

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

Charlottesville Division

SINES, et al.,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	Case No. 3:17-cv-00072-NKM
	:	
KESSLER, et al.,	:	
	:	
Defendants.	:	

**DEFENDANT SPENCER'S OPPOSITION TO MOTION TO COMPEL
INSPECTION AND ELECTRONIC IMAGING OF ELECTRONIC DEVICES**

I. Introduction

Defendant Richard B. Spencer (Mr. Spencer) hereby opposes Plaintiffs' Motion to Compel Defendants to Permit Inspection and Imaging of Electronic Devices.

II. Facts

The First Amended Complaint identifies only four (4) alleged electronic communications¹ by Mr. Spencer.

The other allegations about electronic communications contained in the First Amended Complaint do not identify Mr. Spencer; they either identify other Defendant alone or merely refer to the defendants collectively.

In addition, although the First Amended Complaint identifies "Discord" as the principal electronic communications

¹ They are text messages, instant messages or e-mails that are alleged at Pars. 52, 166, 194, and 260. Of those, one was to a reporter on August 11 (Par. 52), two (2) were also on August 11 (Pars. 166 and 184) and one (1) was on August 12 (Par. 260).

"platform" through which alleged co-conspirators exchanged messages, it does not in any way, shape or form alleged that Mr. Spencer used Discord as a medium of communication.²

Indeed, at the hearing before Judge Moon on May 24, 2018, lead counsel for Plaintiffs conceded that Plaintiffs had not found a single communication by Mr. Spencer on Discord.³

On April 18, 2018, Mr. Spencer served Plaintiffs' counsel with his Objections and Responses to Plaintiffs' First Request for Documents (hereinafter the "Response").⁴ The Response consisted of 79 pages, of which 1 page was a cover page, 3 pages were objections and 75 pages were responses.

Mr. Spencer produced, *inter alia*, some 37 pages of electronic communications and 17 pages of "links" to other electronic communications.

At no time have Plaintiffs filed any motion to compel based on any alleged deficiency in Mr. Spencer's Response.

Instead, Plaintiffs have filed the instant Motion, arguing that they believe Mr. Spencer possesses additional responsive communications and that he did not produce the referenced electronic communications in the format they requested.

² First Amended Complaint at Par. 71.

³ Transcript of Motions to Dismiss (5/24/18) at pp. 60, 63 at (Docket Entry 321).

⁴ The Response -- although not the responsive documents -- are attached to the Motion as Exhibit 18. (Document ID Nos. 3274-3287). The actual document production is attached hereto as Exhibits 1 through 5.

III. Argument

A. There is No Need for Imaging of Mr. Spencer's Devices.

1. Plaintiffs Do Not Allege Any Misconduct by Mr. Spencer.

a. Mr. Spencer's Document Production Has Been Adequate.

Plaintiffs argue that imaging of Mr. Spencer's electronic devices is warranted because "Defendants' document production has been inadequate."⁵ Plaintiffs' basis for this assertion against Mr. Spencer appears to be the contentions set forth in Plaintiffs' Exhibit 18, a letter, dated May 10, 2018, from Plaintiff's counsel to Mr. Spencer, in which letter Plaintiffs state that they have various reasons to believe that Mr. Spencer did not produce all responsive documents or things.

For example, Plaintiffs contend that: (1) although they received from other Defendants copies of various documents that are responsive to the request to Mr. Spencer, Mr. Spencer himself did not produce his copies thereof;⁶ (2) Mr. Spencer's Response identified things he was producing that were not, in fact, produced;⁷ and (3) Plaintiffs themselves are aware of (and

⁵ Motion at p. 8 (Docket Page No. 3176).

⁶ Exhibit 18 at Docket Page Nos. 3311-3312. Nowhere do Plaintiffs specifically identify those documents and nowhere do they explain their purported materiality and how their "absence" from Mr. Spencer's production suggests that he is purposefully withholding responsive documents.

⁷ Exhibit 18 at Docket Page Nos. 3311-3312. Plaintiffs have not filed a motion to compel production of those things.

presumably have in their possession) various other responsive documents or things.⁸

Yet, Mr. Spencer's Response consists of 79 pages, of which 75 pages contain actual responses and copies of and/or links to responsive documents. Of those 75 pages, some 37 pages consist of electronic communications and 17 pages consist of links to other electronic communications. The totality of Mr. Spencer's response and production make manifest that he is acting in good faith; and the fact that, as evidence of inadequacy, what Plaintiffs point to are documents in the possession of other parties or in the public realm evidences that Mr. Spencer is not hiding things. These circumstance suggest nothing more than the normal "inefficiencies" in discovery.

If, as Plaintiffs suggest (but do not demonstrate), Mr. Spencer has additional responsive documents (not previously identified), the appropriate recourse is a motion to compel production and entry of an appropriate order that would not saddle Mr. Spencer with the sort of costs associated with imaging.⁹

⁸ Exhibit 18 at Docket Page Nos. 3311-3312. If, as is indicated by Plaintiffs' references to the "missing" things, Plaintiffs already possess them or have access to others because they are publicly available, one questions why imaging is needed.

⁹ Plaintiffs do note that, in his Response, Mr. Spencer identified various documents or things as having been produced, but that they were not, in fact, produced. Counsel will address this defect with Mr. Spencer and remedy any defect.

b. Mr. Spencer Has Not Threatened to Destroy Evidence.

Plaintiffs argue that imaging of Mr. Spencer's electronic devices is warranted because "Defendants threatened to destroy and withhold relevant evidence."¹⁰

Yet, although Plaintiffs recite threats by Defendant Parrott to destroy evidence, they do not cite any alleged such threats by Mr. Spencer.¹¹

2. That Plaintiffs Allege Electronic Communications Among Defendants Is Not Sufficient to Warrant Requiring Mr. Spencer to Submit His Devices to Imaging.

Plaintiffs argue that "[i]maging of Defendants' electronic devices is warranted because electronic communications among the Defendant and their co-conspirator are a key factual component of this litigation."¹² In so arguing, Plaintiffs reference Paragraphs 68 through 142 of their First Amended Complaint and the fact that, although certain Defendants, used cell telephones to communicate, they did not produce any text messages.¹³

Plaintiffs do make broad allegations that Defendants communicated through electronic means in Paragraphs 68 through 142 of the Amended Complaint, but their allegations that Mr. Spencer so communicated are extremely limited.

¹⁰ Motion at p. 8 (Docket Page No. 3176).

¹¹ Motion at p. 5 (Docket Page No. 3173).

¹² Motion at p. 10 (Docket Page No. 3178).

¹³ Motion at pp. 10-11 (Docket Page Nos. 3178-3179).

For example, in only a limited number of those paragraphs do Plaintiffs identify Mr. Spencer and, indeed, in only a handful do they allege transmission of any electronic communication by Mr. Spencer.

Indeed, although Plaintiffs allege that "[o]ne Internet tool Defendants used extensively to plan and direct illegal acts was the chat platform Discord,"¹⁴ they do not allege and cannot allege that Mr. Spencer communicated through that platform.¹⁵

Moreover, although Plaintiffs complain that Defendants Damigo, Heimbach, Hill, Parrott, Ray, Schoep, Tubbs, and Vanguard America have not produced any text messages, they do not make any such allegation about Mr. Spencer. As noted above, Mr. Spencer has produced many text messages.

*B. There is No Need for Metadata.*¹⁶

1. Much, If Not All, of the Information Plaintiffs Seek is in Their Possession or Otherwise Available to Them Through Other, Less Expensive Means.

¹⁴ First Amended Complaint at Par. 71. A fair reading of the First Amended Complaint indicates that, in Plaintiffs' view, Discord was -- overwhelmingly -- the principal means of communication among all Defendants (except Mr. Spencer).

¹⁵ At the hearing before Judge Moon on May 24, 2018, lead counsel for Plaintiffs conceded that Plaintiffs (who, in the First Amended Complaint) extensively refer to specific communications through Discord, had not found a single communication by Mr. Spencer on Discord. Transcript of Motion to Dismiss (5/24/18) (Docket Entry 321).

¹⁶ Plaintiffs argue that Mr. Spencer "waived any objection to producing documents with metadata because [he] failed to timely object. Motion at p. 12 (Document ID No. 3180). Mr. Spencer did, however, object to "each instruction, definition and document request to the extent it purports to impose any requirement or discovery obligation greater than or different from those under the Federal Rules of Civil Procedure ..." (Response at p. 3 [Exhibit 14 at Document ID No. 3274]). Mr. Spencer submits that, given that Rule 34 does not affirmatively state that a responding party must produce documents in such a form that metadata is revealed, this objection was sufficient to preserve an objections to production of metadata.

Plaintiffs cannot justify the proposed intrusion and burden on Mr. Spencer given that much, if not all of the information they seek is already in their possession or readily available to them by other means.

Plaintiffs complain as follows:

Virtually none of the documents produced by Defendants contain metadata -- such as sender, recipient and date sent -- for the files provided. Virtually none of the documents produced by Defendants contain metadata -- such as sender, recipient and date sent -- for the files provided.¹⁷

Yet, Plaintiffs already have such information in their possession -- in Mr. Spencer's Response.

For example, pages 15 through 41 of Mr. Spencer's Response set forth numerous "iMessages" between Mr. Spencer and alleged co-conspirators -- and set forth dates of the communications, identify participants in the communications and contain the content of the communications.¹⁸

Similarly, pages 42 through 49 of the Response set forth various e-mails between Mr. Spencer and alleged co-conspirators -- and set forth dates thereof, identify authors thereof and recipient and set forth attachments.¹⁹

Similarly, too, pages 53 through 68 of Mr. Spencer's Response set forth numerous "tweets" or "retweets" by Mr.

¹⁷ Motion at p. 4 (Document ID No. 3172).

¹⁸ See Defendant's Exhibit 1 attached hereto.

¹⁹ See Defendant's Exhibit 2 attached hereto.

Spencer -- and set forth the dates of the communications, identify him as the author and provide the "link" to the tweets.²⁰

In short, there is no need to for imaging by any third party.²¹

C. If the Court Orders Generalized ESI Imaging by a Third-Party Vendor, Plaintiffs Should Bear the Cost.

*1. Miscellaneous Factors Bearing on Allocation of Cost*²²

a. Plaintiffs' Requests Are Vague and Overbroad.

Various of Plaintiffs' requests are overbroad and vague. See, e.g., Request No. 4 (documents "concerning violence, intimidation or harassment of Person on the basis of race, religion or ethnicity ..."); Request No. 6 ("[a]ll documents concerning and communications concerning or with any Plaintiff or Defendant ...").

b. Likelihood of Finding Relevant Information

As argued above, Plaintiffs have not demonstrated that imaging likely will lead to discovery of relevant information.

c. Any Information Sought Can Be Derived From Other Sources.

²⁰ See Defendant's Exhibit 4 attached hereto.

²¹ If the Court determines that Plaintiffs are entitled to production of such documents in "native format," it should order that Mr. Spencer produce them in such format and not that he submit his electronic devices to a third-party vendor for generalized imaging.

²² Mr. Spencer notes that this analysis with respect to the costs of third-party imaging also applies to the issue whether third-party imaging is warranted at all.

The documents of Mr. Spencer to which Plaintiffs refer are available from other sources that are readily accessible to Plaintiffs.

For example, publications by Mr. Spencer are publicly available.²³ So, too, are "tweets" or "re-tweets"²⁴ and any on-line videos by Mr. Spencer.²⁵

d. Plaintiffs Have Not Made any Showing of Relative Benefit.

Plaintiffs have not made any concrete showing of any tangle benefit to them of third-party imaging of Mr. Spencer's electronic devices. For example, as argued above, Plaintiffs do not even argue that Mr. Spencer has threatened to destroy or has destroyed evidence; nor have they demonstrated any likelihood that there is further responsive information.

e. The Cost of Imaging is Much More Easily Borne by Plaintiffs.

