

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA
CIVIL DIVISION**

MICHAEL T. FLYNN,

Plaintiff,

v.

JIM STEWARTSON, et al.,

Defendants.

Case No.: 2023 CA 004264 NC

Division C Circuit

**PLAINTIFF'S MOTION FOR SANCTIONS ARISING FROM DEFENDANT'S
57.105 CLAIM MOTIONS**

Plaintiff, Michael T. Flynn, by and through undersigned counsel, hereby moves this Honorable Court to impose sanctions pursuant to Fla. Stat. § 57.105, including the award of the Plaintiff's reasonable attorney's fees and costs, against Defendant, Jim Stewartson, and his attorneys, George Thurlow, Craig Whisenhunt, Rahdert, Mortimer & Thurlow, and Ripley Whisenhunt, PLLC, and in support thereof, states as follows.

1. "The central purpose of section 57.105 is, and always has been, to deter meritless filings and thus streamline the administration and procedure of the courts." *Davis v. Bailyson*, 268 So. 3d 762, 769 (Fla. 4th DCA 2019) (quoting *Mullins v. Kennedy*, 847 So. 2d 1151, 1154 (Fla 5th DCA 2003)). Fla. Stat. § 57.105 requires a court to award attorney's fees where the opposing party or counsel knew, or should have known, that a claim or defense: (a) was not supported by the material facts necessary to establish the claim; or (b) would not be supported by the application of then-existing law to those facts. A party must

make reasonable efforts to determine whether a position is supported by fact and law before asserting it. *See Bowen v. Brewer*, 936 So. 2d 757, 762 (Fla. 2d DCA 2006).

2. On January 31, 2024, the day after General Flynn’s Count I for defamation survived Defendant’s motion to dismiss, Defendant filed his first motion for sanctions. DIN 77. Next, on February 15, 2026, on the eve of trial, Defendant filed his second motion for sanctions, supplementing his first motion for sanctions (“Frivolous Claim Motions”). DIN 241.

3. The Frivolous Claim Motions are devoid of substantive argument; instead, Defendant merely repeats the standard under Fla. Stat. § 57.105, and, in conclusory fashion, asserts that General Flynn violated that standard. The lack of any real argument illustrates the frivolity of Defendant’s own motions, and that, as discussed further below, Defendant brought the motions for improper purposes.¹

4. In order to prevail on the Frivolous Claim Motions, Defendant must illustrate that there was “a complete absence of a justiciable issue of law or fact” underpinning General Flynn’s pleadings. *Mason v. Highlands County Bd. of County Com'rs*, 817 So.2d 922, 923 (Fla. 2d DCA 2002). This finding “must be based upon substantial, competent evidence presented at the hearing on

¹ Courts have recognized in the Rule 11 context “that a frivolous Rule 11 sanction motion may itself be a violation of Rule 11.” *Ahuruonye v. United States Dept. of Interior*, 312 F. Supp. 3d 1, 26 n.22 (D.D.C. 2018) (quoting *Naegele v. Albers*, 355 F. Supp. 2d 129, 145 (D.D.C. 2005)). “[A] Rule 11 motion for sanctions or any other motion should not be ‘presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.’” *Id.* (quoting Fed. R. Civ. P. 11(b)(1)–(2)).

attorney's fees or otherwise before the court and in the record.” *Id.* Obtaining dismissal or summary judgment is not enough to warrant sanctions. *Wendy's of N.E. Florida, Inc. v. Vandergriff*, 865 So.2d 520, 523 (Fla. 4th DCA 2003). To warrant sanctions, a claim must be “wholly unsupported.” *Id.* The case must be “*completely* without merit or contradicted by *overwhelming* evidence.” *Asinmaz v. Semrau*, 42 So.3d 955, 959 (Fla. 4th DCA 2010) (emphasis added); *see also Vasquez v. Provincial South, Inc.*, 795 So.2d 216, 218 (Fla. 4th DCA 2001) (“Florida favors access to the courts and has interpreted section 57.105 to provide a remedy only where the plaintiff’s complaint is completely untenable.”).

