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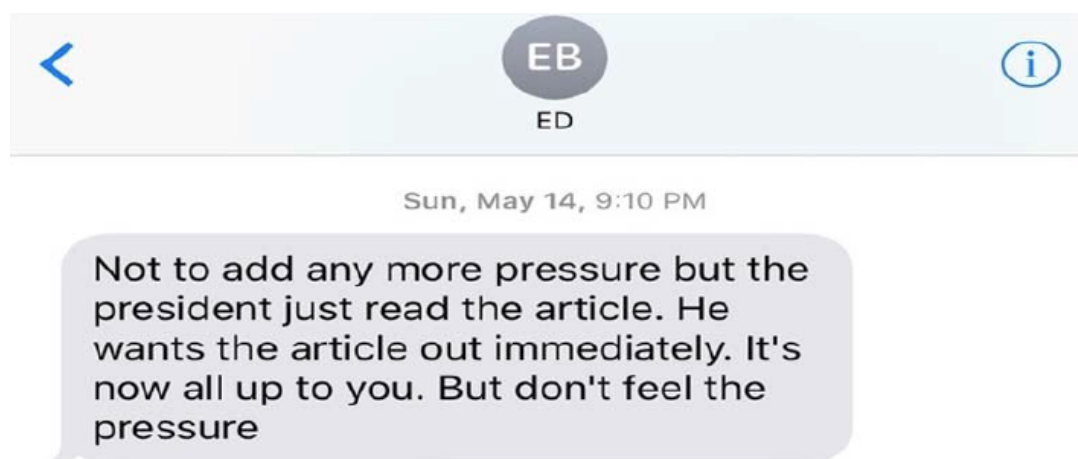
Fox contributor Rod Wheeler says the network fabricated his quotes, and the story, at the behest of the White House.

President Donald Trump personally approved a false Fox News story claiming a murdered Democratic staffer—not Russian hackers—leaked Democratic National Committee emails to WikiLeaks, a new lawsuit claims.

Private investigator Rod Wheeler sued the cable-TV network in federal court on Tuesday, alleging it falsely quoted him in an article saying slain DNC staffer [Seth Rich](#) had contact with Julian Assange's rogue publishing operation. Wheeler accuses [Fox News regular and pro-Trump money manager Ed Butowsky](#) of coordinating between the channel and the White House in an effort to frame Rich for the leaks and imply Democrats had a hand in his death. [Fox News later retracted the article](#), saying it didn't meet its "standards."

The White House and Fox's motivation to push the false story was to "lift the cloud" of the Russia investigation, Wheeler claims in the lawsuit. (Trump fired FBI Director James Comey a week before the article was published.) "One of the big conclusions we need to draw from this is that the Russians did not hack our computer systems and steal emails and there was no collusion like [t]rump with the Russians," Butowsky allegedly wrote in emails to Fox News producers and anchors promoting the piece.

Wheeler's lawsuit includes screenshots of text messages with Butowsky, including an exchange two days before the article was published in which Butowsky wrote: "president [Trump] just read the article. He wants the article out immediately. It's now all up to you. But don't feel the pressure."



"A couple minutes ago I got a note that we have the full, uh, attention of the White House, on this," Butowsky allegedly said in a voicemail that same day, according to the lawsuit. "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."

[Butowsky told NPR, who first reported the lawsuit](#), that he was "kidding" about Trump's supposed involvement. Outgoing press secretary Sean Spicer also told the news outlet that he took a meeting on the

Rich “investigation” as a favor to Butowsky; however, “Spicer says he was unaware of any contact involving the president.” (The day Fox News’ article went live, [Spicer dodged questions](#) about whether he’d ever been kept abreast on the Rich probe.)