1. Plaintiffs, Whose Case is Being Financed by a Well-Funded Charity, Will Not Sustain Any Economic Hardship.

Plaintiffs, Mr. Spencer believes, are not paying for legal representation.²⁶ Instead, as stated in a press release issued on October 12, 2017 by an organization called "Integrity First for America," this lawsuit is being financed by that

²³ Exhibit 18 at Document No. 3312.

²⁴ See Response at pp. 53-68).

²⁵ Exhibit 18 at Document No. 3311.

²⁶ Plaintiffs are represented by two of the largest and most powerful law firms in the United States and by a smaller, but equally prestigious law firm. It beggars the imagination to think that Plaintiffs are paying any legal fees.

organization.²⁷ And one source of funds that Integrity First for America uses to finance this lawsuit is on-line contributions by donors.²⁸

Thus, there would be no economic hardship imposed on Plaintiffs if the Court did not impose on Mr. Spencer the costs of any third-party imaging.

2. Economic Hardship to Mr. Spencer²⁹

If Mr. Spencer is constrained to pay for imaging by a third-party vendor, he would have to divert his economic resources from maintaining legal counsel³⁰ to hiring an information technology (IT) expert whose function would be to provide Plaintiffs with information they already have.

²⁷ The referenced press release can be found at the following hyperlink:
<https://www.integrityfirstforamerica.org>.

²⁸ See <https://secure.givelively.org/donate/integrity-first-for-america>.

²⁹ Mr. Spencer recognizes that a party objecting to production on the grounds of burdensomeness ordinarily is required to provide specific information about the nature and degree of the burden. To date, however, the undersigned counsel has been unable to consult with any third-party imaging vendor about costs. One well-respected vendor recommended by a colleague of counsel in the Northern Virginia bar indicated he has a conflict of interest because he is providing services to two of the law firms representing Plaintiffs. In addition, other two vendors that counsel contacted have not responded to his inquiries.

Mr. Spencer respectfully submits that the Court should not require him to provide the ordinary substantiation of burdensomeness given that the cost of third-party imaging simply is not known to him or counsel.

Counsel is also concerned that, because of the politically charged nature of this case, it might prove impossible to find a third-party vendor willing to assist in this matter.

³⁰ It is important to note that Mr. Spencer is defending against not only this lawsuit, but also a lawsuit brought in the Circuit Court for the City of Charlottesville by two other alleged victims of the events of August 12, 2017. See *Tadrin Washington, et al. vs. James A. Fields, et al.*, CL No. 17-442.

III. Conclusion

For the foregoing reasons and those to be advanced at oral argument, the Motion should be denied.

Alternatively, if the Court orders electronic imaging, it should not enter the Stipulation and Order submitted by Plaintiffs but should make various material modifications to it (which modifications Mr. Spencer will detail at oral argument).³¹

Respectfully submitted,

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³¹ Such modifications include requiring Plaintiff to pay for imaging, providing Mr. Spencer much more time than set forth in the proposed order for accomplishing any imaging and permitting defense counsel to review the results of the imaging not only for privilege, but also for relevance. (Counsel will further confer with Plaintiffs' counsel about these.)

CERTIFICATE OF SERVICE

I hereby certify that, on October 16, 2018, I filed the foregoing Opposition with the Clerk of Court through the CM/ECF system, which will send a notice of electronic filing to all counsel of record, including the following:

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I also certify that, on October 16, 2018, I served the following persons with a copy of the foregoing Opposition by mail, first-class, postage-prepaid:

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c/o Kyle Chapman
52 Lycett Circle
Daly City, California 94015

Augustus Sol Invictus
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/s/ John A. DiNucci

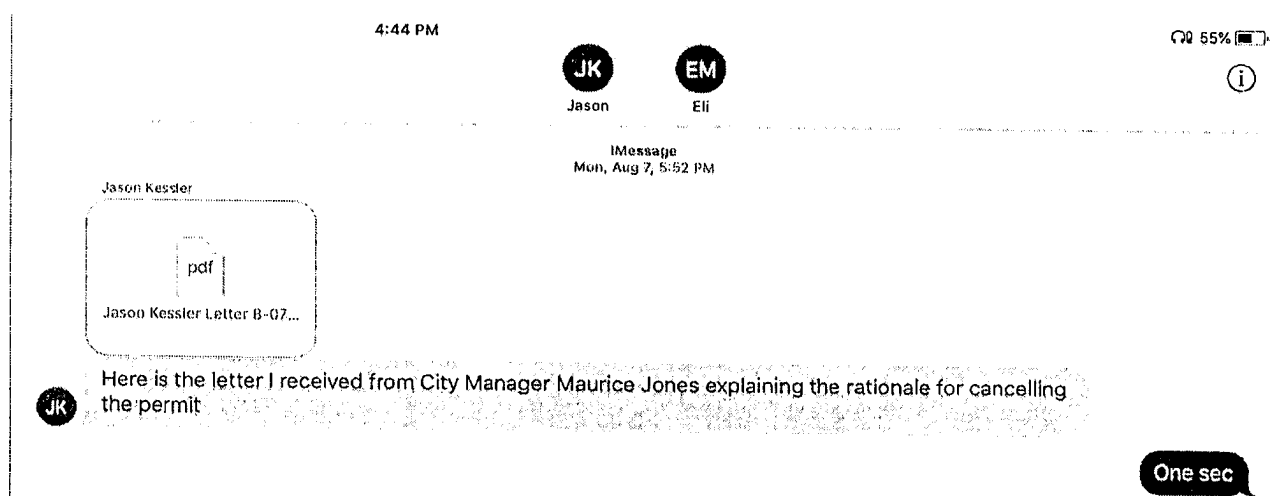
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Appendix 1: iMessages

iMessages 1

Conversation between Richard Spencer, Jason Kessler, and Eli Mosley

August 7, 2017



iMessages 2

Correspondence between Richard Spencer and Mike Peinovich

August 13, 15, 16

Sun, Aug 13, 6:01 PM

We're doing shoahs all week. Let me know when you want to come on.

In the evenings?

Yes.

We ate on now if you are free. If not any night this week

If you want on, get on Skype if you can. If not whenever you like

Sure.

Cool

Would be good to get on right away, get something out there

I'm on now

Tue, Aug 15, 9:16 PM

Brainstorming idea: huge alt right rally in new York city.

Think it over.

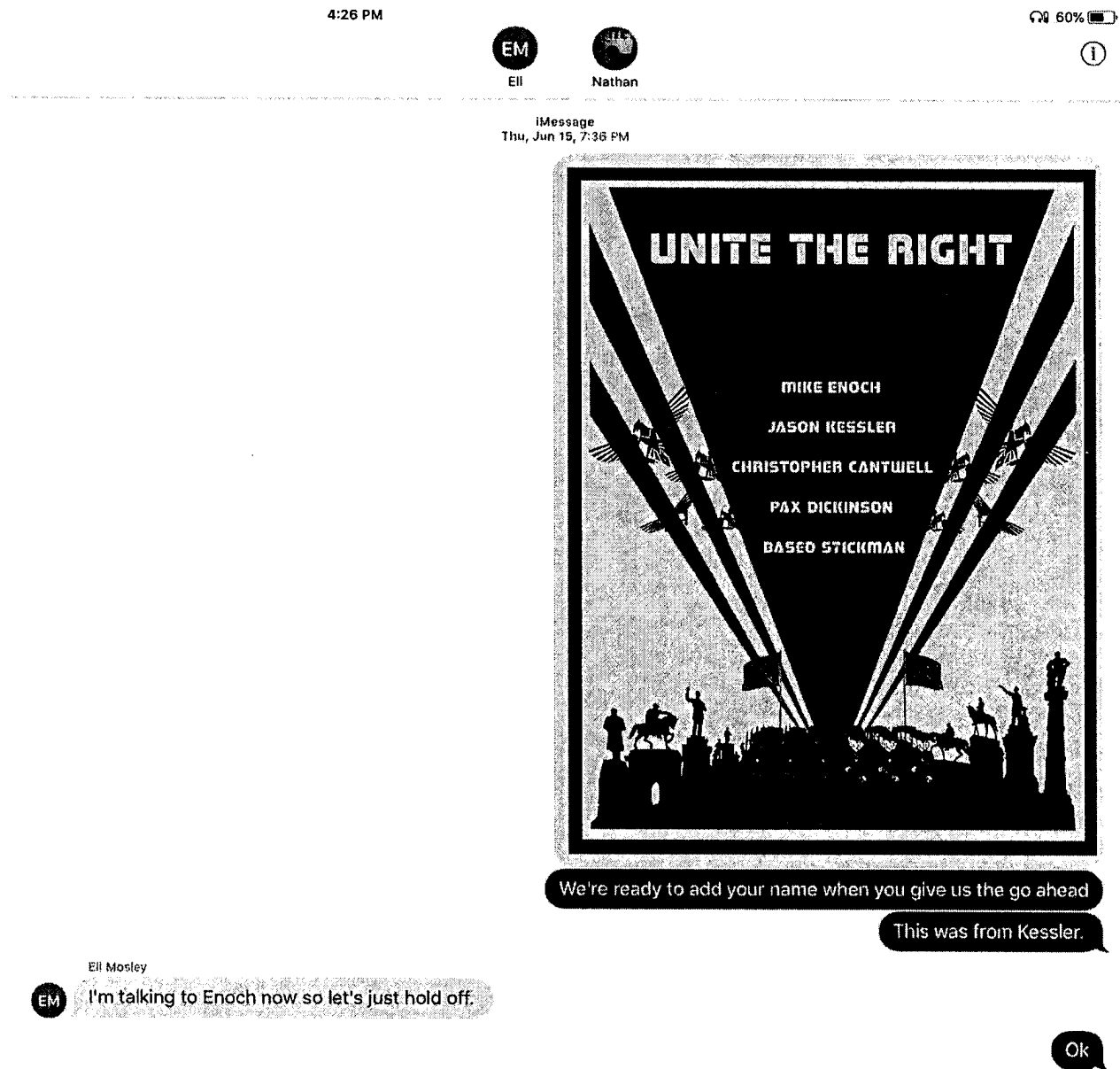
Wed, Aug 16, 12:37 AM

I will.