5. Florida’s sanctions standard is “intended to address the issue of frivolous pleadings.” *Read v. Taylor*, 832 So.2d 219, 222 (Fla. 4th DCA 2002). A claim is frivolous if it “raises arguments a reasonable lawyer would either know are not well grounded in fact, or would know are not warranted either by existing law or by a reasonable argument for the extension, modification, or reversal of existing law.” *Visoly v. Sec. Pacific Credit Corp.*, 768 So.2d 482, 491 (Fla. 3d DCA 2000).

6. In defamation cases, courts have recognized additional hurdles to issuing sanctions. *See Scott v. Busch*, 907 So.2d 662 (Fla. 5th DCA 2005). In *Scott*, the trial court dismissed the plaintiff’s complaint for defamation and imposed sanctions, finding “the defamation claim was ‘devoid of even arguable substance.’” *Id.* at 664. The Fifth District Court of Appeal disagreed, reversing the trial court’s sanctions. *Id.*

7. That court emphasized the difficulty plaintiffs face in bringing defamation cases, noting:

The law of slander and defamation is so ancient it contains numerous illogical twists and refinements stemming from ecclesiastical law, as well as the common law. Currently it is overlaid with statutory and constitutional requirements and limitations. It is confusing, unclear, illogical, and somewhat in conflict. Courts and judges frequently disagree with one another as to whether an actionable defamation has been established, as a matter of law.

Id. at 665–66. Ultimately, the court reversed not only the dismissal, but also the sanctions orders, finding the plaintiff successfully pled a cause of action. *Id.* at 666.

8. Likewise, in *Shulmister v. Yaffe*, the Fourth District Court of Appeal reversed the trial court’s imposition of sanctions in a defamation case, finding “there was not a complete absence of a justiciable issue of either law or fact.” 912 So.2d 53, 54 (Fla. 4th DCA 2005).

9. In his first motion, Defendant simply restated nine different allegations from General Flynn’s Second Amended Complaint, stating that General Flynn could not prove these allegations. DIN 77 at 2. Defendant, however, did not point to any evidence or support for that conclusory assertion; instead, asserting that General Flynn should take his word for it based on his motion to dismiss. *Id.* at 3.

10. Defendant’s second motion continues to rely on mere conclusory assertions. Defendant’s entire argument boils down to General Flynn is a public figure who will need to show actual malice, the actual malice standard is difficult to meet, and there is no evidence that Defendant acted with actual malice. DIN

241 at 2–3. Defendant also attaches his and General Flynn’s deposition transcripts without any argument as to how they help Defendant satisfy his burden. *See generally id.*

11. In sum, Defendant filed two briefs in support of his assertion for sanctions, however, did not provide any substantive argument or evidence in either to meet his high burden in establishing an entitlement to sanctions.

12. Defendant had the opportunity to challenge the sufficiency of the evidence in this case through summary judgment, however, declined to even attempt to do so until the eve of trial. Considering that General Flynn’s defamation count survived all the way to trial, and Defendant cannot meet his heavy burden in showing that General Flynn’s claims were frivolous, the only frivolous conduct here is Defendant’s continued pursuit of these phantom sanctions.

13. To be clear, at no point during this litigation have General Flynn’s claims been “completely untenable.” Defendant has presented *zero* argument or evidence in support of his motions to the contrary. While the Court struck some of the defamatory statements from General Flynn’s Second Amended Complaint, this does not mean that Defendant is entitled to sanctions. *See Wendy’s of N.E. Florida, Inc.*, 865 So.2d at 523 (“An award of fees is not always appropriate under section 57.105, even when the party seeking fees was successful in obtaining the dismissal of the action or summary judgment in an action.”); *MC Liberty Express, Inc. v. All Points Services, Inc.*, 252 So.3d 397, 403 (Fla. 3d DCA 2018) (“Thus, an award of fees under section 57.105 requires more than the moving party

succeeding in obtaining a dismissal of the action or the entry of a summary judgment in its favor.”); *MacAlister v. Bevis Const., Inc.*, 164 So.3d 773, 776 (Fla. 2d DCA 2015) (“Section 57.105 must be applied with restraint to ensure that it serves its intended purpose of discouraging baseless claims without casting ‘a chilling effect on use of the courts.’”).

