

Suit: Fox News, White House collaborated on fake news story in Seth

Rich death

Mike Snider, USA TODAY

usatoday.com

A longtime Fox News Channel contributor says the network and a supporter of President Trump embellished a story about Democratic National Committee staffer Seth Rich and his connection to WikiLeaks and leaks of DNC emails.

In a defamation lawsuit filed in federal court in New York Tuesday, Rod Wheeler, who has appeared on Fox News as a paid law enforcement and crime analyst, alleges Fox News and network guest Ed Butowsky fabricated quotes attributed to him in a story suggesting Rich exchanged email with WikiLeaks, and that authorities were blocking the investigation of Rich's death.

Rich, 27, was shot to death July 10, 2016 in what Washington police say was a random robbery attempt. Later that month, WikiLeaks [released a trove](#) of DNC emails. Spurred on by WikiLeaks founder Julian Assange's suggestions in August 2016 that Rich might have been the source of the data to WikiLeaks not the Russians, conspiracy theories grew about the connection.

Fox published a story in May quoting Wheeler, a private investigator, suggesting a connection between Rich and WikiLeaks and its leaks of DNC emails during the campaign. The network [removed the story](#) a week later saying it "was not initially subjected to the high degree of editorial scrutiny we require for all our reporting."

Fox has said it will continue to investigate the story and provide updates as warranted but has not yet said it was wrong.

Wheeler said Butowsky, a Dallas financial adviser and unpaid Fox News and Fox Business News guest, and Fox News investigative journalist Malia Zimmerman embellished the story to undermine speculation the Trump campaign had colluded with the Russian government to influence the 2016 presidential election. "They were interested in advancing a political agenda for the Trump Administration," Wheeler alleges.

Jay Wallace, president of News for Fox News, said in a statement to USA TODAY, "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."

The day that Fox aired the story connecting Rich to WikiLeaks and the DNC emails, Wheeler told Fox News' Sean Hannity that he had no evidence that Rich was in contact with WikiLeaks. Butowsky had hired Wheeler on behalf of the Rich family to investigate their son's death.

"At no point in time did Mr. Wheeler say that his investigation revealed that Seth Rich sent any emails to WikiLeaks, nor did he say that the DNC, Democratic Party or Clintons were engaged in a cover-up," his suit alleges.

Instead, Butowsky and Zimmerman relied on a source within the FBI Butowsky learned of from investigative journalist Seymour Hersh, Wheeler charges. "In fact, the only purported source saying that Seth Rich sent any emails to WikiLeaks was Butowsky and Zimmerman's supposed source within the FBI," the suit says.

When Wheeler asked to have his statements removed from the story, Butowsky told him "the quotes were included because that is the way the President (Trump) wanted the article," Wheeler charges. In the suit, Wheeler also says that Butowsky told him the president had reviewed the story prior to publication and wanted the article published "immediately," he says in the suit.

When asked about the suit Tuesday White House Press Secretary Sarah Huckabee Sanders said, "The president didn't have knowledge of the story. The White House didn't have any involvement in the story."

After the story was published May 16, Wheeler says he asked Zimmerman to remove the statements attributed to him and she told him she "had been instructed by her bosses at Fox News to leave the false quotes in the story," he alleges in the suit.

A chronicling of the events, as detailed in the lawsuit, begins with a text message from Butowsky, a Trump supporter, to Wheeler two days prior to the Fox story's publication: "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."

Butowsky has since told National Public Radio, which published its [own story](#) on the lawsuit, that he was kidding about Trump's knowledge of the story. Butowsky did not return requests for comment to USA TODAY.

About Butowsky's claim that Hersh had an FBI source, Hersh told NPR on Monday, "I hear gossip. ... [Butowsky] took two and two and made 45 out of it."

In the suit, Wheeler describes Butowsky as an outspoken Trump supporter and friend to former Press Secretary Sean Spicer and Chief Strategist Steve Bannon. Butowsky's website lists him as a contributor to Breitbart.com and he has been interviewed by Bannon on a Breitbart radio program, according to a recent profile in [Buzzfeed](#).

Wheeler says he met with Spicer and Butowsky in April, in the suit. In a statement, Spicer said Tuesday, "Ed is a 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."

Wheeler, who is a former Washington D.C. Police homicide detective also charges Fox with racial discrimination saying he has been denied air time and full-time employment. "Fox's marginalization of Mr. Wheeler is simply part of its systemic pattern and practice of discriminating against people of color," the suit says.

"Fox News vehemently denies the race discrimination claims in the lawsuit — the dispute between Zimmerman and Rod Wheeler has nothing to do with race," Wallace, president of News for Fox News, said in his statement to USA TODAY.