

Lawsuit: Fox made up part of story, worked with White House

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The White House was partly behind Fox News' reporting of a now retracted story claiming slain Democratic National Committee staffer Seth Rich may have leaked emails last year that were blamed on Russia, according to a suit filed Tuesday in Manhattan federal court.

The lawsuit filed by ex-cop Rod Wheeler, who was hired by Trump supporter Ed Butowsky to investigate Rich's death, says Fox intentionally misquoted him and the story was concocted by the White House and Butowsky to divert attention from the Russian hacking scandal.

Wheeler said he and Butowsky, a Fox contributor, met with White House press secretary Sean Spicer in the course of working on the story, and he was later told by Butowsky that Trump had previewed the article and pushed Fox to publish it.

"Not to add any more pressure but the president just read the article," Butowsky, a Texas financial adviser, said in an email just before the article was published, the suit said. "He wants the article out immediately. It's now all up to you. But don't feel the pressure."

The suit named Fox, Butowsky and reporter Malia Zimmerman. Butowsky did not immediately respond to requests for comment, nor did the White House.

Fox president Jay Wallace, in a statement, disputed Wheeler's claims.

"The accusation that FoxNews.com published Malia Zimmerman's story to help detract from coverage of the Russia collusion issue is completely erroneous," Wallace said. "The retraction of this story is still being investigated internally and we have no evidence that Rod Wheeler was misquoted by Zimmerman."

Wheeler, a Fox commentator and former District of Columbia detective, had been hired by Butowsky to investigate the death of Rich — who police say died in a botched robbery — on behalf of his family amid rumors he might have been linked to the leak of campaign emails by WikiLeaks.

Wheeler says that when the story ran, two quotes from him — one claiming that Rich had contact with WikiLeaks, and the other saying a full investigation was being blocked — were made up, and he didn't stand behind them on the basis of his investigation.

The suit alleges that Butowsky was in regular contact with Spicer, top Trump adviser Steve Bannon, and the Justice Department's public affairs representative. Spicer, Wheeler claims, had "asked to be kept abreast of developments."

Wheeler says Butowsky later told him that the fabricated quotes from him were included in the article "because that is the way the President wants the article."

The lawsuit claims that Wheeler's reputation was irretrievably damaged due to the events.

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