14. Furthermore, discovery conducted by the parties developed and reinforced the good faith belief that General Flynn would ultimately prevail on his claims at trial. Defendant merely asserts, in conclusory fashion, that there is no evidence that he acted with actual malice. The law and facts, however, self-evidently tell a different story.

15. As an initial matter, “[p]rofessions of good faith will be unlikely to prove persuasive, for example, where a story is fabricated by the defendant [or] is the product of his imagination.” *St. Amant v. Thompson*, 390 U.S. 727, 732 (1968). Furthermore, a defamation defendant will be unlikely to prevail if their “allegations are so inherently improbable that only a reckless man would have put them in circulation.” *Id.* at 732. As to each of the four statements that survived dismissal, Defendant testified in deposition that he had no basis for these lies and/or were so inherently improbable that Defendant was reckless to even put them in circulation.

16. These four statements include: (1) “Mike Flynn is a nazi.”; (2) “He wants to be Hitler. He wants a second Holocaust. Truly.”; (3) “Mike Flynn employed Jack Posobiec to torture prisoners in Guantanamo while Flynn was

head of @DefenseIntel.”; and (4) “Mike Flynn literally tried to murder Mike Pence.”

17. General Flynn dedicated his life to protecting the United States, serving in the United States Army for more than thirty-three years and rising to the rank of Lieutenant General. General Flynn then served as Assistant Director of National Intelligence in the Office of the Director of National Intelligence and as the 18th Director of the Defense Intelligence Agency. The idea that General Flynn would be a Nazi, in that he aims to create a racially homogeneous "Aryan" society through the exclusion, persecution, and genocide of all other races, views Jewish persons as an existential threat and also supports a mass slaughter of individuals who are not members of the “Aryan race,” is ludicrous. As is the idea that General Flynn literally attempted to murder the sitting Vice President of the United States. Only a reckless person would put such lies into circulation.

18. The evidence also indicates that Defendant simply made up these lies whole cloth. In his Interrogatory responses, Defendant stated the factual basis for his statement that General Flynn wants a second Holocaust is that during Covid, he promoted “hoax cures such as Ivermectin and Hydrochloroquine,” and supports mass deportations. Interrogatory No. 6. During his deposition, Defendant defined the Holocaust as “genocide,” meaning “a systematic murder of a specific kind of person.” Stewartson Depo. Tr. at 29:14–20. At no point has Defendant pointed to anything to illustrate that General Flynn wanted the genocide of any group of people. Instead, it was an utter

fabrication, rendering his professions of good faith meritless, and further exposing his questionable stability.

19. Similarly, Defendant's only basis for stating that General Flynn employed Jack Posobiec to torture prisoners is that Jack Posobiec stated he interrogated prisoners at Guantanamo Bay, and the ACLU said that torture occurred at Guantanamo Bay. Interrogatory No. 7; Stewartson Depo. Tr. at 30:8–31:18. That is it. Defendant did not point to any instances of Mr. Posobiec actually torturing prisoners, nor was he aware of any official investigations finding any such torture actually occurred. Stewartson Depo. Tr. at 31:19–25. As the Seventh Circuit held, “[i]f a writer can sit down in the quiet of his cubicle and create conversations as ‘a logical extension of what must have gone on’ and dispense this as news, it is difficult to perceive what First Amendment protection such fiction can claim.” *Carson v. Allied News Co.*, 529 F.2d 206, 213 (7th Cir. 1976). Defendant merely engaged in fabrication to fit his delusional narrative.