Wheeler is a former homicide detective who has worked as a “Fox News crime analyst” for over a decade. In 2007, he was forced to [retract a story he reported on *The O’Reilly Factor*](#) in which he claimed more than 150 “violent lesbian gangs” armed with 9-millimeter handguns in the D.C. area alone were “performing sex acts” and “committing crimes.” The story was entirely unfounded, but the network never separately apologized or retracted it, and Wheeler was allowed to stay on as a contributor. That same year, he claimed to the *National Enquirer* that “there is a good possibility that the D.C. Madam’s list contains the name of (missing FBI intern) Chandra (Levy)’s killer!” That case remains unsolved, and Wheeler provided no further evidence.

President Trump wasn’t the only administration figure involved in the story written by Fox News digital reporter Malia Zimmerman, Wheeler claims in his lawsuit.

“In the weeks and months leading up to the publication of Zimmerman’s May 16, 2017, article,” the lawsuit said, “Butowsky kept in regular contact with Trump administration officials—including Mr. Spicer, Mr. Bannon, and Director of Public Affairs at the Department of Justice, Sarah Flores—regarding his efforts relating to Seth Rich.”

Flores told The Daily Beast, “I have not communicated with Mr. Butowsky at any point this year.”

Wheeler claims Zimmerman’s article fabricated quotes ascribed to him.

“My investigation up to this point shows there was some degree of email exchange between Seth Rich and WikiLeaks,” the Fox News article claimed Wheeler said, adding later: “My investigation shows someone within the D.C. government, Democratic National Committee, or Clinton team is blocking the murder investigation from going forward. That is unfortunate. Seth Rich’s murder is unsolved as a result of that.”

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However, Wheeler claimed in the lawsuit he never said any of those quotes.

“Zimmerman clearly fabricated to lend support to the claim that Seth Rich, and not the Russians, was the source for the DNC emails released on WikiLeaks,” he writes in the lawsuit. And he includes transcripts from a conversation with Zimmerman in which, following the article’s publication, she admitted that Wheeler never said “the part about the emails” or “about the connection to WikiLeaks.”

Wheeler claims he reported Zimmerman to Fox News top counsel Dianne Brandi and Executive Vice-President Jay Wallace. But even after the article was retracted, Fox News made no mention of the claim the quotes were fabricated, nor did the network apologize to Wheeler. Zimmerman remains employed by Fox News.

Butowsky, too, allegedly admitted that the quotes were faked.

“Well I know that’s not true... I’ve never heard you say that,” he allegedly told Wheeler after reading off the article’s key quote connecting Rich to WikiLeaks. “If I’m under oath, I would say I never heard him say that.”

Upon being confronted for the allegedly falsified remarks, “Butowsky stated that the quotes were included because that is the way the president wanted the article,” the lawsuit recalls. He purportedly attempted to quell Wheeler’s anger by telling him, “[O]ne day you’re going to win an award for having said those things you didn’t say.”

Butowsky claims that Wheeler would eventually say to himself, per the conversation’s transcript, “holy shit look how many phone calls I’m getting congratulating me and thanking me for putting an end to the Russian bullshit.”

Additionally, Wheeler says Butowsky implored him to “stick to that script” in any television appearances promoting the false article, including one with Fox News’ [most prominent Seth Rich conspiracy theorist](#) Sean Hannity. Butowsky allegedly implored Wheeler to make sure he explicitly stated during media appearances “that the Russian hacking narrative of stealing the records from the DNC is officially dead.”

When Wheeler refused to confirm the claims of the article, and went as far as telling several outlets he was misquoted, a disappointed Butowsky allegedly later told him: “You have helped the left win this.”

Rich’s murder remains unsolved. In a statement released Tuesday, his family said, “While we can’t speak to the evidence that you now have, we are hopeful 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.”

Fox News exec Wallace later released a statement in response to the lawsuit: “The accusation that [FoxNews.com](#) published Malia Zimmerman’s story to help detract from coverage of the Russia collusion issue is completely erroneous. The retraction of this story is still being investigated internally and we have no evidence that Rod Wheeler was misquoted by Zimmerman.”

—*Additional reporting by Ben Collins.*