (c) the maximum and the minimum amount paid to any recipients in any one (1) month; (d) the total number of applications; (e) the number granted; (f) the number denied; (g) the number canceled; (h) the amount expended for administration of the provisions of this chapter; (i) the amount of money received from the federal government, if any; (j) the amount of money received from recipients of assistance and from their estates and the disposition of same; (k) such other information and recommendations as the Governor may require or the department shall deem advisable; (l) the number of state-owned automobiles purchased and operated during the year by the department, the number purchased and operated out of funds appropriated by the Legislature, the number purchased and operated out of any other public funds, the miles traveled per automobile, the total miles traveled, the average cost per mile and depreciation estimate on each automobile; (m) the cost per mile and total number of miles traveled by department employees in privately owned automobiles, for which reimbursement is made out of state funds; (n) each association, convention or meeting attended by any department employees, the purposes thereof, the names of the employees attending and the total cost to the state of such convention, association or meeting; (o) how the money appropriated to the institutions under the jurisdiction of the department has been expended during the

preceding year, beginning and ending with the fiscal year of each institution, exhibiting salaries paid to officers and employees of the institutions, and each and every item of receipt and expenditure; (p) the activities of each office within the Department of Human Services and recommendations for improvement of the services to be performed by each division.”

6.23 The governor’s statutory responsibilities with MDHS are limited to setting a policy direction, appointing an executive director with the advice and consent of the Senate, receiving organization charts, and receiving an annual report. The executive director also serves at the governor’s will and pleasure. Accordingly, the governor is empowered to remove the executive director from his position at any time and to appoint a replacement with the advice and consent of the Senate.

6.24 Bryant appointed three (3) different MDHS executive directors during his tenure as governor. The individuals who served in that position are Ricky Berry, John Davis, and Christopher Freeze. Each executive director served at Bryant’s will and pleasure, as required by statute. However, an executive director’s service at Bryant’s “will and pleasure” is not equivalent to Bryant personally exercising tight control over or detailed oversight of MDHS planning and spending.

6.25 The executive branch of state government is expansive; numerous agencies, departments, divisions, and other governmental entities are within the executive branch.

6.26 It is unreasonable and impractical for any governor to oversee the day-to-day operations, the intricate planning, or the spending of executive branch entities, including MDHS. Each entity is subject to rules, regulations, and legal requirements. No governor is reasonably expected to know these rules, regulations, and legal requirements, and all governors are entitled to

rely upon the oversight, protection, and advice of the legislature, the state auditor, the attorney general, and his independent counsel and advisors. Additionally, governors are entitled to rely upon the honesty, integrity, and professional opinions of their executive appointees and the contractors they may retain to execute the function of their executive departments.

6.27 Bryant did not supervise or provide feedback to Davis on his day-to-day job performance, nor did he personally exercise tight control over or detailed oversight of MDHS planning and spending.

6.28 Bryant set a policy direction for MDHS and received updates from Davis and others concerning its execution. The policy direction that Bryant set for MDHS was to eliminate waste and inefficiencies while delivering services and benefits that achieve positive outcomes for recipients and Mississippi.

6.29 Bryant's interactions with Davis were limited to professional meetings held approximately every six weeks, infrequent text messages (all of which have already been produced to Mississippi Today), and occasional telephone discussions.

i. Legislative Oversight of MDHS

6.30 Bryant relied upon legislative oversight of MDHS to ensure the executive director faithfully, legally and responsibly executed his policy direction. Miss. Code Ann. § 43-1-2(3) creates the Joint Oversight Committee of the Department of Human Services. As its name suggests, this legislative body was directly responsible for overseeing MDHS operations.

6.31 Additionally, Miss. Code Ann. § 5-3-51 *et seq.* creates the Joint Committee on Performance Evaluation and Expenditure Review ("PEER Committee").

6.32 PEER Committee Executive Director James Barber notified Davis on October 12, 2017, that the committee had "received a legislative assistance request to obtain certain

information from the Department of Human Services. Specifically, the requesting legislator has questions about the *Families First for Mississippi* initiative. We would appreciate your assistance in providing responses to the following questions.” Barber listed the following three (3) questions:

1. “What is the Families First for Mississippi initiative, and how does the Department of Human Services implement or carry out the initiative – i.e., more specifically, what benefits are actually received by individuals who participate in the initiative?”
2. “Does the department contract with or provide funds to any organizations for the *Families First for Mississippi* initiative? If so, please provide the names of the organizations, their responsibilities, the amount of funding they received during fiscal years 2015, 2016, and 2017, and the source of those funds. (NOTE: The requesting legislator understands that there is a vendor actually known as ‘Families First for Mississippi.’)”
3. “Other than the Department of Human Services, are any other state agencies involved with the *Families First for Mississippi* initiative? If so, please provide the names of the state agencies, their responsibilities, and the amount of funding provided for the initiative during fiscal years 2015, 2016, and 2017 (if known).”

6.33 Davis responded to Barber’s request on October 20, 2017, with a nine-page correspondence that addressed the “gen+” strategy and the reasons for it, the background of the gen+ program, the role of Families First of Mississippi, and the specific questions posed by the PEER committee’s legislative assistance request. Davis’s correspondence contained numerous appendices supporting and elaborating on his answers to the committee’s questions.

6.34 No one affiliated with the Joint Oversight Committee of the Department of Human Services or the PEER Committee notified Bryant that MDHS, MCEC, any individual affiliated with these entities, or any other contractor had engaged in illegal activities.

ii. State Auditor Oversight of MDHS

6.35 Bryant also relied upon the state auditor's expansive investigatory powers to ensure the executive director faithfully, legally and responsibly executed his policy direction.

6.36 Miss. Code Ann. § 7-7-211(c) empowers the auditor to “study and analyze existing managerial policies, methods, procedures, duties and services of the various state departments and institutions upon written request of the Governor, the Legislature or any committee or other body empowered by the Legislature to make such request to determine whether and where operations can be eliminated, combined, simplified and improved.” Bryant relied upon the state auditor's Section (c) authority to ensure MDHS, its executives, and its contractors complied with applicable laws.

6.37 Section (d) empowers the state auditor to “postaudit each year and, when deemed necessary, preaudit and investigate the financial affairs of the departments, institutions, boards, commissions, or other agencies of state government, as part of the publication of a comprehensive annual financial report for the State of Mississippi, or as deemed necessary by the State Auditor.” Bryant understands that the authority vested in the state auditor by Section (d) empowered him to discover much of the fraud perpetrated by Davis and Nancy New.

6.38 Section (g) empowers the state auditor to “make written demand, when necessary, for the recovery of any amounts representing public funds improperly withheld, misappropriated and/or otherwise illegally expended by an officer, employee or administrative body of any state, county or other public office, and/or for the recovery of the value of any public property disposed of in an unlawful manner by a public officer, employee or administrative body, such demands to be made (i) upon the person or persons liable for such amounts and upon the surety on official bond thereof, and/or (ii) upon any individual, partnership, corporation or association to whom the

illegal expenditure was made or with whom the unlawful disposition of public property was made, if such individual, partnership, corporation or association knew or had reason to know through the exercising of reasonable diligence that the expenditure was illegal or the disposition unlawful. Such demand shall be premised on competent evidence, which shall include at least one (1) of the following: (i) sworn statements, (ii) written documentation, (iii) physical evidence, or (iv) reports and findings of government or other law enforcement agencies. Other provisions notwithstanding, a demand letter issued pursuant to this paragraph shall remain confidential by the State Auditor until the individual against whom the demand letter is being filed has been served with a copy of such demand letter. If, however, such individual cannot be notified within fifteen (15) days using reasonable means and due diligence, such notification shall be made to the individual's bonding company, if he or she is bonded. Each such demand shall be paid into the proper treasury of the state, county, or other public body through the office of the department in the amount demanded within thirty (30) days from the date thereof, together with interest thereon in the sum of one percent (1%) per month from the date such amount or amounts were improperly withheld, misappropriated and/or otherwise illegally expended. In the event, however, such person or persons or such surety shall refuse, neglect, or otherwise fail to pay the amount demanded and the interest due thereon within the allotted thirty (30) days, the State Auditor shall have the authority and it shall be his duty to institute suit, and the Attorney General shall prosecute the same in any court of the state to the end that there shall be recovered the total of such amounts from the person or persons and surety on official bond named therein; and the amounts so recovered shall be paid into the proper treasury of the state, county or other public body through the State Auditor. In any case where written demand is issued to a surety on the official bond of such person or persons and the surety refuses, neglects or otherwise fails within one hundred twenty (120) days to either pay

the amount demanded and the interest due thereon or to give the State Auditor a written response with specific reasons for nonpayment, then the surety shall be subject to a civil penalty in an amount of twelve percent (12%) of the bond, not to exceed Ten Thousand Dollars (\$10,000.00), to be deposited into the State General Fund.” Bryant understands the state auditor exercised his Section (g) authority regarding Davis, New, and the others who have pleaded guilty to crimes associated with their MDHS dealings.

6.39 Section (i) empowers the state auditor to “issue subpoenas, with the approval of, and returnable to, a judge of a chancery or circuit court, in termtime or in vacation, to examine the records, documents or other evidence of persons, firms, corporations or any other entities insofar as such records, documents or other evidence relate to dealings with any state, county or other public entity. The circuit or chancery judge must serve the county in which the records, documents or other evidence is located; or where all or part of the transaction or transactions occurred which are the subject of the subpoena.” Bryant reasonably relied upon the subpoena power vested in the state auditor to root out frauds perpetrated by MDHS employees and contractors.

6.40 Section (k) grants the state auditor “the authority to contract with qualified public accounting firms to perform selected audits required in paragraphs (d), (e), (f) and (j) of this section, if funds are made available for such contracts by the Legislature, or if funds are available from the governmental entity covered by paragraphs (d), (e), (f) and (j). Such audits shall be made in accordance with generally accepted standards of auditing. All files, working papers, notes, correspondence and all other data compiled during the course of the audit shall be available, without cost, to the State Auditor for examination and abstracting during the normal business hours of any business day.” Bryant relied on the state auditor’s Section (k) authority to discover waste, inefficiencies, and fraud.

6.41 Section (m) vests the state auditor with authority to audit any state funds and state and federal funds received by any nonprofit corporation incorporated under the laws of this state “[u]pon written request by the Governor or any member of the State Legislature.” Bryant did not request an audit of MCEC, and he is unaware of any member of the State Legislature requesting an audit.

6.42 Section (o) grants the state auditor “the discretion . . . [to] conduct risk assessments, as well as performance and compliance audits based on Generally Accepted Government Auditing Standards (GAGAS) of any state-funded economic development program authorized under Title 57, Mississippi Code of 1972. After risk assessments or program audits, the State Auditor may conduct audits of those projects deemed high-risk, specifically as they identify any potential wrongdoing or noncompliance based on objectives of the economic development program. The Auditor is granted authority to gather, audit, and review data and information from the Mississippi Development Authority or any of its agents, the Department of Revenue, and when necessary under this paragraph, the recipient business or businesses or any other private, public or nonprofit entity with information relevant to the audit project. The maximum amount the State Auditor may bill the oversight agency under this paragraph in any fiscal year is One Hundred Thousand Dollars (\$100,000.00), based on reasonable and necessary expenses.” Bryant reasonably relied on the state auditor’s risk assessment, performance audit, and compliance audit discretion to ensure that MDHS and its contractors were not wasting, inefficiently using, or stealing public funds.

iii. Policy Advisors and Legal Counsel Notifications

6.43 Bryant also relied on his MDHS policy advisors and legal counsel to notify him of any actual or suspected waste, inefficiency, or fraud occurring within the agency or with its

contractors. Bryant's policy advisors and counsel were unaware of and did not notify him of any actual or suspected waste, inefficiency, or fraud occurring within the agency or with its contractors.

iv. Attorney General Oversight

6.44 Bryant also relied on the Mississippi Attorney General to notify him of any actual or suspected fraud or illegalities. The attorney general assigned special assistant attorneys general (SAAG) to MDHS and other executive agencies, departments, and divisions. The SAAG assigned to MDHS was enmeshed within the agency's operations and should have reported actual or suspected fraud or illegalities to the attorney general.

6.45 The SAAG assigned to MDHS during Bryant's tenure was Garrig Shields. Jenny Dominguez, CPA/CFF, CFE of CliftonLarsonAllen LLP (CLA), authored an April 28, 2022, correspondence to Robert G. Anderson, the current executive director of MDHS, that "communicates the results of an expanded email review requested by [MDHS] after CLA completed its reports dated September 29, 2021, titled, *TANF Forensic Audit: Procedures and Results* and *TANF Forensic Audit: Findings of Possible Fraud, Waste & Abuse*."¹¹ The correspondence outlines Shields' involvement in a wide array of misspending within MDHS. No one brought this misspending or Shields' role in it to Bryant's attention. To the best of Bryant's knowledge and belief, no one brought this misspending or Shields' role in it to the attention of Attorney General Jim Hood.

