

WH reviewed Fox News story about Seth Rich before publication, lawsuit alleges

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President Trump and White House officials allegedly reviewed a Fox News story about the death of Democratic National Committee staffer Seth Rich before it was published and pushed for it to be published "immediately," according to an explosive lawsuit filed Tuesday.

The May 16 article, which allegedly contained fabricated quotes and was later retracted, fueled conspiracy theories that Rich was murdered in connection with a massive WikiLeaks data dump of 20,000 DNC emails.

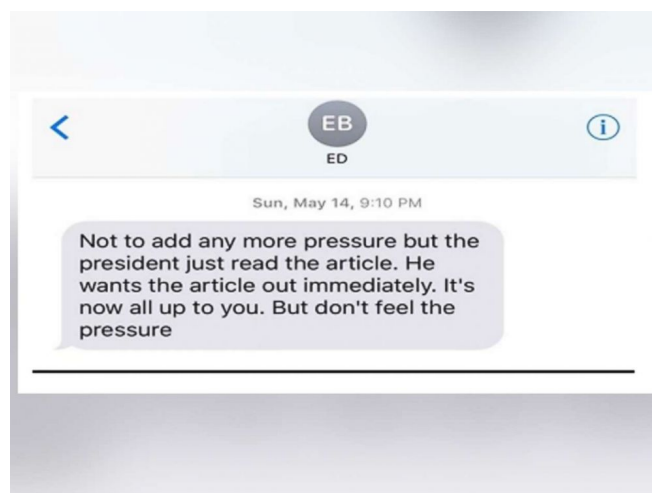
In a stunning twist, the suit, filed in Manhattan federal court, alleges that then—White House press secretary Sean Spicer met with two Fox News contributors in April about the Rich murder and "asked to be kept abreast of developments."

"The motivation behind the article: establish that Seth Rich provided WikiLeaks with the DNC emails to shift the blame from Russia and help put to bed speculation that President Trump colluded with Russia in an attempt to influence the outcome of the presidential election," the suit says.

Spicer confirmed to ABC News that he met with Dallas financial adviser Ed Butowsky, who was identified in the lawsuit as a "frequent contributor for Fox News."

"Ed is longtime supporter of the president's agenda who often appears in the media. He asked for a 10 minute meeting, with no specified topic, to catch up and said he would be bringing along a contributor to Fox News. As Ed himself has noted, he has never met the president and the White House had nothing to do with his story," Spicer said in a statement.

According to the lawsuit, filed by Fox News contributor Rod Wheeler, Fox News investigative reporter Malia Zimmerman wrote in her article that Rich leaked DNC emails to WikiLeaks during the primaries of the 2016 presidential election.



U.S. District Court Southern District of New York

21st Century Fox and Fox News Network were named in the lawsuit, as well as Zimmerman and Butowsky. The suit alleges defamation and racial discrimination. Zimmerman declined to comment per a Fox spokesperson.

NPR was the first to report on the lawsuit.

The lawsuit includes a screenshot of a text message dated May 14, which was allegedly sent by Butowsky to Wheeler. It says, "Not to add any more pressure but the president just read the article. He wants the article out immediately. It's now all up to you. But don't feel the pressure."

The story was then published on the Fox News website less than 36 hours after the text was sent, according to the lawsuit.

White House press secretary Sarah Sanders told reporters today that President Trump had "no

knowledge" of the Seth Rich article published by Fox News and dismissed any claims of White House involvement.

Just before Butowsky sent the alleged text, he purportedly left a voicemail for Wheeler, in which he said, according to the lawsuit, "A couple minutes ago I got a note that we have the full, uh, attention of the White House, on this. And, tomorrow, let's close this deal, whatever we've got to do. But you can feel free to say that the White House is onto this now."

According to the lawsuit, Zimmerman, "with the knowledge and support of Butowsky," fabricated two quotes included in the story and attributed them to Wheeler, who was the only named source in the article.

In the article, Wheeler was quoted as saying, "My investigation up to this point shows there was some degree of email exchange between Seth Rich and WikiLeaks," and, "My investigation shows someone within the DC government, Democratic National Committee or Clinton team is blocking the murder investigation from going forward," Wheeler said. "That is unfortunate. Seth Rich's murder is unsolved as a result of that," according to the lawsuit. Wheeler has denied making those comments.

Shortly after the article was published, Wheeler says he called Butowsky and demanded an explanation for the fabricated statements. Butowsky said the statements were falsely attributed to Wheeler because "that is the way the president wanted the article," the complaint states.

Days later, Butowsky allegedly wrote to Zimmerman, "I didn't tell you yet but the federal government is involved at this moment, behind the scenes and believe your story," according to the lawsuit.

Fox News, which is also being sued by Wheeler, retracted the story on May 23, according to the complaint. A statement from Fox News President Jay Wallace, which was provided to ABC News, said accusations that the story was published to detract from coverage on the Russia collusion was "completely erroneous."

"The retraction of this story is still being investigated internally and we have no evidence that Rod Wheeler was misquoted by Zimmerman," he said. "Additionally, Fox News vehemently denies the race discrimination claims in the lawsuit. The dispute between Zimmerman and Rod Wheeler has nothing to do with race."

[FBI is not involved in Seth Rich case despite 'conspiracy theories,' officials say](#)
[Killed DNC staffer 'wanted to make a difference,' family says](#)
[DNC employee shot dead in DC over the weekend](#)

The lawsuit alleges that the motivation behind the Fox News article was to "establish that Seth Rich provided WikiLeaks with the DNC emails to shift the blame from Russia and help put to bed speculation that President Trump colluded with Russia in an attempt to influence the outcome of the presidential election," according to court documents.

In February 2017, Butowsky introduced himself to Wheeler and offered to bankroll an investigation into Rich's murder, the lawsuit alleges. Butowsky's intention was to confirm that Rich was behind leaks and prove that he was "murdered by a Democrat operative because he leaked the emails to WikiLeaks," the lawsuit alleges.

Rich, 27, was shot and killed on July 10, 2016, near his home in Washington, D.C. On July 22, WikiLeaks released nearly 20,000 emails from the accounts of seven DNC officials. In May, officials familiar with the investigation into Rich's death told ABC News that his murder was determined to be a possible attempted robbery gone wrong and that the FBI was not investigating it further.

The lawsuit alleges that Zimmerman and Butowsky "were not in this alone." In the weeks and months leading up to the May 16 article, Butowsky kept in "regular contact" with senior members of the Trump administration, according to the lawsuit.

Fox did not clear Wheeler's name or admit that Zimmerman had misquoted him, according to the lawsuit, which claims that Wheeler suffered "irreparable damage to his reputation" and that his career "will likely never recover" as a result.

"Mr. Wheeler was subsequently forced to correct the false record, and, as a result, lost all credibility in the eyes of the public," according to the lawsuit.

In addition to monetary damages, the lawsuit is seeking an injunction permanently restraining Fox News from engaging in "any such further unlawful conduct," an order directing Fox News to place Wheeler "in the position he would have occupied" had it not been for the media company's "defamatory and discriminatory conduct," and a "declaratory judgment that the actions, conduct and practices" of Fox News violated U.S. and New York State laws.

In response to the lawsuit, Butowsky told ABC News that while he knows people at the White House, "I never talked to the president in my life."

Butowsky also called Wheeler a "liar," and claims he was attempting to get a job at the White House.

In a statement, the Rich family said it hopes the lawsuit brings closure to his death.

"While we can't speak to the evidence that you now have, we are hopeful that this brings an end to what has been the most emotionally difficult time in our lives and an end to conspiracy theories surrounding our beloved Seth," the family said in a statement.