20. Finally, the entire basis for Defendant's statement that General Flynn literally tried to murder Vice President Pence is that some people at the Capitol chanted “Hang Mike Pence!” Interrogatory No. 8. Defendant himself admitted that he is completely unaware of any statement that General Flynn made indicating he wanted to murder Vice President Pence. Stewartson Depo. Tr. at 34:9–19. In other words, Defendant admittedly had no basis to publish this lie. Such utter fabrications are not protected.

21. Defendant accused General Flynn of serious crimes. As Defendant is well aware, however, General Flynn has never been criminally charged or

credibly accused of committing any of these crimes, despite Special Counsel investigations by Robert Mueller and Jack Smith. And the evidence makes clear that Defendant had no real basis to accuse General Flynn of any of this conduct. Still, it does not appear that Defendant actually sought to determine the truth before recklessly spewing his lies. While “failure to investigate will not alone support a finding of actual malice,” “purposeful avoidance of the truth is in a different category.” *Harte-Hanks Communications, Inc. v. Connaughton*, 491 U.S. 657, 692 (1989) (quoting *St. Amant*, 390 U.S. at 731-33). See also *Hunt*, 720 F.2d at 644–45 (“When a story is not ‘hot news,’ ‘actual malice may be inferred when the investigation ... was grossly inadequate in the circumstances,” and “a publisher cannot feign ignorance or profess good faith when there are clear indications present which bring into question the truth or falsity of defamatory statements.”). Here, such serious accusations in the face of no real evidence that General Flynn actually engaged in such conduct warranted a second look before publications, yet Defendant did not do so because he did not want to learn the truth, because the truth would have destroyed his narrative. There can be no First Amendment protection for such reckless conduct.

22. Defendant had clear reason to lie about General Flynn. Defendant has been self-employed since 2021, and only receives income from his Substack account, where he charges subscribers monthly fees to view his blogs, some of which concern General Flynn. Stewartson Depo. Tr. at 16:1–16:12, 22:6–22:25. Accordingly, Defendant’s livelihood depends on him making sensationalist stories about General Flynn and others to drive up his own revenue. Defendant’s

animus toward General Flynn is also well-documented in Defendant's own social media posts. While "a showing of ill will, alone, cannot establish actual malice . . . ill will or motive, when combined with other evidence, may amount to actual malice." *Don King Prods., Inc. v. Walt Disney Co.*, 40 So. 3d 40, 44 (Fla. 4th DCA 2010). The combination of this evidence illustrates that General Flynn's claims were not "completely untenable."

23. Moreover, General Flynn's voluntary dismissal of his claims does not change or remove the merit and colorable nature of General Flynn's claims, as well as his likelihood of success had he chosen to proceed to the jury trial. Fla. R. Civ. P. 1.420(a)(1) specifically states that the dismissal was not an adjudication of the merits. Instead, General Flynn dismissed his claims because it became abundantly clear that Defendant, by virtue of his financial situation as a self-employed blogger, would be unable to pay any judgment after the significant expenses of a trial. The fact remains, however, that General Flynn feels confident, which the facts and evidence verify, that he would have secured a favorable judgment at trial.

24. Based on the foregoing, the Frivolous Claim Motions are themselves frivolous and improper. It is abundantly clear that Defendant is pressing forward with these baseless motions for improper purposes. On the day General Flynn voluntarily dismissed his claims, Defendant directed a post on X toward General Flynn, stating: "@GenFlynn this is not the end of anything. You tried to bully me and blinked. *We're not done.* DefendSpeechNow.org." (emphasis added).² In

² Jim Stewartson (@jimstewartson), X (Mar. 11, 2026, at 4:02 PM),

doing so, Defendant promoted his own 501(c)(4), attempting to raise money for his organization. The next day, Defendant posted: “Now that Q dropped his lolsuit, I’m trying to figure out how much of a dick I should be about it. There are a range of opportunities *to really embarrass* some people who deserve it. Anyway, here are 14 true things you can now say about Mike Flynn—worry free!” (emphasis added)³ And after General Flynn received a settlement in a separate litigation, Defendant posted: “Make sure he doesn’t spend it all Jesse. I’m coming for it.”⁴ Defendant continued: “As General Crybaby Mike Flynn takes a victory lap over his \$1.2M hush money payment from DOJ, I’d like to remind everyone that it is **TOTALLY LEGAL** to say these 14 true things about him. @GenFlynn you’re going to pay my lawyers with that money. *And that’s just the beginning.*” (emphasis added).⁵