6.46 The attorney general also assigned a SAAG to the Mississippi Institutions of Higher Learning (IHL). The SAAG assigned to the IHL during Bryant's tenure was Stephanie Ganucheau, the mother of defendant Adam Ganucheau. Ms. Ganucheau was enmeshed within IHL's operations

¹¹ <https://www.mdhs.ms.gov/wp-content/uploads/2022/05/Final-MDHS-TANF-Forensic-Audit-Expanded-Email-Review-2022.04.28.pdf>.

and should have reported actual or suspected fraud or illegalities to the attorney general. Bryant is unaware of any such reports made to the attorney general. No one brought to Bryant's attention suspected fraud or illegality concerns within MDHS or IHL.

6.47 Ms. Ganucheu's failure to bring suspected fraud or illegality concerns to the attention of Attorney General Jim Hood or anyone else is particularly noteworthy. Ms. Ganucheu recommended that the IHL board approve a prepaid lease of a yet-to-be-constructed volleyball facility at the University of Southern Mississippi (USM). The funds used to prepay the lease were derived from the Temporary Assistance for Needy Families (TANF) program.

6.48 The online publication Y'all Politics exposed Ms. Ganucheu's involvement on September 22, 2022. Mississippi Today published an "Editor's Note on our Welfare Coverage"¹² on September 28, 2022, in which defendant Adam Ganucheu admitted for the first time that his mother approved and recommended the volleyball facility project to the IHL. Ganucheu claimed he first learned of his mother's role on September 20, 2022, when a Y'all Politics editor called for comment. Ganucheu downplayed his mother's involvement in the project, characterizing her role as "bureaucratic."

6.49 Ganucheu's claim of ignorance was intentionally misleading. Wolfe reported that the SAAG assigned to IHL approved the USM volleyball center lease arrangement as early as May 8, 2020 – two-and-a-half years before Ganucheu finally admitted his mother approved the project.¹³ Given the depth and detail of Wolfe's reporting on the volleyball center project, it is absurd to suggest that she did not quickly discover the identity of the SAAG she referenced in her story and immediately notify her editor-in-chief of her discovery.

¹² <https://mississippitoday.org/2022/09/28/editors-note-welfare-coverage/>.

¹³ <https://mississippitoday.org/2020/05/08/southern-miss-knew-human-services-funds-paid-for-volleyball-center-construction-auditor-found/>.

6.50 Ganucheau and Wolfe knew long before September 20, 2022, that Ganucheau's mother recommended the lease to the IHL board; they concealed this information until another media outlet exposed it; and they have continued to hide the full scope of her authority and involvement from Mississippi Today's audience to preserve a thin veneer of professionalism for the publication.

6.51 Regardless of Ganucheau's and Wolfe's attempts to cover up and conceal Stephanie Ganucheau's integral role in the USM volleyball center lease arrangement, Bryant is deeply disappointed that misdeeds occurred during his or any other administration, and he wishes any illegal activities had been discovered earlier.

6.52 However, unlawful acts committed by individuals within MDHS are not Bryant's unlawful acts simply because they served in an executive department; the guilty knowledge of individuals who served within MDHS is not imputed to Bryant simply because those individuals served within an executive department; and Bryant is not vicariously liable for the unlawful acts of individuals who served in MDHS simply because he was governor when the misdeeds were committed.

6.53 A responsible journalist knows these things and avoids conflating one person's unlawful actions with another's. Wolfe, White, and Ganucheau have acted irresponsibly in this respect and many other ways.

b. Bryant was governor when Davis misused and squandered at least \$77 million in federal funds.

6.54 Alternatively, one could interpret Wolfe's statement as follows: Bryant was governor when Davis misused and squandered \$77 million of federal funds. This interpretation is arguably correct.

2. The Accountability Statement

6.55 Merriam-Webster defines “accountable” as “subject to giving an account” and as “capable of being explained.”¹⁴

6.56 Merriam-Webster defines the verb “skirt” as “to go or pass around or about,” “to avoid especially because of difficulty or fear of controversy,” and “to evade or miss by a narrow margin.”¹⁵

6.57 Wolfe’s claim that Bryant had “so far . . . skirted all accountability” is also susceptible to alternate meanings.

6.58 The first interpretation is that Bryant has committed crimes associated with MDHS mispending, for which he has not been indicted and prosecuted. This interpretation is false.

6.59 The second interpretation is that Wolfe’s interview was the first time Bryant had publicly discussed the MDHS scandal. This interpretation is accurate.

B. The first six articles of The Backchannel series

Part 1. “Phil Bryant had his sights on a payout as welfare funds flowed to Brett Favre.”

6.60 The first article in The Backchannel series is dated April 4, 2022. It chronicles Brett Favre’s and Jake Vanlandingham’s efforts to fund the biomedical startup Prevacus.¹⁶

6.61 Wolfe reported that Favre, Vanlandingham, and Nancy New “struck a deal for New to direct some of her nonprofit’s grant funding to aid Prevacus in its drug development.”¹⁷

¹⁴ <https://www.merriam-webster.com/dictionary/accountable>.

¹⁵ <https://www.merriam-webster.com/dictionary/skirt>.

¹⁶ <https://mississippitoday.org/2022/04/04/phil-bryant-brett-favre-welfare-scandal-payout/>.

¹⁷ *Id.* at 10.

6.62 Wolfe reported that criminal prosecutors allege New and Davis conspired to pay Prevacus \$2.15 million.¹⁸

6.63 The article contains the following factual representations:

- a. Vanlandingham texted Bryant that he and Favre met with Davis and New and that the group would be “working together;”¹⁹
- b. Bryant arranged a telephone call between Vanlandingham and former U.S. Senator Rick Santorum;²⁰
- c. “Vanlandingham texted Gov. Bryant a series of updates, including that Prevacus was ‘working with Nancy New’ on funding its first phase of trials;”²¹
- d. Favre texted Bryant that he was “happy about the funding from the State of MS” and that he was meeting with “Joe Canizaro at Tradition to talk clinical trial structure;”²²
- e. Bryant contacted Camp Shelby “after Vanlandingham posed the idea of securing funding from the U.S. Department of Defense to test the concussion drug on National Guard trainees;”²³
- f. Favre asked Bryant to assist him in obtaining private investors for Prevacus;²⁴
- g. Bryant told Vanlandingham that Canizaro was interested in investing \$100,000, and the White House was interested in hosting a youth brain injury summit featuring Prevacus;²⁵

¹⁸ *Id.* at 4.

¹⁹ *Id.* at 10.

²⁰ *Id.* at 10-11.

²¹ *Id.* at 11.

²² *Id.* at 12-13.

²³ *Id.* at 13.

²⁴ *Id.* at 14.

²⁵ *Id.* at 16.

- h. Bryant texted Vanlandingham that he could discuss accepting shares in Prevacus after he left office;²⁶
- i. After Bryant left office, Vanlandingham texted Bryant that he wanted to compensate him for continuing to assist with Prevacus;²⁷
- j. The state auditor's office arrested New, Davis, and four others before Bryant and Vanlandingham agreed to a compensation package; and
- k. Bryant ceased communications with Vanlandingham after learning in a press account that Prevacus was embroiled in the New-Davis welfare scheme.²⁸

6.64 The article does not report that Bryant misused or squandered federal funds, does not report that Bryant steered federal funds to Prevacus or any other individual or entity, and does not report that Bryant embezzled public funds.

Part 2. “You stuck your neck out for me’: Brett Favre used fame and favors to pull welfare dollars.”

6.65 This article²⁹ is dated April 6, 2022, and broadly focuses on seven topics:

- a. Favre and Vanlandingham's discussions about compensating Bryant after he left office;³⁰
- b. Favre and Vanlandingham's involvement in events surrounding New receiving shares of stock in Prevacus;³¹
- c. Favre and Vanlandingham discussing buying a truck for Davis;³²

²⁶ *Id.*

²⁷ *Id.* at 17.

²⁸ *Id.*

²⁹ <https://mississippitoday.org/2022/04/06/brett-favre-used-fame-favors-welfare-dollars/>.

³⁰ *Id.* at 4.

³¹ *Id.* at 4-5.

³² *Id.* at 6.

- d. Favre, Vanlandingham, and Davis discussing the settlement of a \$1.1 million debt that Favre owed on the University of Southern Mississippi (USM) volleyball center project;³³
- e. Favre asking Bryant “to hold a meeting so he and New could ask Freeze about more funding for their project;”³⁴
- f. Vanlandingham and Favre discussing compensation that Prevacus would pay Favre for convincing USM to finance the company;³⁵ and
- g. Favre aimed to earn \$20 million if he and Vanlandingham “could get their concussion treatment drug through human trials and FDA approval.”³⁶

6.66 The article does not report that Bryant misused or squandered federal funds, does not report that Bryant steered federal funds to Prevacus or any other individual or entity, and does not report that Bryant embezzled public funds.

Part 3. “My Governor is counting on me’: Disgraced welfare director bowed to Phil Bryant’s wishes.”

6.67 This article³⁷ is dated April 7, 2022, and primarily focuses on Davis’s tenure as MDHS executive director.

6.68 Wolfe reported that State Auditor Shad White “told Mississippi Today in October that he had not seen evidence of Bryant directing Davis to fund specific vendors.”³⁸

6.69 Wolfe also reported that –

[t]he auditor explained to Mississippi Today in October that it is not the governor’s role to know how TANF funds may or may not be spent.

³³ *Id.* at 7-8.

³⁴ *Id.* at 8-9.

³⁵ *Id.* at 9-10.

³⁶ *Id.* at 10.

³⁷ <https://mississippitoday.org/2022/04/07/mississippi-welfare-john-davis-phil-bryant/>.

³⁸ *Id.* at 16.

White posed a hypothetical: A governor meets with his human services director and asks for the department to use welfare funds to build, let's say, a community garden – an unallowable purchase under TANF regulations.

White said it is the director's responsibility to reject the request and explain that the money may not be used for that purpose.

On the flip side, White asked, "Is it the governor's responsibility in that hypothetical I just set up to know all the TANF regs? The answer is no."

"If that is the governor's responsibility," he continued, "then it is impossible to be the governor of the state of Mississippi or any state because you must have to be an expert in TANF regs, MEMA regs, DPS regs, and every federal grant that is drawn down by any of those entities. It would be impossible."³⁹

6.70 Wolfe reported that Davis "told the governor by email that his attorneys determined it would be against federal rules to put TANF or any other MDHS funds toward" a children's development clinic.

6.71 Bryant responded, "Thanks John. Let me know if I can help find funding. We always want to follow the rules."

6.72 According to Wolfe, Davis notified the governor that he had found a way to fund the clinic a week later. Bryant told Wolfe, "Perhaps he did. And I hope it was proper and legal and ethical and moral."⁴⁰

6.73 Lacking evidence that Bryant misused, squandered, or improperly steered TANF or other MDHS funds, Wolfe reported the false and defamatory speculation of an individual who was not involved in relevant events, who had no first-hand knowledge of relevant circumstances, and who did not work in MDHS during Bryant's tenure.

6.74 Wolfe wrote:

³⁹ *Id.* at 14-15.

⁴⁰ *Id.* at 15.

“I’ve been saying all along that all of those TANF subgrants that are suspect – Nancy New, all of them – it was the governor who was the wizard behind the curtain,” said Carol Burnett, founder of the Mississippi Low-Income Child Care Institute. “That’s my opinion.”

Burnett’s opinion is an educated one; she was a division director in the Mississippi Department of Human Services in the early 2000s and has direct knowledge about how the agency operates.

“The thing about TANF and the governor in Mississippi is: it’s a huge pot of money and the governor has total control over it,” Burnett said. “The governor just had to have been involved in those decisions.”⁴¹

6.75 Bryant was not involved, Wolfe did not report that he was involved, and Mississippi Today has no evidence that he was involved.

6.76 Wolfe’s inclusion of Burnett’s baseless speculation was irresponsible and revelatory of Mississippi Today’s politically charged institutional bias and actual malice.

6.77 Wolfe’s and Mississippi Today’s publication of Burnett’s statement was libelous.

Part 4. “Governing by text: Phil Bryant’s hidden hand-picked welfare winners.”

6.78 This article, dated April 12, 2022, examines “two examples of Bryant asking Davis, his appointee, if he could fund a specific organization without using normal channels.”⁴²

6.79 Wolfe did not specify the “normal channels” she referenced and did not identify a statute, rule, or regulation setting forth a legal basis for these “normal channels.”

6.80 The first instance involved “Willowood Developmental Center, a nonprofit that serves adults and children with intellectual and developmental disabilities in Jackson.”⁴³

6.81 Wolfe reported that Willowood did not receive “additional MDHS funding after this exchange.”⁴⁴

⁴¹ *Id.* at 16.

⁴² *Id.* at 3.

⁴³ *Id.* at 4.