iMessages 3

Correspondence between Nathan Damigo, Eli Kline, and Richard Spencer

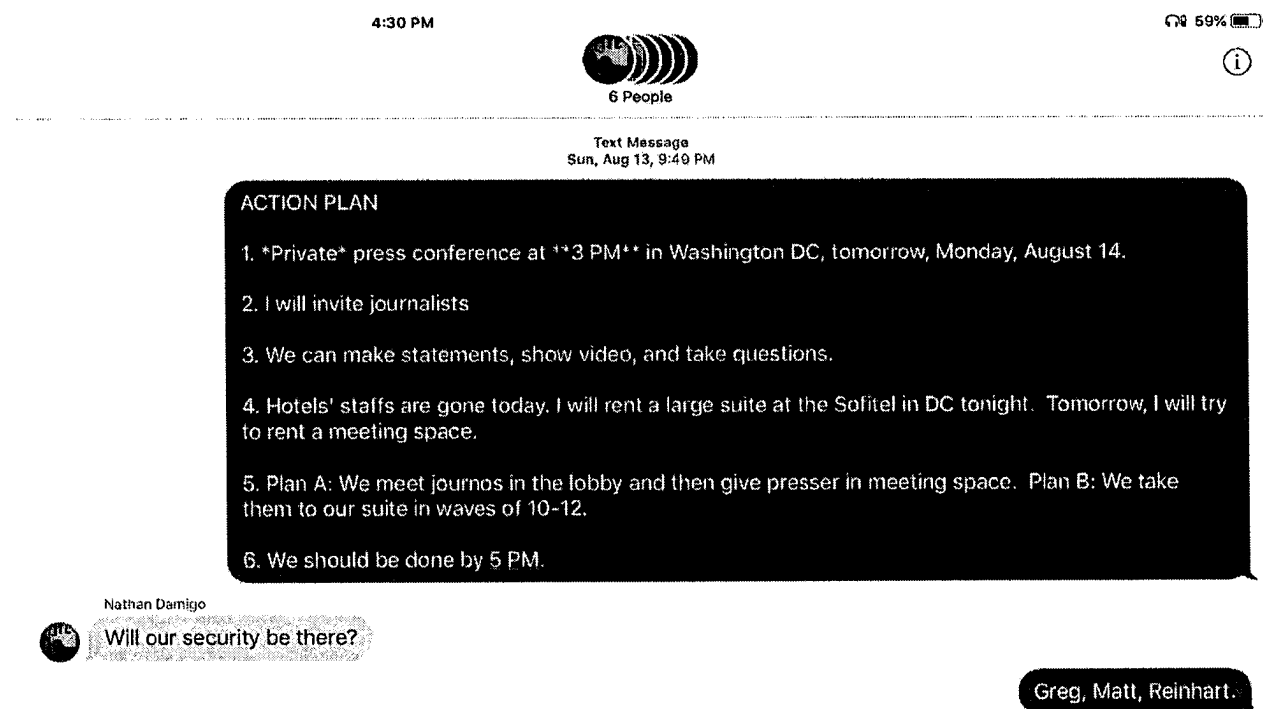
June 15, 2017



iMessages 4

Correspondence between Eli Kline, Nathan Damigo, and Richard Spencer

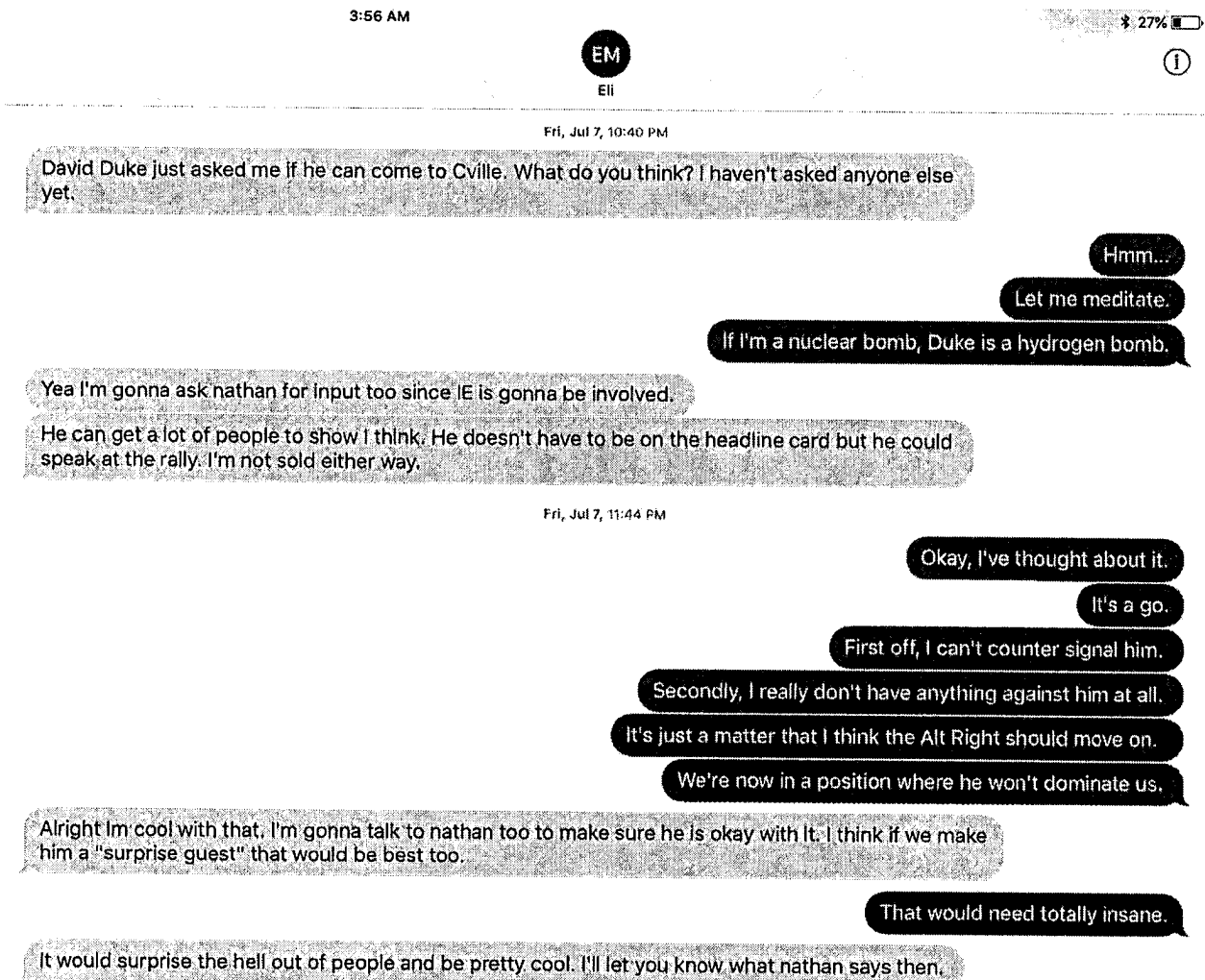
August 13, 2017



iMessages 5

Correspondence between Eli Kline and Richard Spencer

July 7-August 12



Charlottesville. DC-area SURJ chapters plan to mobilize folks and build support for the local counter-demonstrators.

To support the action in Charlottesville, we'll need to train caregivers (emotional support, food/water), de-escalators, legal observers, remote support (social media, supply gatherers, etc.) and get clear about what's involved in direct action. At this meeting, we will have breakouts to build our skills and define our roles within "affinity groups." Participants will make commitments to their affinity groups and plan to continue building strength for the action in August. We want as many people as possible to commit to being in Charlottesville on the 12th, but there are ways to support if you cannot attend in person. Whatever your skills or in/experience with this kind of action, there is a place for you!

Help with set up and clean up of the event is needed, if you can volunteer, please contact surjdc.action@gmail.com.

SURJ NoVa is offering a carpool from the Virginia 'burbs to make sure everyone who wants to attend this meeting can. Sign up to drive or to ride: <https://>

These people are insane. This is a Facebook post about them doing a pre-event to prepare for cville. Look at this corporate language compared to our literal military operation document. They are little corporate tools and we're and resistance fighting force. I hate this morons.



Wed, Jul 26, 8:18 PM

We figured out who we think is giving Kessler money. It's not good. Some rich white guy who converted to Islam and is just incredibly antisemitic. He's been inviting NSM and other crazies like Sinhead. I think it's too late to pull out but at least we know what we're dealing with.



Jimmy Fry
@JimmyFry1



Hi @sineaderade88 will you, or
anyone from Renegade visit for
#UniteTheRight ? :)

thx

@PrimitiveXaoc

7/26/17, 3:04 PM

1 Like



om.linkedin.com



I got it from here



4:00 AM

EM
Eli

25%



Jason Kessler

3 mins · 11

Who lives in my area and more or less agrees with me politically?
I need applicants to Induct into a secret order.



On a brighter and funnier note. Look at this ridiculous post Kessler made last night lolol

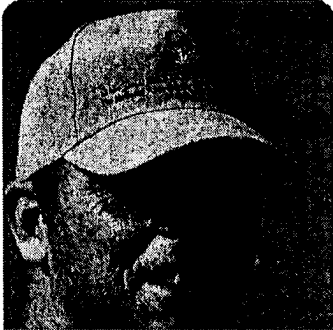
Dear God.

He's likely serious.

I could tell you hours of his stupidity.

After c ville, we need to drop him. He's just stupid and weird.

Yea 100%

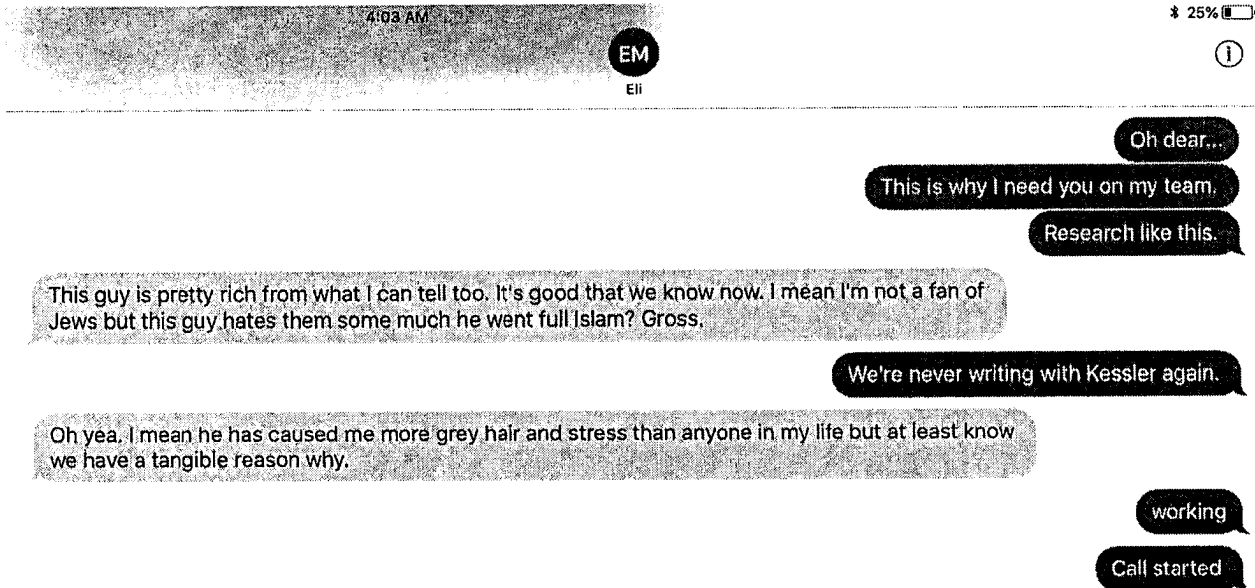


Anti-Zionist-Not-Antisemite Of The Day: James Fry (Virginia Beach)
israellycool.com

Security Check Required
facebook.com



This is his kids from his Arab wife.



Evelyn Kessler

Historical records and family trees related to Evelyn Kessler. Records may include photos, original documents, family history relatives, specific dates, locations and full names.

MyHeritage Family Trees

Evelyn Goldberg (born Kessler), 1940 - 2002

Evelyn Goldberg (born Kessler) was born on month day

 MyHeritage Family TreesEvelyn Goldberg (born Kessler), 1940 - 2002

Evelyn Goldberg (born Kessler) was born on *month day* to Harry Kessler and Anny Kessler (born Bergwerk).

Evelyn married first name Goldberg.

They had 2 children.

Evelyn passed away of *cause of death* on *month day* 200*:* age 61.

He's Jewish. This is his grandma lol

And Laura didn't want me to figure it out but I did. I don't even think we need to spread it. It's a good enough sword to hold over his head to go away after this.

Cameron is always right.

I'm actually laughing so hard that we had a natural reaction to a crypto lololol

I was right to see his lack of sieg healing as a sign.

And the beady eyes that were clearly hiding something and trying to be all Jewy to get in with us. What's hilarious is I bet his funder doesn't know lolol

That is funny.

Thu, Jul 27, 2:04 PM

6:08 AM

EM

Eli

6% 



Digital Platform Censorship.

Just got off the phone with Kessler and the ACLU. Basically they said our choices are to file an injunction and possibly lose which might be a PR loss or they could file after and they said they'd almost certainly win and be a PR win for us, Kessler and them.

I said fuck that. File the injunction and do both and they sounded like they never heard that idea or thought of it. The point of this is to get our damned permit back. Not be some PR victory after the fact and if we initially lose the injunction and go after them after we'll be able to go after even more.

There are dozens of reasons that this forced move is bullshit and the ACLU could just be virtue signaling but hopefully it works out.