25. This makes it clear that Defendant is not pursuing sanctions for any proper purpose, but rather to harass General Flynn, continue to achieve notoriety from his involvement in this litigation, and raise money for his own organizations. Such purposes are improper and sanctionable.

26. Undersigned counsel is not aware of any cases where litigation proceeded all the way to trial and sanctions were awarded on the basis of the claims being frivolous. The fact that this case proceeded to trial is evidence, in

<https://x.com/jimstewartson/status/2031823197772136944>.

³ Jim Stewartson (@jimstewartson), X (Mar. 12, 2026, at 5:51 PM), <https://x.com/jimstewartson/status/2032212821254213744>.

⁴ Jim Stewartson (@jimstewartson), X (Mar. 26, 2026, at 8:59 AM), <https://x.com/jimstewartson/status/2037152337828212744>.

⁵ Jim Stewartson (@jimstewartson), X (Mar. 29, 2026, at 1:02 PM), <https://x.com/jimstewartson/status/2038300775114486092>.

and of itself, that this case was *not* frivolous or completely untenable. Still, Defendant has pressed forward with these motions. Plaintiff asks this Court to find that it is Defendant, and his counsel, who should be sanctioned for this frivolous conduct.

27. Pursuant to Fla. Stat. § 57.105(4), Plaintiff served this Motion upon Defendant and Defendant's counsel and provided the required twenty-one (21) day safe harbor period prior to filing. Defendant has failed to withdraw his frivolous motions during that period.

WHEREFORE, Plaintiff, Michael T. Flynn, respectfully requests that this Court issue an order: (1) Granting this Motion; (2) Awarding General Flynn his attorneys' fees and costs incurred defending against the Frivolous Claim Motions; (3) Finding that Defendant and his counsel are jointly and severally liable for General Flynn's attorneys' fees and costs; and (4) Granting any other relief this Court deems proper.

Dated: April 29, 2026

Respectfully submitted,

/s/ Stephen B. French
Stephen B. French
(Fl. Bar No. 0078761)
Jared J. Roberts
(Fl. Bar No. 1036550)
BINNALL LAW GROUP, PLLC
717 King Street, Suite 200
Alexandria, Virginia 22314
Phone: (703) 888-1943
Fax: (703) 888-1930
Email: stephen@binnall.com
jared@binnall.com

Counsel for Michael T. Flynn

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2026, I have caused a true and accurate copy of the foregoing to be delivered to counsel of record via e-filing.

/s/ Stephen B. French
Stephen B. French
(Fl. Bar No. 0078761)

Counsel for Michael T. Flynn

EXHIBIT A

**IN THE CIRCUIT COURT OF THE TWELTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA
CIVIL DIVISION**

Michael T. Flynn,
Plaintiff,

v.

Case No.: 2023 CA 004264 NC

Jim Stewartson,
Rick Wilson,
Defendants.

_____ /

**DEFENDANT STEWARTSON'S RESPONSES TO PLAINTIFF'S FIRST SET OF
INTERROGATORIES**

Defendant, JIM STEWARTSON, by and through undersigned counsel, hereby responds to Plaintiff, MICHAEL T. FLYNN's, First Set of Interrogatories as follows:

GENERAL OBJECTIONS

1. **Overbroad and Unduly Burdensome:** Defendant objects to each Interrogatory to the extent that it is overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. The Interrogatories are extensive and appear to be intended to impose an undue burden on the Defendant rather than to obtain relevant information.
2. **Irrelevant and Not Proportionate:** Defendant objects to each Interrogatory that seeks information irrelevant to the claims and defenses in this action or is disproportionate to the needs of the case. Specifically, Defendant objects to any request that seeks information unrelated to Plaintiff's claims of defamation or to Defendant's alleged statements.
3. **Vague, Ambiguous, and Undefined Terms:** Defendant objects to each Interrogatory as vague and ambiguous to the extent that it uses terms not adequately defined, such as "describe," "identify," "source," and other terms that are subjective or broad. The lack of clarity impedes Defendant's ability to respond fully and accurately.