⁴⁴ *Id.*

6.82 The second instance involved the T.K. Martin Center for Technology and Disability at Mississippi State University. Wolfe reported that Davis “initially told the governor it would be against federal regulations for his agency to fund” the center, but “then Davis found a way to award the center a grant anyway.”⁴⁵

6.83 Bryant voluntarily sat for an interview with Wolfe. About Willowood, Bryant said, “If it’s wrong to try to help Willowood and those poor children out there, then I will have to say I was wrong, but I don’t think I was.”

6.84 Regarding the T.K. Martin Center, Bryant told Wolfe that he hoped Davis’s funding decision “was proper and legal and ethical and moral because I remember people at Mississippi State, and I don’t remember who, calling and saying, ‘This is a wonderful program for those poor children, and we’re going to lose it.’”

6.85 Wolfe did not report that Bryant misused or squandered funds paid to the T.K. Martin Center; she did not say that Bryant steered public funds to the T.K. Martin Center; and she did not report that Bryant embezzled funds intended for the T.K. Martin Center.

6.86 On the contrary, Wolfe said that Davis awarded a grant to the center and later notified Bryant.

Part 5. “Phil Bryant’s star-powered selfies and slick brochures didn’t Save the Children.”

6.87 This article⁴⁶ is dated April 14, 2022, and focuses on Save the Children, “a century-old and well-regarded humanitarian organization” that received “about \$2 million in funding from Mississippi’s Temporary Assistance for Needy Families grant.”⁴⁷ Wolfe reported that “Save the

⁴⁵ *Id.* at 5.

⁴⁶ <https://mississippitoday.org/2022/04/14/phil-bryant-save-the-children-welfare/>.

⁴⁷ *Id.* at 3.

Children received its welfare funding directly from the welfare agency for legitimate literacy, after-school, and summer programs. Auditors did not find any of its funding was improper.”⁴⁸

6.88 This article does not report that Bryant misused or squandered federal funds; it does not report that Bryant steered public funds to benefit his family or friends; and it does not say that Bryant embezzled public funds.

Part 6. “Family first: Gov. Phil Bryant turned to welfare officials to rescue troubled nephew.”

6.89 This article,⁴⁹ dated April 18, 2022, discusses Bryant’s nephew, Noah McRae, and his troubled past. The article does not report that Bryant misused or squandered federal funds; it does not report that Bryant steered public funds to benefit his family or friends; and, it does not say that Bryant embezzled public funds.

III. The Impact Report

6.90 On August 11, 2022, White authored an article titled “Reporting with Impact: 2022 Mid-Year Report.”⁵⁰ The article contained a link to Mississippi Today’s 2022 Impact Report.⁵¹ White’s article directed readers to the report. White wrote the impact report.

6.91 The first section of the report is titled “Important Stories.” The first series of stories in that section is “The Backchannel.” The report states as follows regarding “The Backchannel” series:

Anna Wolfe, our poverty and investigative reporter, began publishing her investigative series “The Backchannel,” which revealed former Gov. Phil Bryant’s role in a sprawling welfare scandal. Each part of the series delved further into *Bryant’s misuse and*

⁴⁸ *Id.* at 4.

⁴⁹ <https://mississippitoday.org/2022/04/18/phil-bryant-troubled-nephew-welfare-scandal/>.

⁵⁰ <https://mississippitoday.org/2022/08/11/reporting-with-impact-2022-mid-year-report/>.

⁵¹ <https://mississippitoday.org/2022-impact-report/>.

squandering of at least \$77 million in federal funds meant to assist nearly 588,000 of the state's poorest residents.

6.92 White fundamentally changed Wolfe's contention in the April 3, 2022, introductory piece to The Backchannel series.

6.93 Unlike Wolfe, White did not say that the "welfare department" misused and squandered \$77 million in federal funds.

6.94 Unlike Wolfe, White did not leave ambiguity regarding the meaning of the words "oversaw" and "accountability."

6.95 According to White, Bryant himself misused and squandered \$77 million in federal funds.

6.96 White made a clear and unmistakable statement of fact.

6.97 White's accusation is false.

6.98 White's accusation that Bryant misused and squandered at least \$77 million of federal funds is defamatory because it injured and continues to harm Bryant's reputation; it diminished and continues to reduce the esteem, respect, goodwill, and confidence in which he is held; and it excited and continues to excite adverse, derogatory, and unpleasant feelings or opinions about him.

6.99 White and Mississippi Today acted with actual malice because they either knew the accusation was false or recklessly disregarded its truthfulness.

6.100 White and Mississippi Today made the false and libelous accusation to exaggerate Mississippi Today's accomplishments and to harm Bryant.

6.101 Bryant notified Mississippi Today that the August 11, 2022, accusation is false, libelous, and actionable.

6.102 Mississippi Today refused to comply with Bryant's demand, contending the accusation is accurate "and consequently there is nothing to be retracted or corrected."

IV. The Backchannel resumed

Part 7. "Gov. Tate Reeves inspired welfare payment targeted in civil suit, texts show."

6.103 This article is dated August 12, 2022. As the title suggests, Bryant is not a subject of this article.⁵² The article does not report that Bryant misused or squandered federal funds; it does not say that Bryant steered public funds to benefit his family or friends; and it does not say that Bryant embezzled public funds.

Part 8. "Former Gov. Phil Bryant helped Brett Favre secure welfare funding for USM volleyball stadium, texts reveal."

6.104 This article⁵³ is dated September 13, 2022. It discusses cherry-picked text messages⁵⁴ and arguments that Gerry Bufkin, attorney for admitted felon Nancy New, and her now-defunct nonprofit company, Mississippi Community Education Center, Inc. (MCEC), made in a motion to enforce a subpoena that Bufkin filed in a civil action that MDHS brought against New, MCEC, and numerous other defendants in Hinds County Circuit Court to recoup misspent funds. The subpoena sought documents related to the USM volleyball center project.

6.105 Bryant is not among the defendants.

6.106 Bryant opposed Bufkin's motion and supplied the court with extensive proof that he did not secure TANF or other MDHS funding for the USM volleyball center project.⁵⁵

⁵² <https://mississippitoday.org/2022/08/12/tate-reeves-welfare-funding/>.

⁵³ <https://mississippitoday.org/2022/09/13/phil-bryant-brett-favre-welfare/>.

⁵⁴ Wolfe acknowledged, "Bufkin's latest motion includes texts that the attorney picked, not entire text threads, and may only reflect one side of the story." *Id.* at 5.

⁵⁵ *Mississippi Dep't of Human Services v. Mississippi Community Education Center, Inc., et al.*, No. 25CI1:22-cv-00286-EFP, MEC Doc. #140, 140-1 – 140-48.

6.107 Bryant withdrew his objections and produced all materials requested by the subpoenas.⁵⁶

6.108 Wolfe did not report in this article that Bryant misused or squandered federal funds; she did not say in this article that Bryant steered federal welfare dollars to benefit his family and friends; and she did not accuse Bryant in this article of embezzling public funds.

Part 9. “SuperTalk radio was a powerful mouthpiece for welfare fraudsters – while raking in welfare funds itself.”

6.109 This article⁵⁷ is dated December 16, 2022, and does not report that Bryant directed TANF or other MDHS funds to SuperTalk or any other individual or entity.

V. The Knight Media Forum

6.110 White was a panelist in the 16th annual Knight Media Forum in February 2023. The Knight Foundation’s website⁵⁸ contains the following observations and call to action:

Democracy has always relied on independent journalism to provide citizens with accurate information and to hold the powerful accountable. Yet, several forces pose significant challenges to that effort, including the financial difficulties faced by many news organizations and a broad distrust of news among the public.

Recent trends have offered us reasons to think that we’re on the cusp of an upswing – and trust in local news has remained far stronger than in national news. But there’s a long road ahead – and we need your help.

6.111 The media forum included several panel discussions addressing topics of interest in journalism. The topics were “Knight x LMA Bloom Lab: The Power of Collaboration,” “Racial Healing and the Media,” “The Key to Scaling News Start-Ups,” “The Big Picture: Where Local Journalism Now Stands,” “Journalism Funding Collaboration,” “Follow the Money: Community

⁵⁶ *Id.* at MEC Docs. #366, 367.

⁵⁷ <https://mississippitoday.org/2022/12/16/supertalk-radio-welfare-fraud/>.

⁵⁸ <https://knightfoundation.org/events/knight-media-forum/knight-media-forum-2023/>.

Investments and Accountability Journalism,” “Are We Really That Polarized,” and “The Future Belongs to the Connected.”

6.112 White’s topic was “The Key to Scaling News Start-Ups.” White, Lila Mills of Signal Cleveland, and moderator Sarabeth Berman sat on an elevated stage and addressed a banquet hall-sized room with a seating capacity for six hundred attendees. Journalists, journalism industry professionals, potential financiers of Mississippi Today, and Knight Foundation professionals from across the United States attended White’s presentation.

6.113 The Knight Foundation recorded and uploaded White’s presentation to its website. White knew before participating that the Knight Foundation would record her presentation and upload her and the other conference presentations to the Knight Foundation’s website. Upon information and belief, thousands of people have viewed White’s panel discussion.

6.114 White’s presentation covered various matters relating to Mississippi Today’s business and reporting. Moderator Sarabeth Berman prompted White’s false and defamatory comments with this request: “Before we get into your business model, we’re going to spend more time on that, talk a little bit more about the journalism. You guys have been doing some really extraordinary reporting. I think the audience would enjoy hearing about some of it.” [MEC Doc. #38-4 at 12].

6.115 After discussing Mississippi Today’s reporting of other matters, White turned to Mississippi Today’s reporting of the welfare fraud scandal. White said:

But 2022 has just been a wild ride. *We’re the newsroom that broke the story about \$77 million in welfare funds, intended for the poorest people in the poorest state in the nation, being embezzled by [a] former governor and his bureaucratic cronies and used on pet projects like a state-of-the-art volleyball stadium at Brett Favre’s alma mater.* You can’t make up the cast of characters. Ex-pro wrestlers are involved, you know. Football stars that have horse ranches. I mean, it’s really wild.

But at the end of the day, that reporting really opened up the consciousness of Mississippi and I really think the nation about what's happening. How little do we know about how federal dollars are spent in our local communities? And this investigation had been something we'd been looking into since 2017. Our ace reporter Anna Wolfe was doing some research and realized that like 1.5% of the millions in federal funds that were coming to the state were being spent – only like less than two percent.

So where was the rest of the money going? It was not until 2022 when a source that Anna had worked for years leaked a trove of private communications, text messages, that really revealed the extent of the misspending.

And that was a tremendous and continues to be a tremendous story for the newsroom.

Id. at 13 (emphasis added).

6.116 The “we’re” and “newsroom” is Mississippi Today.

6.117 The “former governor” is Bryant.

6.118 Miss. Code Ann. § 97-23-19 provides that embezzlement is a crime.

6.119 Bryant has not embezzled “welfare funds” or any other public funds.

6.120 Embezzlement is a crime of moral turpitude that carries an infamous and disgraceful punishment.

6.121 White’s embezzlement accusation is slanderous per se.

6.122 White acted with actual malice because she either knew her accusation was false or she recklessly disregarded the accusation's truthfulness.

6.123 White made her false and slanderous accusation to exaggerate Mississippi Today’s accomplishments and to harm Bryant.

6.124 White’s slanderous accusation proved that Wolfe’s statement 14-months earlier was not a mistake and illustrated the institutional belief that fueled the defamation and ethical breaches outlined in this complaint. White decided that she would publicly persecute Bryant for embezzling \$77 million of welfare funds if criminal authorities would not prosecute him, regardless of whether her accusation was true.

VI. Media outlets throughout Mississippi republished White's slanderous accusation.

6.125 Numerous media outlets republished White's remark and commented on the motivations that led to it. On May 5, 2023, the Madison County Journal and the Neshoba County Democrat republished an internet link to the panelist discussion in conjunction with an editorial titled "Phil Bryant's 'welfare fraud.'"⁵⁹ The editorial rightly opined:

It's bad enough nearly every article infers Phil Bryant embezzled money; it's a major leap forward to go on a national stage and say that he did in fact embezzle \$77 million.

6.126 This editorial and its republication of White's false and slanderous accusation is available to anyone with an internet connection to read. Upon information and belief, thousands of people have read and viewed this republication of White's false and slanderous accusation.

6.127 On May 7 and 8, 2023, the Magnolia Tribune, Northside Sun, Delta-Democrat Times, Yazoo Herald, Greenville Commonwealth, Winston County Journal, Winona Times, Biloxi News Events, Clarke County Tribune, Scott County Times, Newton County Appeal, Charleston Sun-Sentinel, and other media outlets published an editorial titled "In TANF welfare scandal, media pushes guilt by innuendo."⁶⁰ This editorial republished White's false and slanderous accusation and offered the following observation and opinion:

Only no one has accused Phil Bryant of embezzlement, which has a very specific legal meaning. There is no public evidence that Phil Bryant embezzled, or that he benefited personally in any way from the TANF fraud. He's certainly not been charged with embezzlement.