I concur with your strategy.

4:14 AM

EM

Eli

20% 



Nvm. I'll just text you. We are canceling the after party to the general public but still having one for leadership and VIP.

Very good.

Did Kessler make the call?

No I did

Good call.

I've removed Kessler from all operational calls starting today. All the security and leadership are getting orders from me. Oh and the Jews canceled my airbnb this morning but I should be able to find a place.



Sat, Aug 12, 1:33 AM

UNBELIEVABLE DRONE FOOTAGE of the
#UniteTheRight Rally in #Cville
#Charlottesville #TorchMarch #Antifa
#DefendCville <https://t.co/kESfBewUkp>

 Dave Reilly
twitter.com

Sat, Aug 12, 12:45 PM

11 Langford Pl is after party location. This is exclusive to leadership and VIPs. Don't come earlier than 5pm.

Don't let David Duke know any information until last minute.

Sat, Aug 12, 2:32 PM

He's not coming

Call me if you have a chance

What's up?

6:11 AM

6% 

EM

1

Ell

Sat, Aug 12, 6:34 PM

How far out are you.

5

Ty

How many people?

About 60

Could I invite this nice photographer?

They aren't with you right? Id say probably not but we can talk about it when you get here

Basically when you get here grab a drink say a couple of words while everyone cheers and then we are gonna head up stairs with the people that matter and talk about a press release. Kyle Bristow is suggesting we do it.

Great

The draft Kessler put together is self centered and gay. Everyone else is on the same page on counter signaling it.

Sat, Aug 12, 10:03 PM

Yea this party is popping and won't be shut down. No neighbors 2576 Poindexter, Louisa Va

Sun, Aug 13, 2:30 PM

I told Kessler he's not going to speak at Mondays presser.

We're cutting him out.

I like it. I yelled at him this morning.

Told him he would get beat up. And he just got beat up

Let's just ghost him

He did!?

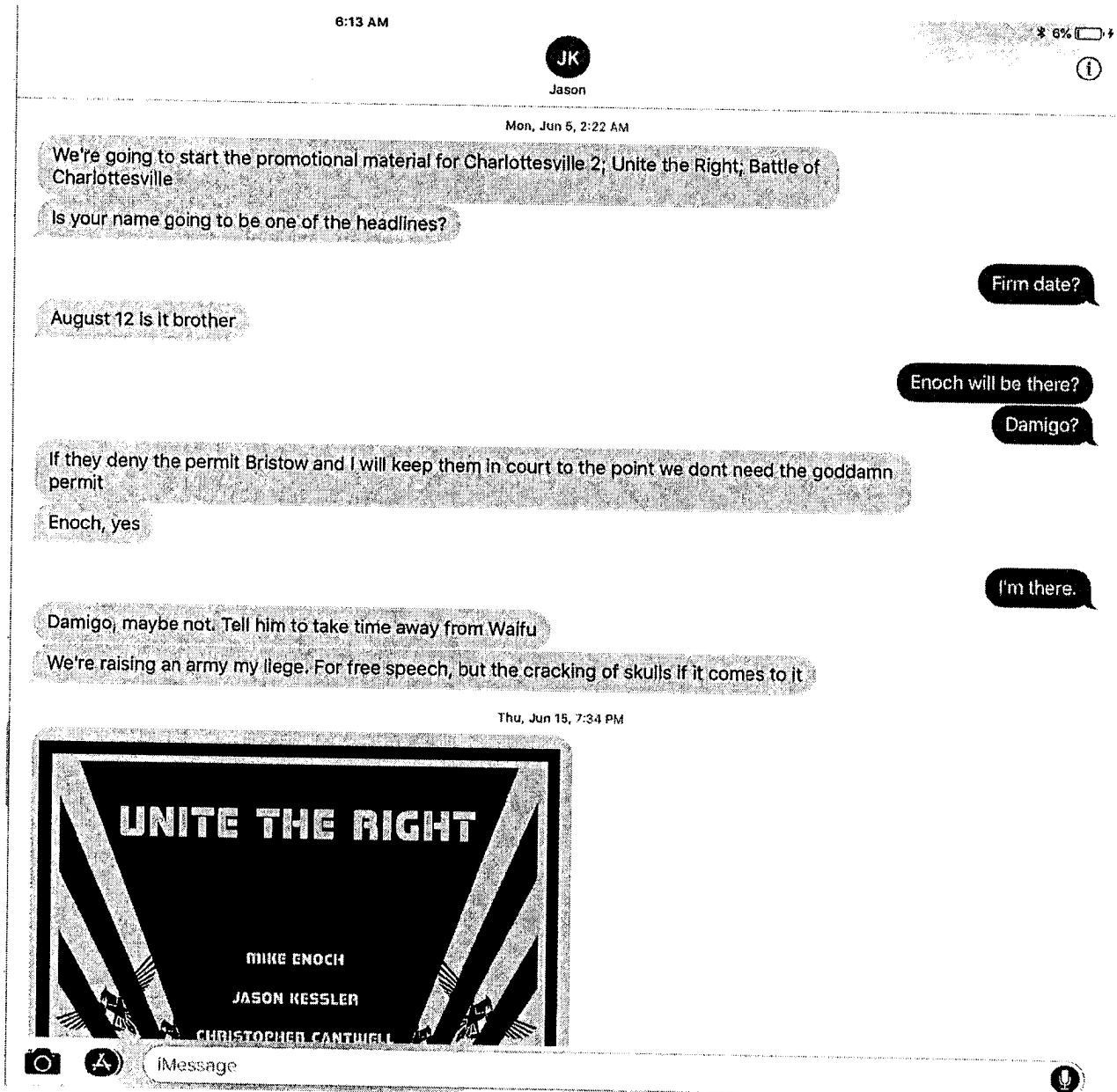


iMessage



iMessages 6

Correspondence with Jason Kessler June 5-



6:17 AM

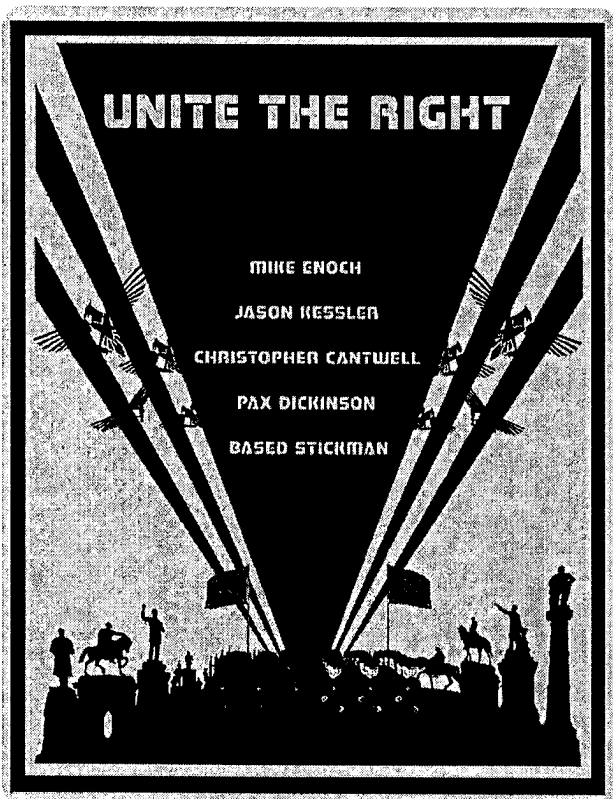
6% 

JK

Jason



Thu, Jun 15, 7:34 PM



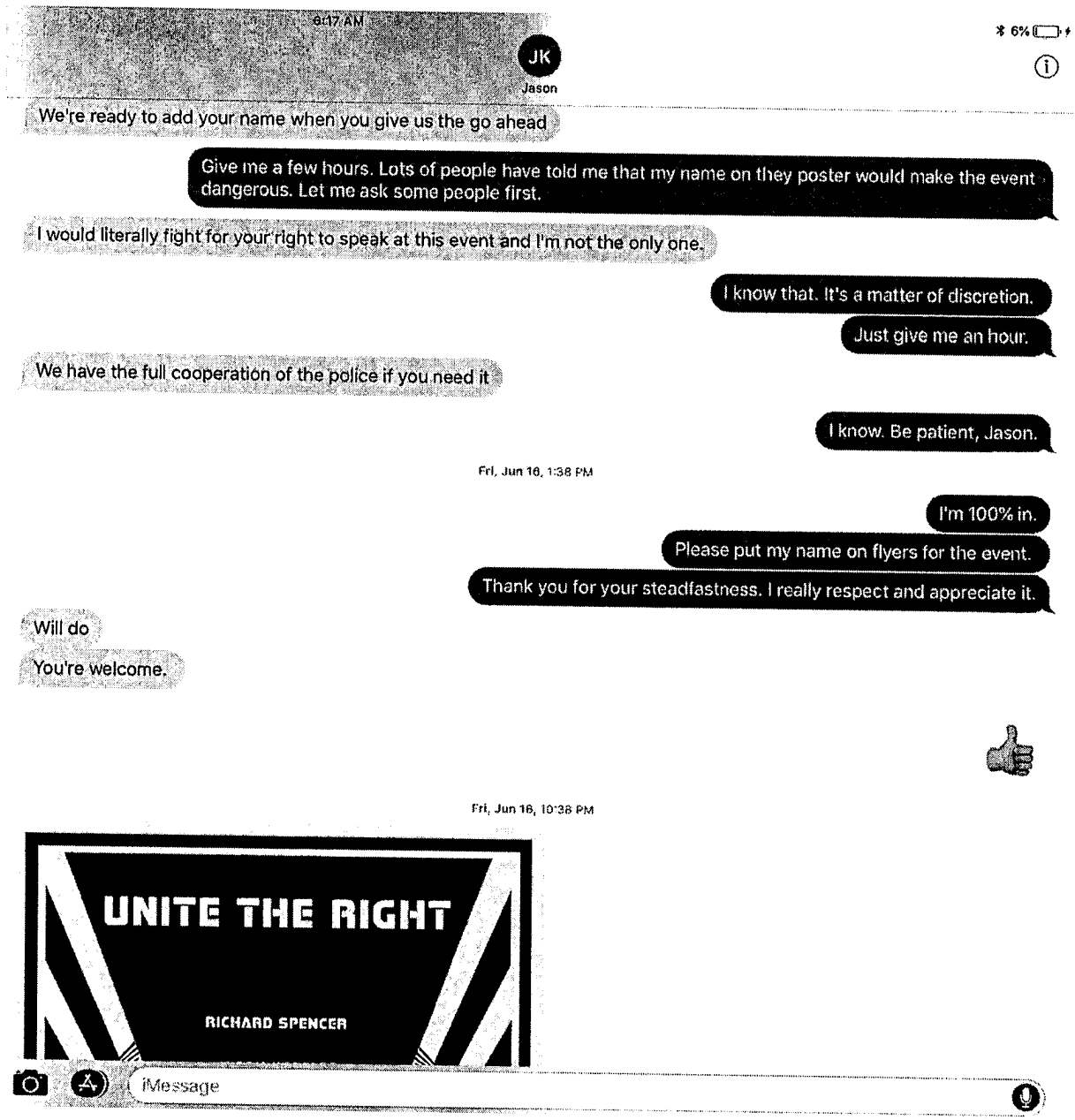
We're ready to add your name when you give us the go ahead

Give me a few hours. Lots of people have told me that my name on they poster would make the event dangerous. Let me ask some people first.

I would literally fight for your right to speak at this event and I'm not the only one.

I know that. It's a matter of discretion.

Just give me an hour.