4. **Privilege and Work Product Protections:** Defendant objects to each Interrogatory to the extent it seeks information protected by the attorney-client privilege, the attorney work-product doctrine, or any other applicable privilege. Any inadvertent disclosure of privileged information shall not constitute a waiver of any applicable privilege.
5. **Privacy and Confidentiality:** Defendant objects to each Interrogatory to the extent it seeks private or confidential information concerning third parties, including but not limited to personal information of third parties that is irrelevant to the issues at hand.
6. **Information Not Within Defendant's Possession, Custody, or Control:** Defendant objects to each Interrogatory to the extent that it requests information or documents not within Defendant's possession, custody, or control, or that Defendant has no reasonable means of obtaining.
7. **Duplicative or Cumulative Requests:** Defendant objects to any Interrogatory that is duplicative of other Interrogatories or cumulative of previously provided information. To the extent any Interrogatory repeats requests for the same information, Defendant objects on the grounds that responding would be unnecessarily burdensome and duplicative.
8. **Speculative and Hypothetical Information:** Defendant objects to each Interrogatory to the extent it requests speculative or hypothetical information, which is not subject to discovery and is outside the scope of Defendant's personal knowledge or ability to provide factual responses.
9. **Exceeds Permissible Scope:** Defendant objects to the extent that the scope of Interrogatories exceeds the limits set by the Florida Rules of Civil Procedure or any Order of the Court governing discovery in this matter. Defendant reserves the right to object to answering Interrogatories that exceed any such limitations.
10. **Reservation of Rights:** Defendant reserves the right to supplement, amend, or modify these General Objections and any specific objections and responses to individual Interrogatories as additional facts or information become available or upon further investigation.

RESPONSES

1. Identify all persons who you believe have knowledge of facts and circumstances related to this matter. Include in your response the subjects of that information upon which you believe they have knowledge.

RESPONSE: Defendant has formed his conclusions on his own based on open source information (OSINT) and articles read. He does not recall the specific sources. Therefore, he does not have direct knowledge at this time of any persons with knowledge of facts and circumstances related to this matter besides the parties to this litigation.

2. Identify all persons or entities who have a financial or legal interest in this cause of action and describe the basis and extent of said interest.

RESPONSE: Defendant Stewartson objects to this interrogatory on the grounds to the extent that it concerns privileged attorney-client communications and attorney work product; in Florida civil litigation, the identity of third parties paying a party's legal fees is generally considered confidential and protected by attorney-client privilege. *Tumelaire v. Naples Estates Homeowners Ass'n*, 137 So. 3d 596, 599 (Fla. 2d DCA 2014).

Without waiving said objection, Defendant does not know of anyone with a specific financial or legal interest in this cause of action other than the parties to this case and their respective legal counsel. While a GoFundMe (<https://www.gofundme.com/f/stop-mike-flynn>) has been organized by friends of the defendant to assist in paying attorney's fees, such funds are considered gifts to the defendant which are not subject to refund or reimbursement based upon the outcome of this matter.

3. Identify and describe the nature of your employment you have or had from January 2020 to present, including, but not limited to, when you began and/or concluded the employment, your title or position name, and what services you provide[d] or perform[ed].

RESPONSE: Defendant has been employed as an Independent Contractor working as a software developer since January 2020 and was briefly employed as an employee by Latitude, Inc.—a game design company—as a software developer in 2022.

4. Identify and describe whether you have ever received payment for any podcast episodes, media appearances, YouTube shows, or other social media posts in which you have discussed General Flynn. Include in your response the amount you were paid and by whom.