But support for the claim aside, White's perspective – her preemptive imputation of guilt – permeates her newsroom's coverage. It's simply sexier to contort the public record and paint Bryant as a criminal mastermind than to withhold judgment until the legal process is complete. Bryant buys clicks. Focusing on him also conforms to a pervasive anti-Republican sentiment in the midst of an election cycle.

⁵⁹ <https://onlinemadison.com/stories/editorialphil-bryants-welfare-fraud,67089>.

⁶⁰ <https://magnoliatribune.com/2023/05/07/tanf-welfare-scandal-guilt-by-innuendo/>.

6.128 This editorial, including its republication of White's false and slanderous accusation, is available to anyone with an internet connection to read. Upon information and belief, thousands of people have read and viewed this republication of White's false and slanderous accusation.

6.129 On May 10, 2023, the Northeast Mississippi Daily Journal, Clarksdale Press Register, Magee-Courier Simpson County News, Magnolia Tribune, Winston County Journal, and other media outlets republished White's false and slanderous accusation and published an opinion column authored by well-respected political columnist Sid Salter.⁶¹ Among other things, Salter wrote:

If federal or state officials have evidence against Bryant for embezzlement, they should act on it. Charge him, arrest him, indict him. If they don't have such evidence, they should say so. Bryant's reputation is being shredded, and releasing texts unfortunately won't clear his name.

6.130 Salter correctly observed that White damaged Bryant's reputation in a manner that he alone cannot repair. White should have retracted her slanderous accusation, apologized, and clearly and unequivocally stated that Mississippi Today has no evidence that Bryant embezzled welfare or other public funds. She intentionally refused to do so after consulting with colleagues and advisors.

6.131 Salter's column is available to anyone with an internet connection to read. Upon information and belief, thousands of people have read this republication of White's false and slanderous accusation.

⁶¹ https://www.djournal.com/opinion/columnists/without-charges-arrests-or-indictments-how-s-bryant-to-defend-himself-in-tanf-scandal/article_0f1d0bcd-27c3-505b-a3b7-3c08af1cc2a4.html.

6.132 The above-referenced items and similar republications by traditional and social media outlets were a natural and foreseeable consequence of White’s false and slanderous accusation.

VII. Ganucheau defamed Bryant in May 2023.

6.133 On May 8, 2023, Mississippi Today published an article titled “Anna Wolfe and Mississippi Today win Pulitzer Prize for ‘The Backchannel’ investigation.”⁶² Ganucheau authored the piece. Ganucheau wrote:

The investigation, published in a multi-part series in 2022, revealed for the first time *how former Gov. Phil Bryant used his office to steer the spending of millions of federal welfare dollars* — money intended to help the state’s poorest residents — *to benefit his family and friends, including NFL Hall of Fame quarterback Brett Favre.*

(emphasis added).

6.134 Bryant did not use his office to steer the spending of millions of federal welfare dollars to benefit his family and friends, and Wolfe’s investigative series did not reveal that he did. Ganucheau’s statement is false.

6.135 Ganucheau and Mississippi Today published the statement outlined in paragraph 6.133.

6.136 The statement outlined in paragraph 6.133 is a clear and unmistakable statement of fact.

6.137 Ganucheau’s accusation injured and continues to injure Bryant’s reputation; it diminished and continues to reduce the esteem, respect, goodwill, and confidence in which he is held; and it excited and continues to excite adverse, derogatory, and unpleasant feelings or opinions about him.

⁶² <https://mississippitoday.org/2023/05/08/anna-wolfe-mississippi-today-pulitzer/>.

6.138 Ganucheau and Mississippi Today acted with actual malice because they either knew the accusation was false or recklessly disregarded its truthfulness.

6.139 Ganucheau made the false and libelous accusation to exaggerate Mississippi Today's accomplishments and to harm Bryant.

6.140 Bryant notified Mississippi Today that the May 8, 2023, accusation is false, libelous, and actionable.

6.141 Mississippi Today refused to comply with Bryant's demand, contending the accusation is accurate "and consequently there is nothing to be retracted or corrected."

6.142 Bryant notified Ganucheau that the May 8, 2023, accusation is false, libelous, and actionable.

6.143 Ganucheau refused to comply with Bryant's demand, contending the publication is "not only true but is also speech, including opinion, that is protected by the Mississippi Constitution and the First Amendment of the United States Constitution." Ganucheau also contends that the "Broadcaster's Right to Correct" statute, Miss. Code Ann. § 95-1-5, does not apply to him. Finally, Ganucheau contends that Bryant's "threat to sue [him] concerning the words about which he complains as set forth in his most recent demand for retraction, expose Mr. Bryant to abuse of process and frivolous litigation claims if he proceeds to add Adam Ganucheau as a defendant in his Madison County defamation/false light litigation." Ganucheau's threat further evidences his actual malice.

VIII. The Other Side podcast

6.144 Ganucheau hosts a podcast that Mississippi Today uploads on multiple platforms, including Apple Podcasts and Spotify. The podcast is titled "The Other Side."

6.145 Wolfe joined Ganucheau on the podcast's May 10, 2023, episode. Ganucheau and Wolfe stated the following during this episode:

- a. At 16:11, Wolfe stated about Bryant and others, "I don't think that we've overtly made it, you know, painted it like we were convicting these people. We've simply explained what happened, I think."
- b. At 17:40, Ganucheau stated, "To date, we have not had to issue any retraction or correction on anything Backchannel-related. You should be proud of that, and I'm proud of that."
- c. At 18:00, Ganucheau stated, "It's not our job to assign guilt as it relates to a crime." Wolfe responded, "Right."
- d. At 18:31, Ganucheau stated, "In this case, you know, we've been very careful not to assign guilt, legal guilt, to anybody."

6.146 The statements that Wolfe and Ganucheau made during the podcast are false and misleading for the following reasons:

- a. As for the statement made at 16:11, White said Mississippi Today broke the story of Bryant embezzling \$77 million of welfare funds. This was no slip-of-the-tongue mistake. White's accusation is in full accord with Wolfe's plainly expressed desire for criminal prosecutors to "go after . . . former governor Phil Bryant" and hold him "accountable."
- b. As for the statement made at 17:40, as previously discussed, Ganucheau wrote and Mississippi Today published an "Editor's note on our welfare coverage"⁶³ on September 28, 2022, in which Ganucheau was forced to admit that his mother, Stephanie Ganucheau, approved and recommended the volleyball facility project to the IHL.

⁶³ <https://mississippitoday.org/2022/09/28/editors-note-welfare-coverage/>.

- c. As for the statement made at 18:00, Wolfe assigned “guilt as it relates to a crime” when she told Shows that criminal prosecutors should “go after” Bryant and hold him “accountable.” White did the same when she accused Bryant of embezzling \$77 million of welfare funds.
- d. As for the statement at the 18:31 mark, Wolfe “assign[ed] guilt, legal guilt” when she told Shows that criminal prosecutors should “go after” Bryant and hold him “accountable.” White did the same when she accused Bryant of embezzling \$77 million of welfare funds.

6.147 Ganuchau and Wolfe made the above-referenced remarks to preserve an appearance of impartiality for Mississippi Today.

6.148 Wolfe and White’s slanderous accusations, White’s libelous accusation, Ganuchau’s libelous accusation, Mississippi Today’s publication of the defamatory statements made by Wolfe, White, and Ganuchau, the gaslighting denials of Wolfe and Ganuchau during the podcast, and Mississippi Today’s active concealment of Stephanie Ganuchau’s involvement with the USM volleyball facility project illustrate the concerted scheme within Mississippi Today to defame Bryant and mislead Mississippi Today’s readership and podcast audience.

IX. Bryant provided statutory notice, and White responded with a non-apology apology.

6.149 Miss. Code Ann. § 95-1-5(1) provides as follows:

(1) Before any civil action is brought for publication, in a newspaper domiciled and published in this state or authorized to do business in Mississippi so as to be subject to the jurisdiction of the courts of this state, of a libel, or against any radio or television station domiciled in this state, the plaintiff shall, at least ten (10) days before instituting any such action, serve notice in writing on the defendant at its regular place of business, specifying the article, broadcast or telecast, and the statements therein, which he alleges to be false and defamatory.

6.150 While it is doubtful that the notice statute applies to White’s slanderous accusation, Bryant served White and Mississippi Today on May 10, 2023, with written notice of defamation

out of an abundance of caution and to provide White a full and fair opportunity to retract, correct, and apologize for her defamatory statement.

6.151 Bryant's correspondence was reported by print and broadcast media outlets throughout Mississippi. Mississippi Today was not among these outlets. Mississippi Today's failure to report the correspondence is conspicuous when one considers the barrage of outright lies, factual errors, baseless speculation, irresponsible innuendo, and self-serving contentions that the publication had written about Bryant in previous months. As the Madison County Journal observed in a May 5, 2023, editorial:⁶⁴

[R]eading Mississippi Today headlines, the former governor is guilty until proven innocent. He's been tried and convicted and their headlines scream their liberal bile:

- "Some want Phil Bryant investigated for welfare scandal. He used to be doing the investigating"
- "Former Gov. Phil Bryant should be sued over misspent welfare funds, civil defendant argues to court"
- "Gov. Phil Bryant directed \$1.1 million welfare payment to Brett Favre, defendant says"
- "Congressman asks feds to investigate former Gov. Phil Bryant's welfare spending influence"
- "Former Gov. Phil Bryant helped Brett Favre secure funding for USM volleyball scandal, texts reveal"
- "Welfare defendant alleges Gov. Phil Bryant used federal funds to hurt political rival"
- "Attorneys drop hints that feds are eyeing former Gov. Phil Bryant in welfare investigation"
- "Gov. Phil Bryant turned to welfare officials to rescue troubled nephew"
- "Phil Bryant's star-powered selfies and slick brochures didn't Save the Children"

⁶⁴ <https://onlinemadison.com/stories/editorialphil-bryants-welfare-fraud,67089>.

- “Governing by text: Phil Bryant’s hidden handpicked welfare winners”
- “‘My Governor is counting on me’: Disgraced welfare director bowed to Phil Bryant’s wishes”
- “Phil Bryant had his sights on a payout as welfare funds flowed to Brett Favre”
- “Mississippi Today investigation exposes new evidence of Phil Bryant’s role in welfare scandal”

6.152 Mississippi Today published a “Note from the CEO on welfare scandal remark” on May 17, 2023.⁶⁵ The note states:

I misspoke at a recent media conference regarding the accusations against former Governor Phil Bryant in the \$77 million welfare scandal. He has not been charged with any crime. My remark was inappropriate, and I sincerely apologize.

Mississippi Today has published at least 29 times over the course of its coverage of the welfare scandal, including multiple times in “The Backchannel” investigative series, that Gov. Bryant has not been charged with any crime. My mistake was unintentional and an inaccurate representation of the facts.

This statement will be shared across Mississippi Today’s platforms, including our website, social media, newsletter, mobile app and text service. I have requested that the video of my remark be retracted with this apology.

6.153 Mississippi Today did not communicate or attempt to communicate with Bryant before the note’s publication.

6.154 The Knight Foundation removed the audio-visual recording of the panel discussion titled “The Key to Scaling News Start-Ups” from its website several weeks after White purportedly made her request. The website now contains the following statement: “*Due to an inaccurate remark made on this panel, this video has been removed.” The statement includes a hyperlink to White’s note but does not identify the “inaccurate remark” or explain why it was inaccurate.

6.155 Miss. Code Ann. § 95-1-5(2) states:

⁶⁵ <https://mississippitoday.org/2023/05/17/note-from-ceo-welfare-scandal-remark/>.

(2) If it appears upon the trial that said article was published, broadcast or telecast in good faith, that its falsity was due to an honest mistake of the facts, and there were reasonable grounds for believing that the statements in said article, broadcast or telecast were true, and that within ten (10) days after the service of said notice a full and fair correction, apology and retraction was published in the same edition or corresponding issues of the newspaper in which said article appeared, and in as conspicuous place and type as was said original article, or was broadcast or telecast under like conditions correcting an honest mistake, and if the jury shall so find, the plaintiff in such case shall recover only actual damages. The burden of proof of the foregoing facts shall be affirmative defenses of the defendant and pled as such.

6.156 Mississippi Today and White have conceded that Miss. Code Ann. § 95-1-5(2) does not apply to White's statement. Nonetheless, White's refusal to retract, correct, and apologize for her false and defamatory accusation evidences her actual malice.

6.157 Merriam-Webster defines "retract" as "to recant or disavow something."⁶⁶ In her note, White did not recant or disavow her claim that Mississippi Today broke the story of Bryant embezzling \$77 million of welfare funds. A retraction would include an unequivocal declaration similar to the following: "During a recent media conference, I stated that Mississippi Today broke the story of Governor Phil Bryant embezzling \$77 million of welfare funds. My statement was false. I recant my statement."