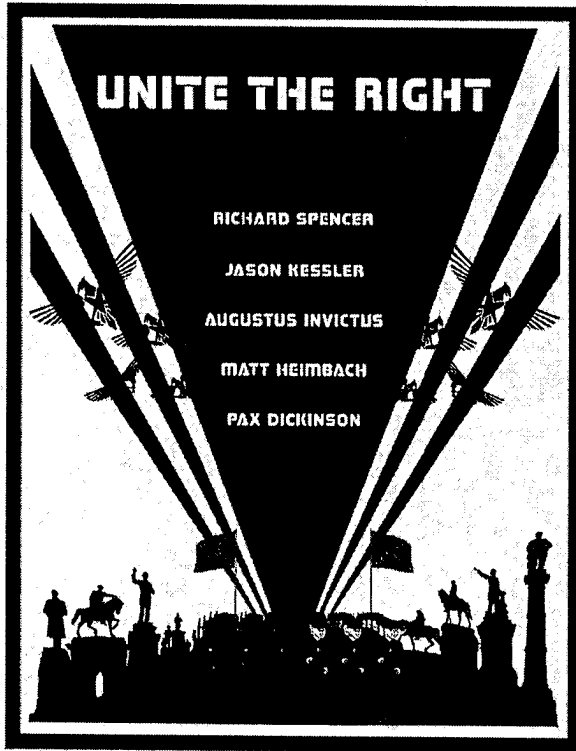
6:18 AM

6% 

JK
Jason



Fri, Jun 16, 10:38 PM



Feel free to share this wherever you want

Awesome!

Mon, Jun 19, 12:58 AM

Evidently I've been blocked by
@JackPosobiec for pointing out how he
plagiarized my work when he worked for
Rebel



iMessage



6:18 AM



Jason

6%



Mon, Jun 19, 12:59 AM

Evidently I've been blocked by
@JackPosobiec for pointing out how he
plagiarized my work when he worked for
Rebel

<https://t.co/f3XZ8yfpKk>



Jason Kessler
twitter.com

Mon, Jun 19, 5:08 PM

Ezra Levant, owner of Rebel Media, called me to apologize for Jack Posobiec's plagiarism. I think he's worried I'll sue.

That's great!

Mon, Jul 3, 3:37 PM

Just a heads up: there's a chance Laura Loomer and her crew may protest our event. If so I recommend we brand them the New Left and in leavue with Antifa

IMG_4189.JPG

Mon, Jul 3, 7:37 PM

Why would she protest?

Its speculation on my part at this point but

- a) to draw attention to herself, Posobiec and Cernovich
- b) continue the theme that we are racist, anti-semetic, etc

That would be quite a show.

Shortly after she made that post Posobiec tweeted out an accusation that IE and Vanguard are "terrorist organizations"



iMessage



6:19 AM



Jason

6%



Can you make a video promoting the event and the hashtag? We need to blow this thing up big.

I will.

Sat, Jul 8, 2:50 PM

#KKKRally Charlottesville, Va <https://t.co/LeWp1TwrLZ>



Catholic Nationalist
twitter.com

Happening Charlottesville today. Preview for August

Sat, Jul 8, 5:12 PM

It's going to be crazy!

Sun, Jul 9, 1:43 AM

We should speak on Sunday (later today) about how to prepare for Aug 12th. Using middlemen all the way through isn't going to work. We need to roll up our sleeves.

Sun, Jul 9, 3:12 PM

Hey, why don't you talk to Eli and/or Greg Ritter about security.

Greg: (301) 802-8358

We've got security on track. I was more interested in talking with you about messaging and presentation.

Okay. Let's do this tomorrow. I have a lot of personal stuff today.

Will do. Is there a good time for you tomorrow?

In the afternoon.

Mon, Jul 10, 1:05 PM

Give me a call when you get a chance

Tue, Jul 11, 5:22 PM



iMessage



6:20 AM

6% 

JK

Jason

Tue, Jul 11, 5:22 PM

Jason, the people from "Anticom" asked if they could take part.

Richard, I have an inquiry regarding the Charlottesville rally on the 12th. This is the representative from Anticom you spoke to a while back. In short, we're looking to see if it would be possible for one of our members to secure a brief (5 minutes or so) speaking position at the Unite the Right rally. I'm also messaging to verify whether or not you'll be in attendance. If so, would you be able to convey this information to the event planner? Thanks in advance.

Sat, Jul 15, 10:14 AM

Have you spoke to Eli recently? He ghosted 4 days ago. I don't know what happened to him.

Sun, Jul 23, 9:19 PM

Could you talk to either Eli or GregRitter? They make all decisions for me.

Eli hasn't answered his phone in weeks

Okay.

Do you have Greg's info?

No, I don't know him

+1 (301) 802-8358

Ok, I sent him a text. If you can please give me a call or have one of the guys call me

I'll have him call you.

Tue, Jul 25, 11:24 AM

Could we add Daniel Friberg to the speakers lineup? And to the speakers list? Arktos is a terribly important organization.

Daniel well be at c'ville for sure.

It sounds like we have a lot of organizations scrambling to get speaking slots at the last minute.

I guess we're going to have to expand this to a pretty long event to keep everyone happy

Let's get people who are less interesting to soak food 5 mins. max.



iMessage



6:20 AM

6% 

JK

Jason



Let's get people who are less interesting to soak food 5 mins. max.

We'll accommodate as many people as we can but they need to make arrangements to get up front early so they don't have to wade through the crowd to get to the mic

Yes

Are you going to Amren?

Yes

We can talk there.

Sounds good. Looking forward to it.

Tue, Jul 25, 4:43 PM

What's up?

The insurance policy got canceled. They're trying to shut down the event

The media is on it already

We're going to need legal help

Yes, Sam Dickson is the man.

Let me set up a conference call.

I've emailed him some of the details

I think we may be able to argue that the permit has to remain in place even without insurance because the feasibility of obtaining that insurance places too high a demand on our ability to express our first amendment liberties

Fri, Jul 28, 7:09 PM

The insurance company just officially dropped our policy

We're going to want a lawyer to hit the city with something quickly before they try to cancel our permit

Sam and I will talk tonight.



iMessage



6:21 AM

6%

JK

Jason

Wed, Aug 2, 2:27 PM

Sure, I'll speak with him tomorrow

Mon, Aug 7, 2:36 PM

It's time for the #AltRight to flex its muscles
and boycott @Airbnb. Also need to consider
a lawsuit #UniteTheRight

<https://t.co/Ms6zb4sszC>



Jason Kessler
twitter.com

Please share. Airbnb has declared war on our movement

Mon, Aug 7, 4:01 PM

We're going to need to put up a legal challenge. They're trying to move the rally

I'll call Sam.

Sam isn't going to be able to help. We need a Virginia attorney

I just spoke with him.

We're searching for one.

Mon, Aug 7, 10:05 PM

If it helps we can talk to that AP reporter and tell him we're looking for a lawyer

If we get them to print a story that the alt right cannot find a Virginia attorney to represent us
someone might step forward

Tue, Aug 8, 10:34 AM

There's a First Amendment attorney in Richmond that may be willing to take the case but he's gonna
require \$8000. If we all push this on social media we could raise it on Rootbocks

No doubt.

Hold on one moment.



iMessage



6:21 AM

JK

Jason

6%



Tue, Aug 8, 12:07 PM

Now the ACLU is saying that they're going to represent us in conjunction with Kyle

Amazing

Let's work with them then.

Still awaiting approval from their board but I was contacted by one of their attorneys and it seems like a very high probability they will take the case

Fri, Aug 11, 5:38 PM

I'm sure you already know but leadership meeting tonight 7 PM in McIntyre Park

Fri, Aug 11, 10:15 PM

Come out front

Sat, Aug 12, 2:07 PM

I think we're going to need to do a press conference

Where?

I'm there.

Maybe back in DC tomorrow or the next day. We all need to talk about it and work this out

Ok

We can do DC next week.

Text Message

We're still meeting at the after party location at 5 PM. Capacity is only 150 so leaders and essential people only. We need to talk about how we move forward. Potentially having a press conference in the near future to get our side of the story out

iMessage

I think so

Text Message



iMessage



6:22 AM

5% 

JK

Jason



11 Langford Pl

iMessage

I think that's it.

Sun, Aug 13, 9:47 AM

Let's take it right to the enemy. Let's do the press conference today in front of the Charlottesville Police Department

2pm

I'm sorry, but I won't attend the press conference today.

You're not listening to leadership.

What do you mean? We agreed on it and I placed it out the national press

I won't be there.

Sun, Aug 13, 1:06 PM

Do you want me to announce details of tomorrow's press conference today?

Sun, Aug 13, 2:10 PM

No.

You won't be speaking at tomorrow's presser.

Now is not the time for us to be divided man

You should have let us lead.

Tue, Aug 15, 6:52 PM

By marching to Jefferson instead of Lee we got Trump to acknowledge this is about more than just Confederate monuments

That part worked perfectly. People who need to understand the symbolism

You are right!



iMessage



6:23 AM

JK

Jason

4%



Take It down.

I will denounce you and it, if it's not taken down.

We have to show discipline.

I opened it on advice of our legal counsel Sam and Kyle. If you don't like it take it up with them

I'm following the advice of my attorneys

I've talked with them.

You requested that I not talk or take action in the lawsuit filed against us. I have kept my word and held my tongue

This is a fundraiser which pre-existed our conversation for the purpose of continuing our first amendment case.

This looks extremely fishy.

No. We need to file an amendment to our pre-existing successful federal lawsuit alleging that the city violated the federal judges ruling

Then try to further amend it into a class action lawsuit, either technically or essentially. This is not about me. The money we win in court will compensate all of us, believe me

Talk to Sam and Kyle. We're on it

Sat, Aug 19, 2:10 AM

Was your Twitter hacked?

Thu, Oct 12, 10:42 AM

We need to have a coordinated response. Enough with the infighting.

I already have attorneys working on the counter-suit. We need to pool our resources

Thu, Oct 12, 12:46 PM

Message received.

Delivered

Thu, Oct 12, 8:31 PM



iMessage



6:24 AM



Jason

4%



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I've talked with them.

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Thu, Oct 12, 12:46 PM

Message received.

Delivered

Thu, Oct 12, 6:21 PM

We need to be prepared in advance. They might be looking to serve us a bunch of lawsuits at once to overwhelm us.

We need to swat these things down hard and make them pay our attorneys' fees so they cease and desist with these frivolous lawsuits



iMessage



Appendix 2: Emails

Email 1

Correspondence with Jason Kessler

May 10, 2017

Wednesday, May 10, 2017, 4:50 PM

Speaking at UVA

by Jason Kessler | jason@unityandsecurity.org

Hi Richard,

While you're in Charlottesville we should talk about getting you in to speak at UVA (if you don't already have arrangements).

I'm bringing in Jared Taylor first as part of a court ordered community service program I've decided to do for New Century Foundation.

I think it would be a pretty hilarious situation after the stir the upcoming Lee rally will cause and the liberals finding out I am using my community service hours to bring right-wing speakers to UVA.

If you would be interested we can pick a date beginning in the Fall semester and running from August 28, 2017 through May 18th 2018.

Regards,

Jason Kessler, President
Unity & Security for America
www.JasonKessler.net



Email 2

Correspondence with Jason Kessler and Sam Dickson

August 8, 2017

Tuesday, Aug 8, 2017, 12:07 PM

Re: Charlottesville

by Jason Kessler | jason@unityandsecurity.org

ACLU of Virginia is now saying that they're going to jump onboard and partner with Kyle for this case. Kyle, I know you've suggested this before so if this is amenable I'm going to move forward with this option. There still needs to be approval from their board but it looks like this is happening.

~
Regards,

Jason Kessler, President
Unity & Security for America
www.JasonKessler.net



CITY OF CHARLOTTESVILLE
"To be One Community Filled with Opportunity"

Office of The City Manager
P.O. Box 911 • Charlottesville, Virginia 22902
Telephone 434-970-3101
Fax 434-970-3890
www.charlottesville.org



August 7, 2017
By Electronic and U.S. Mail

Dear Mr. Kessler:

I write on behalf of the City's Department of Parks and Recreation in reference to your May 30, 2017 application for a permit to conduct a demonstration in Emancipation Park on August 12, 2017. While demonstrations are typically handled through that Department, the unprecedented size and scope of your rally at its proposed Downtown location requires me, as the City official charged with the general supervision and control of City property, to review your request in light of its significant impact on the community.