RESPONSE: Pursuant to the Court’s Order Granting in Part Denying in Part Plaintiffs Motion to Compel, Defendant need not disclose the amounts paid. Defendant operates a subscription Substack page where many articles have mentioned Plaintiff but such compensation is a monthly subscription fee. Defendant has not received payment for any podcast episodes, media appearances, YouTube shows, or other social media posts where General Flynn has been discussed.

5. Describe the complete factual basis, including identification of any source, for your assertion on X, as shown in ¶ 58 of the Complaint, that General Flynn is a “Nazi.” Include in your response: the name of the source, their address, and email address.

RESPONSE: Defendant Stewartson objects to this interrogatory on the grounds that it is irrelevant, in that calling a person a “Nazi” is necessarily protected opinion speech because it is not provably true or false which is the requirement for a statement of fact. Additionally, Defendant objects on the grounds that this interrogatory is unduly burdensome. Without waiving said objection, Defendant relied on the following information in forming his opinion that Plaintiff is a “Nazi”:

Defendant has studied General Flynn since the Summer of 2020 when Flynn pledged a QAnon oath on the 4th of July, 2020 (<https://www.cnn.com/2020/07/07/politics/michael-flynn-qanon-video/index.html>). In 4½ years, Defendant has written over 100,000 posts on Twitter/X, including more than 22,000 photos and videos (x.com/jimstewartson). Additionally, Defendant has written over 1,500 well-documented articles on Substack ([mind-war.com](https://www.substack.com/home/profile/mind-war)), totaling at least four million words. Defendant comes to his conclusions through publicly available facts and evidence, in addition to his own extensive research and reporting.

Defendant has used thousands of sources, including open-source reference sites like Wikipedia, books, videos, FOIA records, court documents and public interviews. As an example, Plaintiff frequently refers to his political enemies as “Bolsheviks,” “Marxists,” “communists,” and “globalists” who are engaged in a conspiracy to take over the government. This is nearly identical to the myth

that Hitler used in the Holocaust. This can easily be confirmed through open sources such as https://en.wikipedia.org/wiki/Jewish_Bolshevism

The Auschwitz Memorial Museum in Oświęcim, Poland seemingly agreed with Defendant's assertion that Plaintiff is a "Nazi", and certainly did not seek to correct that assertion in the tweet below:



Flynn's antisemitism was also noted in numerous publications such as Forward (<https://forward.com/fast-forward/557520/michael-flynn-auschwitz-antisemitism/>) and the Jerusalem Post (<https://www.jpost.com/diaspora/antisemitism/article-755011>).

6. Describe the complete factual basis, including identification of any source, for your assertion on X, as shown in ¶ 65 of the Complaint, that General Flynn "wants a second Holocaust." Include in your response: the name of the source, their address, and email address.

RESPONSE: Defendant Stewartson objects to this interrogatory on the grounds that it is irrelevant, in that stating a person "wants a second Holocaust" is necessarily protected opinion speech because it is not provably true or false which is the requirement for a statement of fact. Additionally, Defendant objects on the grounds that this interrogatory is unduly burdensome. Without waiving said objection, Defendant relied on the following information in forming his opinion that Plaintiff "wants a second Holocaust": Plaintiff and his family perpetually promote hoax cures such as Ivermectin and Hydrochloroquine and conspiracy theories about COVID, which have been blamed for hundreds of thousands of excess deaths. Additionally, Plaintiff and his allies have constantly promoted false propaganda about tens of millions of "illegals" which must be "rounded up" and "deported." This was the pretext for rounding up Jews, Roma, homosexuals and other targets of the Nazis leading to the Holocaust.

7. Describe the complete factual basis, including identification of any source, for your assertion on X, as shown in ¶ 83 of the Complaint, that General Flynn “employed Jack Posobiec to torture prisoners.” Include in your response: the name of the source, their address, and email address.