6.158 In her note, White wrote that she "misspoke at a recent media conference regarding the accusations against former Governor Phil Bryant in the \$77 million welfare scandal. He has not been charged with any crime." This is not a correction of her earlier remark. A correction would include an unqualified declaration similar to the following: "Mississippi Today has never reported that former Governor Phil Bryant embezzled welfare funds. I am unaware of any information that suggests Bryant embezzled welfare funds."

⁶⁶ <https://www.merriam-webster.com/dictionary/retract>.

6.159 White purports to “sincerely apologize” for her “inappropriate” remark, but she did not specify what remark was inappropriate and why. A clear apology would read similar to the following: “I apologize for saying that Mississippi Today broke the story of former Governor Phil Bryant embezzling \$77 million of welfare funds.” A cohesive retraction, correction, and apology from White would have read similar to the following:

During a recent media conference, I stated that Mississippi Today broke the story of former Governor Phil Bryant embezzling \$77 million of welfare funds. My statement was false. I recant my statement. Mississippi Today has never reported that former Governor Phil Bryant embezzled welfare funds. I am unaware of any information that suggests Bryant embezzled welfare funds. I apologize for saying that Mississippi Today broke the story of former Governor Phil Bryant embezzling \$77 million of welfare funds.

6.160 White’s refusal to retract, correct, and apologize for her embezzlement accusation leads a dispassionate reader to believe Bryant embezzled \$77 million of welfare funds and federal and state criminal prosecutors have failed or refused to pursue criminal charges against him. This conclusion is what White and Mississippi Today intended when Mississippi Today published White’s note, and it is what White and Mississippi intend that dispassionate readers continue to believe.

X. Wolfe defamed Bryant in articles dated December 19, 2023.

6.163 On December 19, 2023, Mississippi Today published two articles by Wolfe. The pieces are titled “Mississippi Welfare Funds Would Up in a Ghanaian Gold Bar Hoax, Court Filing Alleges”⁶⁷ and “Court Filing Alleges Gov. Phil Bryant Directed Welfare Funds for Illegal Volleyball and Concussion Drug Projects.”⁶⁸

6.164 In the article titled “Mississippi Welfare Funds Would Up in a Ghanaian Gold Bar Hoax, Court Filing Alleges,” Wolfe wrote:

⁶⁷ <https://mississippitoday.org/2023/12/19/welfare-funds-ghana-scam-prevacus/>.

⁶⁸ <https://mississippitoday.org/2023/12/19/court-filing-phil-bryant-directed-welfare-spending/>.

But after months of stringing the scientist along, Martin finally told Vanlandingham he would have to first put up \$25,000 to help pay for a “geological analysis” for the land that Martin said his overseas investor required.

Vanlandingham tried to find the money, but the scientist’s contacts had dried up and he was experiencing deep personal financial problems, according to his texts. He was forced to sell his family’s home to pay the taxes for Prevacus, he said, and ask his mom for a loan to get into a rental. Martin tried to put him at ease by saying things like, “I know what we are doing is pleasing to God.”

Vanlandingham tried to get Favre to secure the \$25,000 through an investment in Prevacus from one of his fellow professional athletes, but they wouldn’t bite.

Then Favre suggested they ask the then-Mississippi governor for help and offer him stock in the company. Bryant bit. The men met with several others for dinner in Jackson at Walker’s Drive-In in late December of 2018.

(emphasis added).

6.165 Wolfe wrote that Bryant committed to investing \$25,000 of public or private funds in Prevacus at the December 2018 meeting. Bryant did not commit to investing \$25,000 of public or private funds in Prevacus at this meeting or any other occasion. Wolfe’s statement is false, intentionally misleading, and defamatory.

6.166 Wolfe also wrote in the article above that “Bryant, who is suing Mississippi Today for defamation and ***has sent threats to the news outlet for continuing to report this story***, declined through an attorney to answer questions about this story or respond to allegations in the latest court filing.” (emphasis added).

6.167 Wolfe similarly wrote in the article titled “Court Filing Alleges Gov. Phil Bryant Directed Welfare Funds for Illegal Volleyball and Concussion Drug Projects” that “[t]hrough his attorney, Bryant declined to answer questions about the allegations made in the Dec. 12 filing. Bryant, who is suing Mississippi Today for defamation, ***has sent threats to the news outlet for continuing to report this story, including basic updates about public court documents.***” (emphasis added).

6.168 These statements are false, intentionally misleading, and defamatory. Bryant did not threaten Mississippi Today “for continuing to report this story,” nor has he threatened Mississippi Today for reporting on “basic updates about public court documents.”

6.169 Anna Wolfe emailed Bryant’s media consultant, Denton Gibbes, on December 14, 2023, seeking information from Bryant, despite knowing Bryant is represented by counsel and engaged in a lawsuit against Mississippi Today and its chief executive officer, Mary Margaret White. Wolfe’s email to Gibbes reads:

Hey Denton,

I’m working on a story about the latest filing in the MDHS civil suit. In it, MCEC alleges that Bryant directed funds to the volleyball stadium and Prevacus projects. It also suggests Bryant traveled to Ghana in August of 2019 because Prevacus’ founder had lost money to a scammer in the country. A press release says Bryant was in the country mid-August 2019 to strengthen ties between investors in Mississippi and Ghana. That appears to reference the situation with Prevacus. Regardless, which investors were Bryant representing and what became of this visit? The latest filing also references a text from Bryant to Favre in which Bryant is discussing efforts to secure MDHS funds for the volleyball project, uses a sunglasses smiley emoji and says “funny how that happened.” But this text doesn’t appear in Bryant’s text production. Do we know what happened to it? Bryant sent “funny how that happened” shortly after sending a text, which does appear in the production, where Bryant says, “Met with Nancy tonight. We are pushing forward.” Can you give me a call or provide any comment for this story?

6.170 Gibbes forwarded Wolfe’s email to Bryant’s attorney, William M. Quin II. Quin emailed Wolfe and copied Gibbes and Mississippi Today’s attorney, Henry Laird. Quin’s email reads:

Ms. Wolfe:

Denton Gibbes forwarded your email to him to me. As you are well aware, Governor Bryant has sued your publication and Mary Margaret White. I have copied their attorney on this email.

I have previously advised you to cease communications with Bryant and anyone on his behalf. You should communicate with me, and only me, and through Mr. Laird.

Any further attempts to obtain information from my client directly or indirectly that do not go through me will result in my seeking sanctions from the court against Mississippi Today. This is your final warning.

6.171 Within an hour, Quin followed up with Laird. Quin's email to Laird reads:

I feel like we've developed a good rapport.

In that vein, as a courtesy to you, I'll tell you that the text message that Wolfe references has nothing to do with volleyball or Prevacus and was not responsive to the subpoenas served on Bryant on the MCEC/MDHS case. Wolfe should tread very carefully in her upcoming article.

6.172 The following day, Laird emailed Quin a series of questions. Laird's email reads:

Mississippi Today would like to know for a story it is preparing the answers to some questions about Mr. Bryant's trip to Ghana in August 2019.

What was the purpose of the visit?

Will he tell us the details on how and when he started and ended planning the trip?

In the MCEC civil litigation, it alleges that Jake Vanlandingham asked for Mr. Bryant's help with allegedly being scammed in an investment or investments in Ghana. Did Mr. Bryant have any involvement with trying to help Mr. Vanlandingham, and if so, what are the details of that involvement?

6.173 Quin responded to Laird within 10 minutes of receiving his email. Quin's email to

Laird reads:

I'm driving to Frisco, TX. I'll speak with the governor after I arrive. I don't know if he's inclined to engage with Mississippi Today, considering its well-documented penchant for lying and defamation. If a statement is made, it will come from me and I can't write it while driving.

What follows is not for publication -

I believe the Ghana trip had to do with assisting with a malaria outbreak. I think there was a Mississippi company that made some device that could help. I'm sure the trip had several people and a documented schedule. I'm confident that I can retrieve more information about it.

Nancy New's lawyer wrote in a counterclaim that "upon information and belief" Bryant knew about Vanlandingham's investment loss and traveled to Ghana to recoup it, or something to that effect. That's an absurd claim that's wholly devoid of evidentiary support. Bryant didn't know anything about Vanlandingham's investment or loss or

involvement with anything having to do with Ghana. If Wolfe writes otherwise, I promise you that she's the next defendant in our case.

Wolfe should ask where the proof is for all things New alleged on information and belief. New's claims are ridiculous.

6.174 Laird followed up with Quin on December 18, 2023, asking, "Does Mr. Bryant have a statement?" Quin responded approximately an hour later, writing, "Not for MS Today. Given its previous writings and the statements of its employees, we do not believe MS Today is trustworthy or reliable."

6.175 As is plain from the actual communications, Quin reminded Wolfe that he had already warned her about her attempts to obtain information from Bryant through anyone other than his attorneys. Quin told Wolfe and Laird that he would seek sanctions from Mississippi Today if Wolfe ever again attempted to obtain information from Bryant through third-party intermediaries while circumventing him. Quin also explained that Bryant would sue Wolfe for defamation if she reported that Bryant's trip to Ghana was related to Vanlandingham's investment. Quin did not threaten Wolfe or Mississippi Today "for continuing to report this story," nor did he threaten Wolfe or Mississippi Today for reporting "basic updates about public court documents." Wolfe's mischaracterization of Quin's communications is an outright lie calculated to mislead and garner sympathy from her readership.

6.176 On December 22, 2023, Bryant notified Mississippi Today and Wolfe of the defamation and demanded that Mississippi Today and Wolfe retract, correct, and apologize for the false and defamatory remarks. Mississippi Today and Wolfe refused to comply with Bryant's demand and threatened Bryant with abuse of process and frivolous litigation claims if he added Wolfe as a defendant. This most recent threat amplifies the malice motivating Wolfe's libelous accusations and the defamatory accusations made by her Mississippi Today colleagues.

XI. The Society of Professional Journalists' Code of Ethics.

6.161 Mississippi Today's website states, "Mississippi Today adheres to the Society of Professional Journalists' Code of Ethics."⁶⁹ White, Ganucheau, and Wolfe violated the Society of Professional Journalists' Code of Ethics⁷⁰ in myriad ways, including:

- a. The first bullet point within the section captioned "Seek Truth and Report It" reads: "Journalists should . . . [t]ake responsibility for the accuracy of their work. Verify information before releasing it. Use original sources whenever possible."
 - i. Wolfe did not verify that Bryant committed a crime before she made her false and slanderous accusation during the radio interview; she has not taken responsibility for the inaccuracy of her false and slanderous accusation; and she does not have a reliable source to support her accusation.
 - ii. Mississippi Today did not verify that Bryant committed a crime before it published Wolfe's false and slanderous accusation; it has not taken responsibility for publishing Wolfe's false and slanderous accusation; and it does not have a reliable source or information to support Wolfe's false and slanderous accusation.
 - iii. White did not verify that Bryant misused or squandered at least \$77 million of federal funds before she accused him of such; White has not taken responsibility for the inaccuracy of her accusation; and White does not have a reliable source or information to support her false and libelous accusation.
 - iv. Mississippi Today did not verify that Bryant misused or squandered at least \$77 million of federal funds before it published White's libelous accusation; Mississippi

⁶⁹ <https://mississippitoday.org/about-us/>.

⁷⁰ <http://www.spj.org/ethicscode.asp>.

Today has not taken responsibility for the inaccuracy of his libelous accusation; and Mississippi Today does not have a reliable source or information to support the false and libelous accusation.

- v. White did not verify that Bryant embezzled at least \$77 million of welfare funds before she made her slanderous accusation; she has not taken responsibility for the inaccuracy of her accusation; and she does not have a reliable source to support her accusation.
- vi. Ganucheu did not verify that Bryant steered the spending of millions of federal welfare dollars to benefit his family and friends before making his libelous accusation; Ganucheu has not taken responsibility for the inaccuracy of his accusation; and Ganucheu does not have a reliable source or information to support his false and libelous accusation.
- vii. Mississippi Today did not verify that Bryant steered the spending of millions of federal welfare dollars before it published Ganucheu's libelous accusation; Mississippi Today has not taken responsibility for the inaccuracy of Ganucheu's libelous accusation; and Mississippi Today does not have a reliable source or information to support Ganucheu's false and libelous accusation.
- viii. Ganucheu and Wolfe claimed Mississippi Today personnel did not accuse Bryant of committing a crime, and they did not accept responsibility for purposefully providing their listeners with inaccurate information.
- ix. Wolfe did not verify that Bryant directed \$25,000.00 to Prevacus at the December 2018 meeting; Mississippi Today has not taken responsibility for the inaccuracy of

Wolfe’s libelous accusation; and Mississippi Today does not have a reliable source or information to support Wolfe’s false and defamatory accusation.