Based on information provided to me by law enforcement officials, the City has decided to approve your application for a permit to hold a demonstration on the day and at the times requested, provided that you use McIntire Park, rather than Emancipation Park, for your demonstration. To the extent that the permit is deemed granted due to inaction within ten days of receipt of the application, the City hereby modifies the permit, based on the above-referenced information, to specify that the demonstration take place at McIntire Park. If you are unwilling to use the McIntire Park location, the permit for Emancipation Park is hereby denied pursuant to section 3.4.5 of the City's Standard Operating Procedure ("SOP") for Special Events and Demonstrations or, if the Permit is deemed granted due to inaction within ten days of receipt of the application, the City hereby revokes the permit pursuant to section 3.4.7 of the City SOP.

Your permit application states that the demonstration will consist of approximately 400 people. However, in recent days it has come to the City's attention that many thousands of individuals are likely to attend the demonstration. Because Emancipation Park is a relatively confined space of just over one acre in a densely populated urban area with limited parking space, it is unable to accommodate safely even a peaceful crowd of this size. The City's law enforcement, fire and emergency medical services personnel cannot adequately protect people and property in and around Emancipation Park due to the number of anticipated attendees trying to occupy such a small and confined space. The Police Department also anticipates that the presence of such a large demonstration in Emancipation Park would require the closing of a section of East Market Street, leading to massive traffic congestion and shutting down a principal means of ingress and egress, for the duration of the 5 hour rally.

Email 3

Correspondence with Jason Kessler and Evan McLaren

Sunday, Aug 13, 2017, 10:46 AM

Press release

by Evan McLaren | evan.mclaren@gmail.com

Email Attachment

FOR IMMEDIATE RELEASE
AUGUST 13, 2017

JASON KESSLER
jason@unityandsecurity.org

**STATEMENT OF “UNITE THE RIGHT” RALLY
ORGANIZER**

Charlottesville, Virginia – Jason Kessler, the organizer of the “Unite the Right” rally, has disavowed the political violence that resulted in the death of at least one person and the injuries of many others.

“The blame for today’s violence lies primarily with Charlottesville government officials and the police officers who failed to maintain law and order, protect the First Amendment rights of rally participants, and provide for their safety,” Kessler said. “We coordinated with law enforcement officials with whom we put in place carefully-planned safety arrangements months prior to the event. Despite this, the Charlottesville Police Department and Virginia State Police intentionally departed from the plan. Instead of separating demonstrators and counter-demonstrators, and intervening when violent counter-protesters attacked the participants of the rally, they executed a deliberate plan to wait until we were gathered

in a small, barricaded area of the park, at which point they deployed riot police to drive us into the crowd of counter-protesters. Instead of maintaining law and order, the police purposefully created the catastrophe that led to a melee in the streets of Charlottesville and the death of a counter-protester.”

After the Charlottesville government backed out of the safety plan shortly prior to the event, Kessler and interested groups filed suit in federal court and obtained an emergency temporary restraining order requiring the Charlottesville government to permit the rally at Emancipation Park (formerly known as Lee Park). In spite of our possession of a lawful permit and our vindication in federal court, officials declared our assembly unlawful, arrested several of our peaceful demonstrators, and physically drove the rest from the Park.

Photographs have circulated via the Internet of counter-protesters carrying bows and arrows, knives, hammers, baseball bats, and even an improvised flamethrower made with an aerosol can. Participants of the “Unite the Right” rally were victimized by pepper spray used by counter-protesters.

“Charlottesville violated the federal court’s order by shutting down the rally at Lee Park after left-wing agitators began throwing bricks at us,” Kessler said. “Our right to free speech was violated when the police officers

acquiesced to the unconstitutional 'heckler's veto' raised by our detractors."

"Due to the police not maintaining order, many people were hurt," Kessler added. "The media is not showing who instigated the violence."

###

Email 4

Correspondence between Sam Dickson, Jason Kessler, and Kyle Bristow

August 8, 2017

Tuesday, Aug 8, 2017, 6:40 PM

Re: Charlottesville

by Sam Dickson I marchbloomling36@gmail.com

Jason:

You have done wondrously well.

I have been looking for lawyers. It's barely possible that if the ACLU has to back out, I can find someone.

If we had someone to sign off for a pro hac vice appearance, I could probably handle it especially if Kyle "The Tiger" Bristow helped with the pleadings.

Sam

*The Tiger - Clemenceau's nickname.

Email 5

Correspondence between Sam Dickson, Jason Kessler, and Kyle Bristow

August 8, 2017

Tuesday, Aug 8, 2017, 12:13 PM

Re: Charlottesville

by Bristow Law | bristowlaw@gmail.com

Jason,

Tell the ACLU lawyer that my cell phone number is (586) 713-8395 and my email address is BristowLaw@gmail.com.

I can draft the complaint and motion for an emergency temporary restraining order this evening after I leave my office, they can proofread and/or file it tomorrow, and the emergency hearing can occur on Thursday or Friday—before the rally.

Also, send me a succinct typed-up statement about the situation (i.e., who, what, where, when, how, why, etc). Email to me all online articles in which Charlottesville government officials said bad things about your political views. I will need this by tonight so I can use the info when I type up the complaint. Also, please email to me as PDFs documents which concern the situation (i.e., the letter relocating the event, your permit for the event, etc).

To war!

Regards,

Kyle



Bristow Law, PLLC

P.O. Box 381164

Clinton Twp., MI 48038

(248) 838-9934

bristowlaw@gmail.com

www.KyleBristow.com

www.MichiganDivorceAttorney.org

www.MichiganCriminalAttorney.org

www.MichiganRevengePornLawyer.com

Admissions: Michigan Courts and Agencies (P77200), Ohio Courts and Agencies (#0089543), U.S. Supreme Court (#296690), N.D. Ohio, E.D. Mich., W.D. Mich., 4th Cir., 5th Cir., 6th Cir., and Court of Appeals for the Armed Forces (#35818).

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THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.



Appendix 3: Receipts for Lodging and Travel

Receipt 1

Enterprise Rent-a-car Reservation 2016341239 at Alexandria - Olde Towne, August
11-13, 2017

Monday, Apr 16, 1:49 PM
Fwd: Confirmed: Enterprise Rent-A-Car Reservation 2016341239
at Alexandria - Olde Towne
by Gregory Conte | gregoryconte1@gmail.com
From: Enterprise Rent | No-Reply@enterprise.com
To: gregoryconte1@gmail.com



Visit enterprise.com

YOUR RESERVATION IS CONFIRMED

Thank you for your reservation.
Your confirmation number is 2016341239.

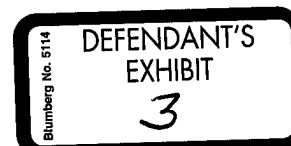
Pick-Up Details

Location Alexandria - Olde Towne
Date & Time Friday, August 11, 2017 @ 11:00 AM
Address 6954 Richmond Highway
Alexandria, VA 22303
Phone 703806900
Hours Friday: 7:30 AM - 6:00 PM

Return Details

Location Alexandria - Olde Towne
Date & Time Sunday, August 13, 2017 @ 1:00 PM
Address 6954 Richmond Highway
Alexandria, VA 22303
Phone 703806900
Hours Sunday: 12:00 AM - 12:00 AM
: 12:00 AM - 11:59 PM

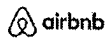
Payment Details



Receipt 2

AirBnB Reservation HMJ4AY8M8D, August 11-12, 2017

Monday, Apr 16, 1:39 PM
Fwd: Billing receipt for reservation HMJ4AY8M8D
by Gregory Conte | gregoryconte1@gmail.com
From: Airbnb | express@airbnb.com
To: gregoryconte1@gmail.com



[Email Receipt](#)

[Print Receipt](#)

[View Itinerary](#)

Customer Receipt

Confirmation Code: HMJ4AY8M8D
Wed, July 19, 2017
Receipt # 2419245455

Guests	Gregory Conte, Eli Kline
Travel Destination	Charlottesville, VA
Accommodation Address	56 Canterbury Road, Charlottesville, VA 22903, United States
Travel Property	Private Detached Guest Suite
Accommodation Type	Private room
Night	1

Receipt 3

Residence Inn Confirmation #71337594, August 12-13, 2017

Monday, Apr 18, 1:55 PM

**Fwd: Reservation Confirmation #71337594 for Residence Inn
Waynesboro**

by Gregory Conte | gregoryconte1@gmail.com

From: Residence Inn By Marriott | reservations@residenceinn-res.com
To: GREGORYCONTE1@gmail.com

Please check your reservation details using the link below.



Residence Inn Waynesboro

44 Windigrove Drive Waynesboro Virginia 22980 USA [#RICHFAN_US00](#)

+1-540-943-7426 [Hotel Website](#) [Map & Directions](#) [Plan Your Stay](#)



Reservation Confirmation: 71337594

For Gregory Conte

CHECK-IN DATE: **Saturday, August 12, 2017**
CHECK-IN TIME: **03:00 PM**

CHECK-OUT DATE: **Sunday, August 13, 2017**
CHECK-OUT TIME: **11:00 AM**

[Modify your reservation](#)

[Cancel your reservation](#)

Dear Gregory Conte,

We are happy to confirm your reservation with Residence Inn by Marriott, the all-suite hotel designed for all your needs. Below is a summary of your reservation details. Enjoy your stay with us.

Sincerely,
Residence Inn Waynesboro

Appendix 3: Tweets

Tweet 1

August 7, 2017

We won't give in to Charlottesville's city government.

<https://twitter.com/RichardBSpencer/status/894801039043547136>

Tweet 2

August 9, 2017

.@ViceMayorWesB



<https://twitter.com/RichardBSpencer/status/895502808518184960>

Tweet 3

August 10, 2017

Exactly

“The telephone company could not cut off your service because of your political views.
Social media must be treated the same.”

<https://twitter.com/RichardBSpencer/status/895638873577054209>

Tweet 4

August 10, 2017

We're winning, Mike. @MikeSigner

<https://twitter.com/RichardBSpencer/status/895654429504008192>

Tweet 5

August 10, 2017

Big If true.

@PatrickCaseyIE

“I’ve been hearing reports that Muslim groups have been bussed into Charlottesville in anticipation of #UniteTheRight.”

<https://twitter.com/RichardBSpencer/status/895846426818879488>

Tweet 6

August 11, 2017

The Charlottesville Statement

<https://t.co/qVI4PARFaR>

<https://twitter.com/RichardBSpencer/status/896022384867762177>

Tweet 7

August 11, 2017

<https://t.co/LogWSdwTI9>

<https://twitter.com/RichardBSpencer/status/896022448499548160>

Tweet 8

August 11, 2017

On the road to #Charlottesville.

<https://t.co/6PJyWG8N0f>

<https://twitter.com/RichardBSpencer/status/896052954645413889>

Tweet 9

August 11, 2017

“Garrisonville”

<https://t.co/m8rHn1Yrrn>

<https://twitter.com/RichardBSpencer/status/896072676241883136>

Tweet 10

C'ville's become a war zone. #Charlottesville



<https://twitter.com/RichardBSpencer/status/896158820958785538>

Tweet 11

Victory!

<https://t.co/jIRkxZDQJu>

<https://twitter.com/RichardBSpencer/status/896168480852119552>

Tweet 12

I told you we'd defeat you days ago.

Why didn't you just give in?

@MikeSigner @DrWesBellamy

<https://t.co/rZZGJtYJnZ>

Tweet 13

August 11, 2017

Hey, @EmilyGorcenski, wanna come to the afterparty? We have a wig you can wear.

<https://twitter.com/RichardBSpencer/status/896212261592866817>

Tweet 14

August 11, 2017

Fact check: true.

“They surrounded us at the statue

They wouldn't let us out”

<https://twitter.com/RichardBSpencer/status/896212848828981249>

Tweet 15

August 11, 2017

I love it when Antifa defend America.

@EmilyGorcenski

“What I just witnessed was the end of America.”

<https://twitter.com/RichardBSpencer/status/896213025908248576>

Tweet 16

August 11, 2017

We're trending #1 in U.S. right now.



United States trends



1 #Charlottesville

@ramzpaul, @RealistReport and 4 more are
Tweeting about this

2 #SongsWithLowSelfEsteem

3 Rich Hill

4 #HStansAreBeautiful

2,702 Tweets

<https://twitter.com/RichardBSpencer/status/896225091683581952>

Tweet 17

August 11, 2017

"For either side"? Only one side is throwing sucker punches. Wouldn't a gorilla fight back? Or is your "mindset" nonsense just a pose?

@Cernovich

"Left wing activist allegedly with the SPLC attacks "Baked Alaska." This is not appropriate for either side. I disavow all violence."

<https://twitter.com/RichardBSpencer/status/896227114525093888>

Tweet 18

Imagine being this stupid.

@Cernovich

ANTIFA and the media normalized political violence, this was all predictable.

<https://twitter.com/RichardBSpencer/status/896231318362763264>

Tweet 19

August 12, 2017

Get some help, girlfriend.

@Xychelsea

hey FASCISTS 🗣️🔊 in case you forgot 🧑🏻🧑🏻🧑🏻🧑🏻🧑🏻 #WeGotThis 🤪🏳️❤️
#Charlottesville

<https://twitter.com/RichardBSpencer/status/896328520296747008>

Tweet 20

August 12, 2017

So people with "privilege" don't have civil rights? Thanks for being clear.

@Cpicciolini

"You see how it's spun, folks? But what is not mentioned is the difference in privilege.
Just hope EVERYONE stays safe."

<https://twitter.com/RichardBSpencer/status/896352027068030976>

Tweet 21

August 12, 2017

I love the smell of mace in the morning!

Video 1

<https://twitter.com/RichardBSpencer/status/896383252965072898>

Tweet 22

August 12, 2017

We got maced. All part of the job. It feels good!

#Charlottesville

<https://twitter.com/RichardBSpencer/status/896384181739171840>

Tweet 23

August 12, 2017

Cville Video 2

<https://twitter.com/RichardBSpencer/status/896394427115196416>

Tweet 24

August 12

Cville Video 3

<https://twitter.com/RichardBSpencer/status/896396399826391041>

Tweet 25

August 12, 2017

Cville Video 4

<https://twitter.com/RichardBSpencer/status/896403320092446720>

Tweet 26

August 12, 2017

Video 5

<https://twitter.com/RichardBSpencer/status/896416077583978498>

Tweet 27

August 12, 2017

Did Trump just denounce antifa?

@RealDonaldTrump

We ALL must be united & condemn all that hate stands for. There is no place for this kind of violence in America. Lets come together as one!

<https://twitter.com/RichardBSpencer/status/896429521129418752>

Tweet 28

August 12, 2017

Or did Trump denounce the state police that cracked down on peacefully and lawfully assembled demonstrators?

@RealDonaldTrump

We ALL must be united & condemn all that hate stands for. There is no place for this kind of violence in America. Lets come together as one!

<https://twitter.com/realDonaldTrump/status/896420822780444672>

Tweet 29

August 12, 2017

@Patricia_DSC

Not me.

<https://twitter.com/RichardBSpencer/status/896450486282452992>

Tweet 30

August 12, 2017

Ramzpaul counter-signals the Alt-Right harder than Donald Trump.

Let that sink in.

<https://twitter.com/RichardBSpencer/status/896783367005507584>

Tweet 31

August 12, 2017

Can anyone look at the images from yesterday and not believe that the police had "stand down" orders?

<https://twitter.com/RichardBSpencer/status/896741458400751616>

Tweet 23

August 12, 2017

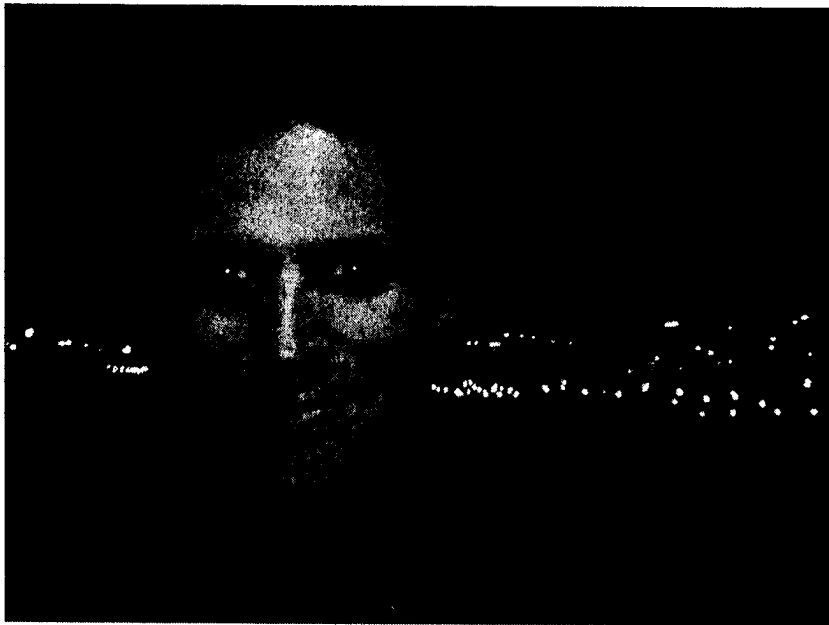
Rick Wilson goes full antifa. @TheRickWilson

“I like my fascists the old-fashioned way; dead, hanging from lamp-posts as we liberate their victims.”

<https://twitter.com/RichardBSpencer/status/896436693242441728>

Tweet 24

Amazing touch light march tonight! #charlottesville



<https://twitter.com/RichardBSpencer/status/896200313442631680>

Tweet 25

Let's do this! #Charlottesville



<https://twitter.com/RichardBSpencer/status/896360955029934081>

Tweet 26

August 13, 2017

I will not be attending the press conference in Charlottesville today. I'll hold my own in Washington on Monday. #Charlottesville

<https://twitter.com/RichardBSpencer/status/896754971844259841>

Tweet 27

August 12, 2017

This guy's a liar or moron. The state of emergency was declared hours *before* the car attack or accident.

<https://twitter.com/NBCNews/status/896501317912240128>

<https://twitter.com/RichardBSpencer/status/896524590469570561>

Tweet 28

August 13, 2017

This is outrageous. Kessler was there peacefully to speak his mind.

https://twitter.com/Phil_Lewis_/status/896827326461333504

<https://twitter.com/RichardBSpencer/status/896843597458415616>

Tweet 31

August 12, 2017

How many injuries occurred because of the outrageous actions of the police?

<https://twitter.com/ACLUVA/status/896386562484731904>

<https://twitter.com/RichardBSpencer/status/896553068849967104>

Tweet 32

August 12, 2017

Why was a car able to dive into a protest? Where were the roadblocks? #Charolettesville

<https://twitter.com/RichardBSpencer/status/896742736702865408>

Tweet 33

We came in peace. It was the government and antifa that used force against peaceful, lawful demonstrators.

@FLOTUS

“Our country encourages freedom of speech, but let's communicate w/o hate in our hearts. No good comes from violence. #Charlottesville”

<https://twitter.com/RichardBSpencer/status/896418504794157058>

Tweet 34

The Alt-Right is being refused service ... at lunch counters ... in the South ... for engaging in a peaceful demonstration ... 🤔🤔🤔



<https://twitter.com/RichardBSpencer/status/896054317211238400>

Tweet 35

August 12, 2017

Trump should not have praised the state and local police. They did the opposite of

their job. Total disaster. #Charlottesville

<https://twitter.com/RichardBSpencer/status/896456829097713664>

Tweet 36

August 12, 2017

My recommendation: Disperse. Get out of Charlottesville city limits. State of emergency has been called.

<https://twitter.com/RichardBSpencer/status/896410449654185984>

Tweet 37

August 13, 2017

The Charlottesville and Virginia police have blood on their hands. They policed the peaceful, and they exacerbated a mêlée. Total outrage.

<https://twitter.com/RichardBSpencer/status/896741058096365569>

Tweet 38

August 12, 2017

I'm watching images of the street violence outside the rally. Where were the police!? They failed. The demonstration itself was peaceful.

<https://twitter.com/RichardBSpencer/status/896448265826316289>

Tweet 39

August 12, 2017

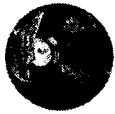
Is Charlottesville run by compete morons?

<https://twitter.com/RichardBSpencer/status/896525516865503233>

Tweet 40

August 18, 2017

I will no longer associate w/ Jason Kessler; no one should. Heyer's death was deeply saddening. "Payback" is a morally reprehensible idea.



Jason Kessler
@TheMadDimension



Heather Heyer was a fat, disgusting Communist. Communists have killed 94 million. Looks like it was payback time.

dailystormer.lol/heather-heyer-...

8/18/17, 11:25 PM

2 Retweets 13 Likes



<https://twitter.com/RichardBSpencer/status/898766109523951616>

Appendix 4: Essay on the Ethno-State

RadixJournal.com

<https://www.radixjournal.com/2016/09/2016-9-28-facing-the-future-as-a-minority/>

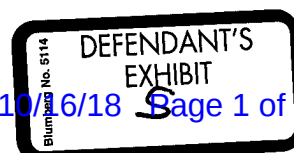
FACING THE FUTURE AS A MINORITY

This speech was delivered at the 2013 American Renaissance conference, which took place on April 5-7 near Nashville, Tennessee.

For as long as anyone can remember, immigration has been the chief political concern at gatherings such as this. At last night's cocktail party, "amnesty," "illegals," and various heroes and villains in Washington were discussed with great interest.

For people like us—who are asylumed away to the margins—one could say that immigration is our connection to the outside world. It makes us feel like we have a horse in the race—maybe even that, through our silent partners in the Beltway, we can affect national policy. We even get captivated, we must admit, by the political theater of "immigration reform." Ann Coulter's speech at the last Conservative Political Action Conference, for example, was catnip for racialsists. Ann staked out the far rightward territory of respectability; and though she used the language of Republican electioneering, she seemed to be winking and nodding at us the entire time.

Whenever any issue or idea receives universal accord—when it becomes an assumption, when



it's taken for granted—it's time to put it under serious scrutiny. We should ask what an issue like immigration can tell us about ourselves—about what our goals are, and should be, and how we could best engage in political action. I hope we can do that today.

* * *

That we have failed to stem immigration in our 45-year struggle is obvious enough. Some major amnesties have been halted due to energetic, grassroots activists, but mass-immigration proponents have walked away from these battles with confidence that they'll get it done next year.

That we have continuously failed is not, in itself, an argument against continuing along this course. Still, sometimes when we focus on various political skirmishes (like the current one over “amnesty”), we lose sight of the big picture—we lose sight of the fact that we have failed on a much deeper level than mere policy.

In the summer 2011, the Census Bureau reported that the majority of children born in the United States are non-White. Thus, from our perspective, any future immigration-restriction efforts are meaningless. Even if *all* immigration, legal and illegal, were miraculously halted tomorrow morning, our country's demographic destiny would merely be delayed by a decade or two. Put another way, we could *win* the immigration battle and nevertheless *lose* the country, and lose it completely.

And we shouldn't focus too much on the “2050” date, when Whites will become a minority, as if

once Whites drop to 49 percent, a bell will go after announcing the end of the American Dream. We are at a major crisis point *now*. And we are well past the point of no return with regards to “patriotic immigration reform.”