- x. Wolfe did not verify that Bryant threatened her or Mississippi Today for “continuing to report this story,” and Wolfe knew otherwise; Mississippi Today has not taken responsibility for the falsity of Wolfe’s libelous accusation; and Mississippi Today does not have a reliable source or information to support Wolfe’s false and libelous accusation.
- b. The third bullet point within the section captioned “Seek Truth and Report It” reads: “Provide context. Take special care not to misrepresent or oversimplify in promoting, previewing, or summarizing a story.”
 - i. Wolfe misrepresented that Bryant committed a crime when promoting her work.
 - ii. White misrepresented that Bryant embezzled \$77 million when promoting and summarizing Wolfe’s work.
 - iii. White misrepresented that Bryant misused and squandered at least \$77 million when promoting and summarizing Wolfe’s work.
 - iv. Ganuchau misrepresented that Bryant steered millions of federal funds to his family and friends when promoting and summarizing Wolfe’s work.
 - v. Ganuchau and Wolfe allowed their misrepresentations and Wolfe’s misrepresentations to persist by denying they occurred while promoting Wolfe’s work.
 - vi. White reinforced her slanderous accusation with her non-apology apology.

- vii. Wolfe misrepresented that Bryant committed \$25,000.00 to Prevacus during a December 2018 meeting or on any other occasion and further misrepresented that Bryant threatened her or Mississippi Today for “continuing to report this story.”
- c. The fourth bullet point within the section captioned “Seek Truth and Report It” reads: “Gather, update and correct information throughout the life of a news story.”
 - i. Wolfe has not corrected her slanderous accusation that Bryant committed a crime for which he should be criminally prosecuted. A correction would include an unqualified statement that Bryant did not commit a crime and that she falsely claimed otherwise.
 - ii. White has not corrected her slanderous accusation that Bryant embezzled \$77 million of welfare funds. A correction would include an unqualified statement that Bryant did not embezzle \$77 million of welfare funds and that she falsely claimed otherwise.
 - iii. White has not corrected her libelous accusation that Bryant misused and squandered at least \$77 million of federal funds. A correction would include an unqualified statement that Bryant did not misuse and squander \$77 million of federal funds and that she falsely claimed otherwise.
 - iv. Ganucheau and Wolfe had an opportunity to correct these false and slanderous accusations, but they intentionally added insult to injury by denying the accusations were made.
 - v. Ganucheau has not corrected his libelous accusation that Bryant steered the spending of millions of federal welfare dollars to benefit his family and friends. A correction would include an unqualified statement that Bryant did not steer the

expenditure of millions of federal welfare dollars to benefit his family and friends and that he falsely claimed otherwise.

- vi. Mississippi Today has not corrected any defamatory accusations discussed in the Second Amended Complaint despite having sufficient information and reason to do so.
 - vii. Wolfe has not corrected her libelous accusation that Bryant committed \$25,000 to Prevacus or that Bryant threatened her and Mississippi Today for “continuing to report this story.”
- d. The final bullet point within the section captioned “Minimize Harm” reads: “Consider the long-term implications of the extended reach and permanence of publication. Provide updated and more complete information as appropriate.”
- i. White, Ganuchau, Wolfe, and Mississippi Today have considered the long-term implications of their respective acts.
 - ii. Wolfe maliciously intended to harm Bryant when she said criminal prosecutors should pursue charges against him.
 - iii. White maliciously intended to harm Bryant when she said he embezzled \$77 million of welfare funds, and she reinforced her slanderous claim when she made her non-apology apology.
 - iv. White maliciously intended to harm Bryant when she wrote that he misused and squandered at least \$77 million of welfare funds.
 - v. Ganuchau and Wolfe maliciously intended to perpetuate the harm to Bryant when they denied anyone affiliated with Mississippi Today accused him of committing a crime.

- vi. Ganucheau maliciously intended to harm Bryant when he said Bryant steered the expenditure of \$77 million of federal funds to benefit his family and friends.
- vii. Mississippi Today maliciously intended to harm Bryant when it printed the false and defamatory statements discussed in the Second Amended Complaint; it considered the extended reach and permanence of its publication of the false and defamatory statements; and it refused to retract, correct, and apologize for publishing false and defamatory statements about Bryant.
- viii. Wolfe and Mississippi Today maliciously intended to harm Bryant when writing and publishing the false and defamatory December 22, 2023, statements discussed in this pleading; they considered the extended reach and permanence of the publications; and they refused to retract, correct, and apologize for publishing false and defamatory statements about Bryant.

6.162 Wolfe and White’s slanderous accusations, Mississippi Today’s republication of Wolfe’s slanderous accusation, the libelous claims made by White, Ganucheau, and Wolfe and Mississippi Today’s publication of them, White’s non-apology apology, the intentionally false and misleading denials of Wolfe and Ganucheau during the podcast, and the numerous ethical violations of Wolfe, White, Ganucheau, and Mississippi Today combine to illustrate why there is “a broad distrust of news among the public.” That White slandered Bryant while participating in an industry forum intended to restore trust in the media is no small irony.

CAUSES OF ACTION

CLAIM 1: DEFAMATION (versus White for embezzlement accusation)

7.1 Plaintiff adopts by reference the complete content of all preceding and following paragraphs into this claim pursuant to Rule 10(c) of the Mississippi Rules of Civil Procedure.

7.2 The elements of a defamation claim brought by a public figure are (1) a false and defamatory statement concerning the plaintiff, (2) unprivileged publication by the defendant to a third party, (3) fault amounting to actual malice of the defendant, and (4) either actionability of the statement irrespective of special harm or the existence of special harm caused by the publication.

7.3 White's accusation satisfies these elements because:

- a. White's accusation that Bryant embezzled \$77 million of welfare funds is false and slanderous;
- b. White made her false and slanderous accusation to a room of journalists and journalism industry professionals from across the country;
- c. White knew Bryant did not embezzle \$77 million of welfare funds, or she accused Bryant of embezzling \$77 million of welfare funds with reckless disregard for whether he had done so; and
- d. White's accusation is slanderous per se and therefore actionable irrespective of special harm.

7.4 The republication of White's slanderous accusation by traditional and social media was a natural consequence considering, among other things, the forum in which she made the accusation, the audience before whom the slanderous charge was made, the subject matter at issue, Bryant's status as a former governor of Mississippi, and the Knight Foundation's republication of the panel presentation on its website.

7.5 White knew or should have known that her panel presentation was recorded and would be republished by the Knight Foundation on its website for anyone to view.

7.6 White knew or should have known that her panel presentation would be republished by broadcast, print, and social media.

7.7 White's false and slanderous accusation caused Bryant to sustain compensatory damages, including special and general damages. Bryant amends his complaint to specifically state his special damages pursuant to Rule 9(g) of the Mississippi Rules of Civil Procedure.

7.8 While the businesses that Bryant is associated with have increased revenue and profitability year-over-year, White's defamation caused Bryant to lose the following income:

- a. White's defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 1.
- b. White's defamation caused Bryant to lose approximately \$83,332.00 in annual income from Client 2.
- c. White's defamation caused Bryant to lose approximately \$132,000.00 in annual income from Client 3.
- d. White's defamation caused Bryant to lose approximately \$96,000.00 in annual income from Client 4.
- e. White's defamation caused Bryant to lose approximately \$90,000.00 in annual income from Client 5.
- f. White's defamation caused Bryant to lose approximately \$12,000.00 in annual income from Client 6.
- g. White's defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 7.
- h. White's defamation caused Bryant to lose approximately \$44,000.00 in annual income from Client 8.
- i. White's defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 9.

7.9 White's defamation also caused Bryant to lose the opportunity to secure the business of a known prospective client, which resulted in Bryant losing approximately \$12,000.00 in annual income.

7.10 White's defamation also caused Bryant to lose unidentified past and prospective clients and associated income. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

7.11 The client and income losses outlined in the preceding paragraphs will continue for the remainder of Bryant's work-life expectancy and years beyond. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

7.12 White's defamation also caused Bryant to sustain general damages, including impairment of reputation and standing in the local, state, national, and business communities, personal humiliation, mental anguish, suffering, and emotional distress.

7.13 Bryant demands recovery from White of all compensatory damages caused by her defamation, including the special, general, economic, and non-economic damages outlined in this Amended Complaint.

7.14 Bryant also demands punitive damages, attorneys' fees, and costs from White due to the malicious, bad-faith conduct outlined in this claim and the other claims outlined in this Amended Complaint.

CLAIM 2: FALSE LIGHT (versus White for embezzlement accusation)

8.1 Plaintiff adopts by reference the complete content of all preceding and following paragraphs into this claim pursuant to Rule 10(c) of the Mississippi Rules of Civil Procedure.

8.2 The elements of a false light claim are (1) the false light in which the other was placed would be highly offensive to a reasonable person, and (2) the actor had knowledge of or acted in reckless disregard of the falsity of the publicized matter and the false light in which the other would be placed.

8.3 White's accusation satisfies these elements because:

- a. White's accusation that Bryant embezzled \$77 million of welfare funds would be highly offensive to a reasonable person;
- b. White knew or recklessly disregarded the falsity of her accusation; and
- c. White knew or recklessly disregarded the false light in which her accusation would place Bryant.

8.4 White's false accusation caused Bryant to sustain compensatory damages, including special and general damages. Bryant amends his complaint to specifically state his special damages pursuant to Rule 9(g) of the Mississippi Rules of Civil Procedure.

8.5 While the businesses that Bryant is associated with have increased revenue and profitability year-over-year, White's false accusation caused Bryant to lose the following income:

- a. White's false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 1.
- b. White's false accusation caused Bryant to lose approximately \$83,332.00 in annual income from Client 2.
- c. White's false accusation caused Bryant to lose approximately \$132,000.00 in annual income from Client 3.
- d. White's false accusation caused Bryant to lose approximately \$96,000.00 in annual income from Client 4.

- e. White's false accusation caused Bryant to lose approximately \$90,000.00 in annual income from Client 5.
- f. White's false accusation caused Bryant to lose approximately \$12,000.00 in annual income from Client 6.
- g. White's false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 7.
- h. White's false accusation caused Bryant to lose approximately \$44,000.00 in annual income from Client 8.
- i. White's false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 9.

8.6 White's false accusation also caused Bryant to lose the opportunity to secure the business of a known prospective client, which resulted in Bryant losing approximately \$12,000.00 in annual income.

8.7 White's false accusation also caused Bryant to lose unidentified past and prospective clients, business opportunities, and associated income. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

8.8 The client and income losses outlined in the preceding paragraphs will continue for the remainder of Bryant's work-life expectancy and years beyond. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

8.9 White's false accusation also caused Bryant to sustain general damages, including impairment of reputation and standing in the local, state, national, and business communities, personal humiliation, mental anguish, suffering, and emotional distress.

8.10 Bryant demands recovery from White of all compensatory damages caused by her false accusation, including the special, general, economic, and non-economic damages outlined in this Amended Complaint.

8.11 Bryant also demands punitive damages, attorneys' fees, and costs from White due to the malicious, bad-faith conduct outlined in this claim and the other claims outlined in this Amended Complaint.

CLAIM 3: DEFAMATION (versus White for August 11, 2022, accusation)

9.1 Plaintiff adopts by reference the complete content of all preceding and following paragraphs into this claim pursuant to Rule 10(c) of the Mississippi Rules of Civil Procedure.

9.2 The August 11, 2022, accusation satisfies the elements of a defamation claim because:

- a. White's accusation that Bryant misused and squandered at least \$77 million of federal funds is false and defamatory;
- b. White published the accusation, Mississippi Today republished the accusation, and Mississippi Today continues to republish this false and defamatory accusation on its website;
- c. White knew Bryant did not misuse and squander at least \$77 million of welfare funds when she made the accusation, or she accused Bryant of misusing and squandering at least \$77 million of federal funds with reckless disregard for whether he had done so; and

- d. White's accusation that Bryant misused and squandered at least \$77 million of federal funds is libelous per se.

9.3 White's false and libelous accusations caused Bryant to sustain compensatory damages, including special and general damages.

9.4 While the businesses that Bryant is associated with have increased revenue and profitability year-over-year, White's defamatory remarks caused Bryant to lose the following income:

- a. White's defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 1.
- b. White's defamation caused Bryant to lose approximately \$83,332.00 in annual income from Client 2.
- c. White's defamation caused Bryant to lose approximately \$132,000.00 in annual income from Client 3.
- d. White's defamation caused Bryant to lose approximately \$96,000.00 in annual income from Client 4.
- e. White's defamation caused Bryant to lose approximately \$90,000.00 in annual income from Client 5.
- f. White's defamation caused Bryant to lose approximately \$12,000.00 in annual income from Client 6.
- g. White's defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 7.
- h. White's defamation caused Bryant to lose approximately \$44,000.00 in annual income from Client 8.

- i. White's defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 9.

9.5 White's defamation also caused Bryant to lose the opportunity to secure the business of a known prospective client, which resulted in Bryant losing approximately \$12,000.00 in annual income.