Furthermore, this insight into the irrelevance of immigration reform holds for the whole kit-and-caboodle of “conservative” causes. Should we, for instance, really be fighting for “limited government” or the Constitution, so that the Afro-Mestizo-Carribean Melting Pot can enjoy the blessing of liberty and a sound currency? (To ask the question is to answer it.)

SYMBOLIC POLITICS

Beyond failure, there’s always been something . . . *mendacious* about immigration reform. Leftists (who sometimes understand us better than we understand ourselves) have always sensed this; they know that when we talk about immigration, we’re not *really* talking about immigration.

There are very good reasons, of course, for any nation to oppose lawless entry. And there are unalterable mathematical factors at play: all things being equal, more workers equals lowers wages. These are (and should) be the concerns of the “respectable” immigration-reform movement.

But these are not *our* concerns.

The issues the Beltway immigration reformers focus on are essentially *quantitative* in nature, as you can see by the names of their organizations: “numbers,” “carrying capacity,” etc.

Our concerns are *qualitative*. As they should be. For in war, art, and enterprise, great quality can predominate over mere “numbers.” Our race’s history is replete with examples of this: of continental or overseas empires—the globe itself—being administered by a central elite. More impressive still are the examples of one man with little money or support—whether it be Copernicus, Martin Luther, or Nietzsche—overturning whole schools of thought and institutions and society’s most basic assumptions.

Quality should have a practical effect on how we think about the immigration issue. What would we say and do, to take a hypothetical example, if a million Swiss or Russian “boat people” washed up on a seashore, due to some international catastrophe? Would we oppose granting them citizenship, out of some devotion to legality and fairness? I wouldn’t. I would become a bleeding-heart liberal and argue that these refugees would improve our economy and enrich our culture (as they likely would). And such an example might not remain hypothetical. In the foreseeable future, we may very well face this exact situation with the Boer people of South Africa. We need to think now about how we will react and articulate our position.

For us “immigration” is a proxy for race. In that way, immigration can be good or bad: it can be a conquest (as it seems now) . . . or a European in-gathering, something like White Zionism. It all depends on the immigrants. And we should open our minds to the positive possibilities of mass immigration from the White world.

Taking a step back, it seems that for everyone “immigration” is a proxy, a mask, a lie. Perhaps all of political activism and wonkery are manifestation of deeper, largely unconscious desires for

power. When we hear any professional “Latino” support this or that social program, we sense in our guts that her policy proscriptions are rationalizations for nationalism. She might *say* “more immigration is good”; she *means* “The Anglos are finished!”

In turn, we are right to view “conservative” activism—especially those hokey and embarrassing events like Glenn Beck rallies—as symbolic in-gatherings of America’s historic majority, as ways for Whites to feel a sense of belonging and identity in a world that is increasingly cold and hostile. Generic “conservatism”—despite itself—has become a kind of White identity politics. And however flawed, all of its prominent ideological features resonate in the hearts of decent White people: self-reliance, freedom, uprightness etc. And when White men talk about “restoring the Constitution”—or, more so, “Taking Our Country Back”—leftists and non-Whites are right to view this as threatening and racist: it implies a return to origins and that the White man once owned America. However much we might critique these conservative ideas, we cannot deny this basic *symbolism*. Indeed, it is due to this symbolism—and not policy—that conservative leaders like Glenn Beck have to envelope all-White events in “Martin Luther King” and the most useless political issues possible. They can’t let the natives get out of hand. . .

* * *

Now, if we accept that generic conservatism is symbolic, we should ask a higher-level question—Is this proxy actually good for our movement and, more important, for our race and civilization?

We were able to understand the futility of the immigration issue by asking *not* what would

happen if the movement lost, but what would happen if it actually won. In t

urn, we should ask an analogous question: what exactly would conservatism “restore” or “take back”?

We can look to history for answers.

In 1789, we had the Constitution. We had a government that was a mere flea in comparison to the elephant that rules us today. Confiscatory taxation was unheard of; the invasions of personal privacy we experience today wasn’t only rare but was, for the most part, infeasible. We had a more republican, indeed, aristocratic, political system. We had bounteous natural resources and no threatening world power bordering our country.

Yet, within 75 years, we had inflicted upon ourselves a devastating Civil War—one that decimated the Founding stock of the country. Within 125 to 150 years, our political system had become dominated by same kind of liberal egalitarianism it is today.

Why should we believe that, if we could “restore the Constitution,” the outcome would be any different? One should not rewind a movie, play it again, and then be surprised when it reaches the same unhappy ending.

Of course, history is not determined; it is not a film reel or script. But looking dispassionately at our current situation, we can only conclude that if we could hit a political “reset button,” this time around, the outcome would be far *worse*.

We are entering a world of resource scarcity (not abundance), and we are not dealing with Blacks that are socially and politically inferior, but some hundred million non-Whites who are empowered by our political system.

Thus, we don't have to speculate about whether Rand Paul (and any other "right-wing" Republican) *really* wants to restore constitutional government or would *actually* be able to do so. This is all irrelevant. The goals themselves are wrong and must be abandoned.

Supporting Paul, or whatever version of the Tea Party or Republican "immigration hawk" comes up next, is not "pragmatic"; it is, to the contrary, entirely impractical. And it would be devastating for our movement politically: we would be spending our limited resources of time, energy, and money on politicians whose rosier conceivable outcome would not change anything. "Restoring the Constitution" and "patriotic immigration reform" are just more in a series of safety valves and escape hatches preventing us from confronting the real issues facing our race.

Before we can move forward, we must come to terms with some rather dismal truths. There are no policy proscriptions or politicians currently open to us that will fundamentally alter our destiny. And, most likely, within our lifetimes, we will not see the kind rebirth of Occidental civilization that we in this room know is necessary.

What we can do now is begin to set a new and different course. Our challenge is to reorient our people, spiritually as much as intellectually and politically, to a world that will be hostile towards them and towards a future beyond the United State of America.

MINORITY REPORT

I'm sure that when many heard the title of my talk, "Facing the Future as a Minority," they cringed at the very notion. It insults our pride and dignity to think that I might be suggesting we go out and find ourselves a White Al Sharpton, who could speak at demonstrations after various hate-crime hoaxes and badger politicians until Whites got a seat at the trough. Perhaps I might start calling my "The Reverend" Richard Spencer and hold prayer vigils after some celebrity misused the word "cracker."

Believe me, I find this just as offensive as you do.

The good news is that the "Al Sharpton" option will never be open to us. Whites are and will always be the *exception* to multiculturalism; we will never be allowed to play the game.

We must also recognize that not only will we always be at odds with the multi-cult, but, at least at the beginning, we will be at odds with the people we seek to defend. In White America's unconscious, they *are* America. And the process of letting that dream go will be painful.

Moreover, the era of mass immigration into Western countries coincided with stunning advances in consumer capitalism, technology, and access to higher education. In the public's imagination, multiculturalism was linked (however irrationally) with increased living standards and general "progress." For some, a White society might seem to be a retreat, towards less prosperity and dynamism.

Suffice it to say, this will be a hard path.

One characteristic that we must adopt as White minority advocates is a new openness to alternative political forms, even things that have previously made us cringe. One of those was suggested by our friends outside protesting our gathering. No, not “Bomb Dresden Again!” but “Go Back to Europe!” Emigration with an E is, of course, not practical for all Whites in North America; and at the moment at least, it seems that Western Europe is dedicated to its destruction almost as much as America. But we should be open to this option.

Back to Europe? Not a bad idea...

I would also direct you to the work on racial separatism of two men: Michael Hart and Rabbi Mayer Schiller, both of whom have presented real plans for dividing up the existing United States, mostly on the basis of race and partly on ideology. (Michael generously offers Liberals the chance to live in “Diversity” canton if they so desire. . .)

There is, I admit, a certain pie-in-the-sky quality to these proposals, as if a map-maker in his study could create new countries. But we should remember that in the last century, racially defined nation-building was a major “progressive” cause. We now think that the so-called “liberal elites” have always been dedicated to multiculturalism and race-mixing. This is not quite the case, as liberals have a history of adopting “national determination” and even “ethno-nationalism” as their causes. In 1919, following the Great War, the world’s statesmen met in Paris to (for lack of a better term) re-map the world after the dissolution of the defeated empires. New countries were invented (the Kingdom of Croats, Serbs, Slovenes), old ones were reborn (Poland), and ethnicities got their day in the Sun (Czechoslovakia). Related to this process was

the Balfour Declaration and British mandate for a homeland for the Jews in Palestine.

Nationalists of many stripes captured the hearts and minds of political actors.

Today, in the public imagination, “ethnic-cleansing” has been associated with civil war and mass murder (understandably so). But this need not be the case. 1919 is a real example of successful ethnic redistribution—done by fiat, we should remember, but done peacefully.

OUR CAUSE

Like the nationalists of a century ago, we need a cause—and one that’s different, greater, and more advanced than the conservative “hot button” issues that are fading into irrelevance. We need to be more than mere “reactionaries,” who spasmodically ignite in the face of some new liberal innovation—all the while being gradually pushed in their enemies’ direction, towards accepting their enemies’ assumptions, towards defeat. We need a *telos*, an outcome or end goal—something that we are working towards, that channels our energies. We need an *ideal*. And ideals are greatest when they at first seem “impossible.”

The ideal I advocate is the creation of a White Ethno-State on the North American continent.

Vis-a-vis most contemporary states that are putatively based on the Rights of Man and “democracy,” our project would be a new kind of political and social order. It would be a state for the 21 century—or 22nd: reflecting advances in communication and transportation, it would be a home for Germans, Latins, and Slavs from around the world. On one level, it would be a reconstitution of the Roman Empire. The Ethno-State would be, to borrow the title of a novel by

Theodor Herzl (one of the founding fathers of Zionism), an *Altneuland*—an old, new country.

* * *

I'm sure there's no shortage of people, most likely even people in this room, who'd inform me that an Ethno-State would be beautiful but, alas, "infeasible." In the face of this, we need to remember something very important: the creation of a White Ethno-State on the American continent is perfectly feasible. Indeed, it is a *modest* project in comparison to brining democracy to the Middle East, narrowing the SAT score gap, or inspiring young women to become mathematicians, or countless other looney and infantile trillion-dollar initiative with which the American government is currently engaged.

We shouldn't forget that before the current government dedicated its resources to equalizing mankind, it channelled billions—created industries, created whole cities—for the goal of space exploration. (It has since given up this project in favor of boosting the Muslim world's self-esteem.)

When I travelled to my hometown recently, I noted that the wealthy Whites of Dallas, Texas, have dedicated their disposable income to a charity hospital skyscraper, built in the hopes of taking care of other peoples' children and other peoples' problems. (It's hard to get them to give 100 bucks to AmRen or NPI.)

Action is, in a way, the *easy* part.

Channelling action, setting a goal, identifying a *telos*—saying yes and saying no—*that* is what is

difficult.

In this way, our challenge is one of the spirit.

Our task is to capture the imaginations of our people (or the best of our people) and shock them out of their current assumption of what they think is possible. The means of doing this is *not* to promise a 20-percent reductions in immigration or sales taxes—or the narrowing of the scope of government. To the contrary, we need to offer our people what Herzl called “the voluptuous idea.”

We need an ethno-state so that our people can “come home again,” can live amongst family, and feel safe and secure. But we also need an Ethno-state so that Whites can again reach the stars. Before the onset of the “equality” sclerosis, Europeans had a unique ability to risk everything for ends that are super-human. We must give up the false dreams of equality and democracy—*not* so that we could “wake up” to reality; reality is boring—but so that we can take up the new dreams of channelling our energies and labor towards the exploration of our universe, towards the fostering of a new people, who are healthier, stronger, more intelligent, more beautiful, more athletic. We need an ethno-state so that we could rival the ancients.

In *Altneuland*, Herzl wrote, referring to his “utopian” plan for a Jewish state in Palestine: “If you wish it, it is no fairy tale. . . If you don’t wish it, it is a fairly tale and will remain one.”

Or, to quote another historical figure: “I have a dream.”