9.6 White's defamation also caused Bryant to lose unidentified past and prospective clients, business opportunities, and associated income. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

9.7 The client and income losses outlined in the preceding paragraphs will continue for the remainder of Bryant's work-life expectancy and years beyond. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

9.8 White's defamation also caused Bryant to sustain non-economic damages, including impairment of reputation and standing in the local, state, national, and business communities, personal humiliation, mental anguish, suffering, and emotional distress.

9.9 Bryant demands recovery from White of all compensatory damages caused by her defamation, including the special, general, economic, and non-economic damages outlined in this Third Amended Complaint.

9.10 Bryant also demands punitive damages, attorneys' fees, and costs from White due to the malicious, bad-faith conduct outlined in this claim and the other claims outlined in this Third Amended Complaint.

CLAIM 4: FALSE LIGHT (versus White for August 11, 2022, accusation)

10.1 Plaintiff adopts by reference the complete content of all preceding and following paragraphs into this claim pursuant to Rule 10(c) of the Mississippi Rules of Civil Procedure.

10.2 The August 11, 2022, accusation satisfies the elements of a false light claim because:

- a. White's accusation that Bryant misused and squandered at least \$77 million of federal funds would be highly offensive to a reasonable person;
- b. White knew or recklessly disregarded the falsity of her accusation; and
- c. White knew or recklessly disregarded the false light in which her accusation would place Bryant.

10.3 White's false accusations caused Bryant to sustain compensatory damages, including special and general damages.

10.4 While the businesses that Bryant is associated with have increased revenue and profitability year-over-year, White's false accusations caused Bryant to lose the following income:

- a. White's false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 1.
- b. White's false accusation caused Bryant to lose approximately \$83,332.00 in annual income from Client 2.
- c. White's false accusation caused Bryant to lose approximately \$132,000.00 in annual income from Client 3.
- d. White's false accusation caused Bryant to lose approximately \$96,000.00 in annual income from Client 4.

- e. White's false accusation caused Bryant to lose approximately \$90,000.00 in annual income from Client 5.
- f. White's false accusation caused Bryant to lose approximately \$12,000.00 in annual income from Client 6.
- g. White's false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 7.
- h. White's false accusation caused Bryant to lose approximately \$44,000.00 in annual income from Client 8.
- i. White's false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 9.

10.6 White's false accusation also caused Bryant to lose the opportunity to secure the business of a known prospective client, which resulted in Bryant losing approximately \$12,000.00 in annual income.

10.7 White's false accusation also caused Bryant to lose unidentified past and prospective clients, business opportunities, and associated income. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

10.8 The client and income losses outlined in the preceding paragraphs will continue for the remainder of Bryant's work-life expectancy and years beyond. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

10.9 White's false accusation also caused Bryant to sustain non-economic damages, including impairment of reputation and standing in the local, state, national, and business communities, personal humiliation, mental anguish, suffering, and emotional distress.

10.10 Bryant demands recovery from White of all compensatory damages caused by its placing Bryant in a false light, including the economic, non-economic, general, and specific damages outlined in this Second Amended Complaint.

10.11 Bryant also demands punitive damages, attorneys' fees, and costs from White due to the malicious, bad-faith conduct outlined in this claim and the other claims outlined in this Second Amended Complaint.

CLAIM 5: DEFAMATION (versus Ganucheau for May 8, 2023, accusation)

11.1 Plaintiff adopts by reference the complete content of all preceding and following paragraphs into this claim pursuant to Rule 10(c) of the Mississippi Rules of Civil Procedure.

11.2 The accusation that Ganucheau made about Bryant on May 8, 2023, satisfies the elements of a defamation claim because:

- a. Ganucheau's accusation that Bryant steered the expenditure of millions of federal welfare dollars to benefit his family and friends is false and defamatory;
- b. Ganucheau published, Mississippi Today republished, and Mississippi Today continues to republish this false and defamatory accusation on its website;
- c. Ganucheau knew when he made his accusation that Bryant did not steer the expenditure of millions of federal welfare dollars to benefit his family and friends, or Ganucheau accused Bryant of steering millions of federal welfare dollars to benefit his family and friends with reckless disregard for whether he had done so; and

- d. Ganucheau's accusation that Bryant steered the expenditure of millions of federal welfare dollars to benefit his family and friends is libelous per se.

11.3 Ganucheau's false and libelous accusations caused Bryant to sustain compensatory damages, including special and general damages.

11.4 While the businesses that Bryant is associated with have increased revenue and profitability year-over-year, Ganucheau's defamatory remarks caused Bryant to lose the following income:

- a. Ganucheau's defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 1.
- b. Ganucheau's defamation caused Bryant to lose approximately \$83,332.00 in annual income from Client 2.
- c. Ganucheau's defamation caused Bryant to lose approximately \$132,000.00 in annual income from Client 3.
- d. Ganucheau's defamation caused Bryant to lose approximately \$96,000.00 in annual income from Client 4.
- e. Ganucheau's defamation caused Bryant to lose approximately \$90,000.00 in annual income from Client 5.
- f. Ganucheau's defamation caused Bryant to lose approximately \$12,000.00 in annual income from Client 6.
- g. Ganucheau's defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 7.
- h. Ganucheau's defamation caused Bryant to lose approximately \$44,000.00 in annual income from Client 8.

- i. Ganucheau's defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 9.

11.5 Ganucheau's defamation also caused Bryant to lose the opportunity to secure the business of a known prospective client, which resulted in Bryant losing approximately \$12,000.00 in annual income.

11.6 Ganucheau's defamation also caused Bryant to lose unidentified past and prospective clients, business opportunities, and associated income. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

11.7 The client and income losses outlined in the preceding paragraphs will continue for the remainder of Bryant's work-life expectancy and years beyond. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

11.8 Ganucheau's defamation also caused Bryant to sustain non-economic damages, including impairment of reputation and standing in the local, state, national, and business communities, personal humiliation, mental anguish, suffering, and emotional distress.

11.9 Bryant demands recovery from Ganucheau of all compensatory damages caused by his defamation, including the special, general, economic, and non-economic damages outlined in this Third Amended Complaint.

11.10 Bryant also demands punitive damages, attorneys' fees, and costs from Ganucheau due to the malicious, bad-faith conduct outlined in this claim and the other claims outlined in this Third Amended Complaint.

CLAIM 6: FALSE LIGHT (versus Ganucheau for May 8, 2023, accusation)

12.1 Plaintiff adopts by reference the complete content of all preceding and following paragraphs into this claim pursuant to Rule 10(c) of the Mississippi Rules of Civil Procedure.

12.2 Ganucheau's May 8, 2023, accusation satisfies the elements of a false light claim because:

- a. Ganucheau's accusation that Bryant steered the expenditure of millions of federal welfare dollars to benefit his family and friends would be highly offensive to a reasonable person;
- b. Ganucheau knew or recklessly disregarded the falsity of its accusation; and
- c. Ganucheau knew or recklessly disregarded the false light in which its accusation would place Bryant.

12.3 Ganucheau's false accusations caused Bryant to sustain compensatory damages, including special and general damages.

12.4 While the businesses that Bryant is associated with have increased revenue and profitability year-over-year, Ganucheau's false accusations caused Bryant to lose the following income:

12.5 Ganucheau's false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 1.

- a. Ganucheau's false accusation caused Bryant to lose approximately \$83,332.00 in annual income from Client 2.
- b. Ganucheau's false accusation caused Bryant to lose approximately \$132,000.00 in annual income from Client 3.
- c. Ganucheau's false accusation caused Bryant to lose approximately \$96,000.00 in annual income from Client 4.

- d. Ganucheau's false accusation caused Bryant to lose approximately \$90,000.00 in annual income from Client 5.
- e. Ganucheau's false accusation caused Bryant to lose approximately \$12,000.00 in annual income from Client 6.
- f. Ganucheau's false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 7.
- g. Ganucheau's false accusation caused Bryant to lose approximately \$44,000.00 in annual income from Client 8.
- h. Ganucheau's false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 9.

12.5 Ganucheau's false accusation also caused Bryant to lose the opportunity to secure the business of a known prospective client, which resulted in Bryant losing approximately \$12,000.00 in annual income.

12.6 Ganucheau's false accusation also caused Bryant to lose unidentified past and prospective clients, business opportunities, and associated income. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

12.7 The client and income losses outlined in the preceding paragraphs will continue for the remainder of Bryant's work-life expectancy and years beyond. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

12.8 Ganucheau's false accusation also caused Bryant to sustain non-economic damages, including impairment of reputation and standing in the local, state, national, and business communities, personal humiliation, mental anguish, suffering, and emotional distress.

12.9 Bryant demands recovery from Ganucheau of all compensatory damages caused by its placing Bryant in a false light, including the economic, non-economic, general, and specific damages outlined in this Third Amended Complaint.

12.10 Bryant also demands punitive damages, attorneys' fees, and costs from Mississippi Today due to the malicious, bad-faith conduct outlined in this claim and the other claims outlined in this Third Amended Complaint.

CLAIM 7: RESPONDEAT SUPERIOR (versus Mississippi Today)

13.1 Plaintiff adopts by reference the complete content of all preceding and following paragraphs into this claim pursuant to Rule 10(c) of the Mississippi Rules of Civil Procedure.

13.2 White made her false and slanderous accusation during the Knight Foundation presentation while acting within the course-and-scope of her employment with Mississippi Today.

13.3 White had actual or apparent authority to make her false and slanderous accusation during the Knight Foundation presentation.

13.4 Mississippi Today is vicariously liable for the damage caused by White's false and slanderous accusation pursuant to the common law doctrine of respondeat superior.

13.5 The common law doctrine of respondeat superior renders White and Mississippi Today jointly and severally liable for any judgment returned in Bryant's favor on claims 1 and 2.

13.6 Bryant seeks the compensatory damages, punitive damages, attorneys' fees, costs, pre-judgment interest, and post-judgment interest outlined in Claims 1 and 2 from Mississippi Today under the common law doctrine of respondeat superior.

13.7 White made her false and libelous accusation published by Mississippi Today on August 11, 2022, while acting within the course and scope of her employment with Mississippi Today.

13.8 White had actual or apparent authority to make her false and libelous accusation published by Mississippi Today on August 11, 2022.

13.9 Mississippi Today is vicariously liable for the damage caused by White's false and libelous accusation pursuant to the common law doctrine of respondeat superior.

13.10 The common law doctrine of respondeat superior renders White and Mississippi Today jointly and severally liable for any judgment returned in Bryant's favor on Claims 3 and 4.

13.11 Bryant seeks the compensatory damages, punitive damages, attorneys' fees, costs, pre-judgment interest, and post-judgment interest outlined in Claims 3 and 4 from Mississippi Today under the common law doctrine of respondeat superior.

13.12 Ganuchau made his false and libelous accusation published by Mississippi Today on May 8, 2023, while acting within the course and scope of his employment with Mississippi Today.

13.13 Ganuchau had actual or apparent authority to make his false and libelous accusation published by Mississippi Today on May 8, 2023.

13.14 Mississippi Today is vicariously liable for the damage caused by Ganuchau's false and libelous accusation pursuant to the common law doctrine of respondeat superior.

13.15 The common law doctrine of respondeat superior renders Ganuchau and Mississippi Today jointly and severally liable for any judgment rendered in Bryant's favor on Claims 5 and 6.

13.16 Bryant seeks the compensatory damages, punitive damages, attorneys' fees, costs, pre-judgment interest, and post-judgment interest outlined in Claims 5 and 6 from Mississippi Today under the common law doctrine of respondeat superior.

13.17 Wolfe made her false and libelous accusations published by Mississippi Today on December 19, 2023, while acting within the course and scope of her employment with Mississippi Today.

13.18 Mississippi Today is vicariously liable for the damage caused by Wolfe's false and libelous accusation pursuant to the common law doctrine of respondeat superior.

13.19 The common law doctrine of respondeat superior renders Wolfe and Mississippi Today jointly and severally liable for any judgment rendered in Bryant's favor on Claims 10 and 11.

13.20 Bryant seeks the compensatory damages, punitive damages, attorneys' fees, costs, pre-judgment interest, and post-judgment interest outlined in Claims 10 and 11 from Mississippi Today under the common law doctrine of respondeat superior.

CLAIM 8: DEFAMATION (versus Mississippi Today)

14.1 Plaintiff adopts by reference the complete content of all preceding and following paragraphs into this claim pursuant to Rule 10(c) of the Mississippi Rules of Civil Procedure.

14.2 The accusation that White made in the August 11, 2022, article published by Mississippi Today satisfies the elements of a libel claim against Mississippi Today because:

- a. White's accusation that Bryant misused and squandered at least \$77 million of federal funds is false and defamatory;
- b. Mississippi Today published and continues to publish this false and defamatory accusation on its website;

- c. Mississippi Today knew Bryant did not misuse and squander at least \$77 million of welfare funds, or it accused Bryant of misusing and squandering at least \$77 million of federal funds with reckless disregard for whether he had done so; and
- d. Mississippi Today's publication of White's accusation that Bryant misused and squandered at least \$77 million of federal funds is libelous per se.

14.3 The accusation that Ganucheau made in the May 8, 2023, article published by Mississippi Today satisfies the elements of a libel claim against Mississippi Today because:

- a. Ganucheau's accusation that Bryant steered the expenditure of millions of federal welfare dollars to benefit his family and friends is false and defamatory;
- b. Mississippi Today published and continues to publish this false and defamatory accusation on its website;
- c. Mississippi Today knew Bryant did not steer the expenditure of millions of federal welfare dollars to benefit his family and friends, or it accused Bryant of steering millions of federal welfare dollars to benefit his family and friends with reckless disregard for whether he had done so; and
- d. Mississippi Today's accusation that Bryant steered the expenditure of millions of federal welfare dollars to benefit his family and friends is libelous per se.

14.4 The accusations that Wolfe made in the December 19, 2023, articles published by Mississippi Today satisfy the elements of a libel claim against Mississippi Today because:

- a. Wolfe's accusation that Bryant committed to invest \$25,000.00 in Prevacus is false and defamatory, and her accusations that Bryant threatened Mississippi Today for reporting are false and defamatory;

- b. Mississippi Today published and continues to publish the defamatory statements on its website;
- c. Mississippi Today knows Bryant did not commit to investing \$25,000.00 in Prevacus and knows that Bryant did not threaten Mississippi Today for reporting, or Mississippi Today accused Bryant of these things with reckless disregard for whether they were true; and
- d. Mississippi Today's accusations are libelous per se.

14.5 The false and libelous accusations published by Mississippi Today on August 11, 2022, May 8, 2023, and December 19, 2023, caused Bryant to sustain compensatory damages, including special and general damages.

14.6 While the businesses that Bryant is associated with have increased revenue and profitability year-over-year, the defamatory remarks published by Mississippi Today caused Bryant to lose the following income:

- a. The defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 1.
- b. The defamation caused Bryant to lose approximately \$83,332.00 in annual income from Client 2.
- c. The defamation caused Bryant to lose approximately \$132,000.00 in annual income from Client 3.
- d. The defamation caused Bryant to lose approximately \$96,000.00 in annual income from Client 4.
- e. The defamation caused Bryant to lose approximately \$90,000.00 in annual income from Client 5.

- f. The defamation caused Bryant to lose approximately \$12,000.00 in annual income from Client 6.
- g. The defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 7.
- h. The defamation caused Bryant to lose approximately \$44,000.00 in annual income from Client 8.
- i. The defamation caused Bryant to lose approximately \$8,000.00 in annual income from Client 9.

14.7 The false and libelous accusations published by Mississippi Today also caused Bryant to lose the opportunity to secure the business of a known prospective client, which resulted in Bryant losing approximately \$12,000.00 in annual income.

14.8 The false and libelous accusations published by Mississippi Today also caused Bryant to lose unidentified past and prospective clients, business opportunities, and associated income. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

14.9 The client and income losses outlined in the preceding paragraphs will continue for the remainder of Bryant's work-life expectancy and years beyond. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

14.10 The false and libelous accusations published by Mississippi Today also caused Bryant to sustain non-economic damages, including impairment of reputation and standing in the local, state, national, and business communities, personal humiliation, mental anguish, suffering, and emotional distress.

14.11 Bryant demands recovery from Mississippi Today of all compensatory damages caused by the libelous statements it published, including the special, general, economic, and non-economic damages outlined in this Third Amended Complaint.

14.12 Bryant also demands punitive damages, attorneys' fees, and costs from Mississippi Today due to the malicious, bad-faith conduct outlined in this claim and the other claims outlined in this Third Amended Complaint.

CLAIM 9: FALSE LIGHT (versus Mississippi Today)

15.1 Plaintiff adopts by reference the complete content of all preceding and following paragraphs into this claim pursuant to Rule 10(c) of the Mississippi Rules of Civil Procedure.

15.2 The accusation that White made in the August 11, 2022, article that Mississippi Today published satisfies the elements of a false light claim because:

- a. White's accusation that Bryant misused and squandered at least \$77 million of federal funds would be highly offensive to a reasonable person;
- b. Mississippi Today knew or recklessly disregarded the falsity of the accusation; and
- c. Mississippi Today knew or recklessly disregarded the false light in which White's accusation would place Bryant.

15.3 The accusation that Ganucheau made in the May 8, 2023, article published by Mississippi Today satisfies the elements of a false light claim because:

- a. Ganucheau's accusation that Bryant steered the expenditure of millions of federal welfare dollars to benefit his family and friends would be highly offensive to a reasonable person;
- b. Mississippi Today knew or recklessly disregarded the falsity of Ganucheau's accusation; and

- c. Mississippi Today knew or recklessly disregarded the false light in which the accusation would place Bryant.

15.4 The accusation that Wolfe made in the December 19, 2023, articles published by Mississippi Today satisfies the elements of a false light claim because:

- a. Wolfe's accusations that Bryant committed to investing \$25,000.00 in Prevacus and that Bryant threatened Mississippi Today for reporting would be highly offensive to a reasonable person;
- b. Mississippi Today knew or recklessly disregarded the falsity of the accusations; and
- c. Mississippi Today knew or recklessly disregarded the false light in which Wolfe's accusations would place Bryant.

15.5 Mississippi Today's publication of these false accusations caused Bryant to sustain compensatory damages, including special and general damages.

15.6 While the businesses that Bryant is associated with have increased revenue and profitability year-over-year, Mississippi Today's publication of these false accusations caused Bryant to lose the following income:

- a. Mississippi Today's publication of the false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 1.
- b. Mississippi Today's publication of the false accusation caused Bryant to lose approximately \$83,332.00 in annual income from Client 2.
- c. Mississippi Today's publication of the false accusation caused Bryant to lose approximately \$132,000.00 in annual income from Client 3.
- d. Mississippi Today's publication of the false accusation caused Bryant to lose approximately \$96,000.00 in annual income from Client 4.

- e. Mississippi Today's publication of the false accusation caused Bryant to lose approximately \$90,000.00 in annual income from Client 5.
- f. Mississippi Today's publication of the false accusation caused Bryant to lose approximately \$12,000.00 in annual income from Client 6.
- g. Mississippi Today's publication of the false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 7.
- h. Mississippi Today's publication of the false accusation caused Bryant to lose approximately \$44,000.00 in annual income from Client 8.
- i. Mississippi Today's publication of the false accusation caused Bryant to lose approximately \$8,000.00 in annual income from Client 9.

15.7 Mississippi Today's publication of the false accusation also caused Bryant to lose the opportunity to secure the business of a known prospective client, which resulted in Bryant losing approximately \$12,000.00 in annual income.

15.8 Mississippi Today's publication of the false accusation also caused Bryant to lose unidentified past and prospective clients, business opportunities, and associated income. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

15.9 The client and income losses outlined in the preceding paragraphs will continue for the remainder of Bryant's work-life expectancy and years beyond. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

15.10 Mississippi Today's publication of the false accusation also caused Bryant to sustain non-economic damages, including impairment of reputation and standing in the local, state,

national, and business communities, personal humiliation, mental anguish, suffering, and emotional distress.

15.11 Bryant demands recovery from Mississippi Today of all compensatory damages caused by its placing Bryant in a false light, including the economic, non-economic, general, and specific damages outlined in this Third Amended Complaint.

15.12 Bryant also demands punitive damages, attorneys' fees, and costs from Mississippi Today due to the malicious, bad-faith conduct outlined in this claim and the other claims outlined in this Third Amended Complaint.

CLAIM 10: DEFAMATION (versus Wolfe for December 19, 2023, accusations)

16.1 Plaintiff adopts by reference the complete content of all preceding and following paragraphs into this claim pursuant to Rule 10(c) of the Mississippi Rules of Civil Procedure.

16.2 The accusations that Wolfe made in the articles dated December 19, 2023, regarding the purported \$25,000.00 investment commitment satisfy the elements of a defamation claim because:

- a. Wolfe's contention that Bryant committed to invest \$25,000.00 in public or private funds in Prevacus at a December 2018 meeting is false and defamatory;
- b. Wolfe knew that her claim that Bryant committed to invest \$25,000.00 in Prevacus was false and defamatory when she published her statement in the article; and,
- c. Wolfe's statement that Bryant committed to invest \$25,000.00 in Prevacus is libelous per se and was made with the intent to harm Bryant.

16.3 The accusations that Wolfe made in the articles dated December 19, 2023, regarding purported threats made by Bryant to Mississippi Today satisfy the elements of a defamation claim because:

- a. Wolfe's contention that Bryant threatened Mississippi Today "for continuing to report this story" and for reporting "basic updates about public court documents" are false and defamatory;
- b. Wolfe knew her claim that Bryant threatened Mississippi Today "for continuing to report this story" and for reporting "basic updates about public court documents" was false and defamatory when she made the statements; and,
- c. Wolfe's statements that Bryant threatened Mississippi Today "for continuing to report this story" and for reporting "basic updates about public court documents" are libelous per se and were made to harm Bryant.

16.4 Wolfe's defamation caused Bryant to lose past and prospective clients, business opportunities, and associated income. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

16.5 The client and income losses outlined in the preceding paragraphs will continue for the remainder of Bryant's work-life expectancy and years beyond. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

16.6 Wolfe's defamation also caused Bryant to sustain non-economic damages, including impairment of reputation and standing in the local, state, national, and business communities, personal humiliation, mental anguish, suffering, and emotional distress.

16.7 Bryant demands recovery from Wolfe of all compensatory damages caused by his defamation, including the special, general, economic, and non-economic damages outlined in this Third Amended Complaint.

16.8 Bryant also demands punitive damages, attorneys' fees, and costs from Wolfe due to the malicious, bad-faith conduct outlined in this claim and the other claims outlined in this Third Amended Complaint.

CLAIM 11: FALSE LIGHT (versus Wolfe for December 19, 2023, accusations)

17.1 Plaintiff adopts by reference the complete content of all preceding and following paragraphs into this claim pursuant to Rule 10(c) of the Mississippi Rules of Civil Procedure.

17.2 Wolfe's December 19, 2023, accusations satisfy the elements of a false light claim because:

- a. Wolfe's accusations that Bryant committed to invest \$25,000.00 in Prevacus and that Bryant threatened Mississippi Today "for continuing to report this story" and for reporting "basic updates about court documents" would be highly offensive to a reasonable person;
- b. Wolfe knew or recklessly disregarded the falsity of her accusations; and
- c. Wolfe knew or recklessly disregarded the false light in which her accusations would place Bryant.

17.3 Wolfe's false accusations caused Bryant to sustain compensatory damages, including special and general damages.

17.4 Wolfe's false accusation caused Bryant to lose past and prospective clients, business opportunities, and associated income. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

17.5 The client and income losses outlined in the preceding paragraphs will continue for the remainder of Bryant's work-life expectancy and years beyond. These losses will be the subject of expert witness opinion. Bryant will more precisely identify and address these losses during discovery.

17.6 Wolfe's false accusation also caused Bryant to sustain non-economic damages, including impairment of reputation and standing in the local, state, national, and business communities, personal humiliation, mental anguish, suffering, and emotional distress.

17.7 Bryant demands recovery from Wolfe of all compensatory damages caused by its placing Bryant in a false light, including the economic, non-economic, general, and specific damages outlined in this Third Amended Complaint.

17.8 Bryant also demands punitive damages, attorneys' fees, and costs from Wolfe due to the malicious, bad-faith conduct outlined in this claim and the other claims outlined in this Third Amended Complaint.

WHEREFORE, PREMISES CONSIDERED, the Honorable Phil Bryant demands a judgment against Defendants Deep South Today, Mary Margaret White, Adam Ganucheau, and Anna Wolfe for all compensatory damages sought and proven by Bryant at trial, including the special and general damages outlined in this Third Amended Complaint. Bryant also demands punitive damages, attorneys' fees, costs, pre-judgment interest, post-judgment interest, other available legal and equitable relief, and any additional relief the Court deems appropriate.

RESPECTFULLY SUBMITTED, this ___ day of _____ 2024.

By:

William M. Quin II (MS Bar #10834)
W. Thomas McCraney III (MS Bar #10171)
MCCRANEY MONTAGNET QUIN & NOBLE, PLLC
602 Steed Road, Suite 200
Ridgeland, Mississippi 39157
Telephone: (601) 707-5725
Facsimile: (601) 510-2939
Email: wquin@mmqnlaw.com
tmccraney@mmqnlaw.com

**Attorney for Plaintiff, the Honorable Phil Bryant,
64th Governor of the State of Mississippi**

CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing pleading or other paper with the Clerk of Court using the MEC system, which sent notification of such filing to the following:

Henry F. Laird: hfl@wisecarter.com; lad@wisecarter.com

SO CERTIFIED, on this the ____ day of _____ 2024.

By: _____
William M. Quin II