RESPONSE: Defendant objects to this interrogatory on the grounds that it is unduly burdensome. Without waiving said objection, Defendant relied upon the following information before stating that Plaintiff “employed Jack Posobiec to torture prisoners.”:

Defendant relies on the words of Plaintiff’s former employee at the Defense Intelligence Agency, Jack Posobiec. The most recent example was October 19th, 2024. The video can be seen here:

https://x.com/jimstewartson/status/1847769131896184912?s=61&t=iBvMIJFg5q29q_PO4AFErA

Plaintiff was with Posobiec when Posobiec said this on stage:

“And I don't talk about my service a lot 'cause it's not about that. I hardly did anything compared to what so many other people did, but there was one deployment that I did to Guantanamo Bay Cuba, and at that deployment to Guantanamo Bay Cuba, I was sent down there to the interrogation cell on a mission by the DIA, the Defense Intelligence Agency, and the director of the DIA at that time, I think he's still here, staying right back there, and his name was Gen and is General Michael Flynn, I served under General Flynn. (audience cheering) And you know, every time I see him, I kind of feel like it's like we're walking around and I was like, "Oh, my uniform is, you know, "you gotta pop up when he steps into the elevator, "because even though I've gotten to know him since then, "to me, he's always gonna be the general." And every time you see him outside, every time you see him, you know you gotta stand at attention and stand tall, because that's what General Flynn always taught us.”

Philadelphia Magazine also published an article in 2017

(<https://www.phillymag.com/news/2017/09/16/jack-posobiec-trump-fake-news/>) stating that Posobiec “pulled a 10-month deployment at Guantanamo Bay, where he was part of the team that interrogated prisoners and rewarded the cooperative ones with hamburgers, *Lost* DVDs and Harry Potter books.” In that article, Posobiec referred to how people frequently asked him “How many people did you waterboard?”

Numerous organizations, have called what happens at Guantanamo “torture” including the ACLU in 2022:

<https://www.aclu.org/news/human-rights/20-years-later-guantanamo-remains-a-disgraceful-stain-on-our-nation-it-needs-to-end>

8. Describe the complete factual basis, including identification of any source, for your assertion on X, as shown in ¶ 84 of the Complaint, that General Flynn “literally tried to murder Mike Pence.” Include in your response: the name of the source, their address, and email address.

RESPONSE: Defendant objects to this interrogatory on the grounds that it is a statement of opinion and rhetorical hyperbole, while this interrogatory assumes that Defendant made this statement as a statement of fact.

Without waiving that objection, Defendant based his statement upon numerous reports from credible media outlets regarding General Flynn’s involvement in organizing the January 6, 2021, attack on the United States Capital, and the fact that those present at the attacks chanted “Hang Mike Pence!”

In furtherance of Defendant’s contention that this is protected political speech, Defendant notes that Congressman Jamie Raskin (D-MD) addressed Republican Vice-Presidential nominee J.D. Vance during the Democratic National Convention saying, “They tried to kill your predecessor.” (<https://thehill.com/homenews/4836461-jamie-raskin-jd-vance-donald-trump-mike-pence-jan-6-dnc-remarks/>). Therefore, Defendant’s opinion and use of rhetorical hyperbole in this situation is rather commonplace political speech.

9. Identify and describe the steps you took to confirm or fact check your assertions identified in ¶¶ 58, 65, 83, and 84 of the Complaint.

RESPONSE: Defendant objects to this interrogatory on the grounds that these statements are protected statements of opinion and rhetorical hyperbole, while this interrogatory assumes that Defendant made these statements as a statements of fact. Defendant further objects on the grounds that this interrogatory is vague, overly broad, ambiguous, and unduly burdensome.

Defendant also objects on the grounds that the terms “confirm” and “fact check” are not defined.

Without waiving said objections, Defendant estimates that he spent more than 20,000 hours on research and reporting over 4½ years “confirm” or “fact check” his assertions. Every assertion is backed up by facts and evidence.

10. Identify and describe any and all communications from January 1, 2022, to present between you and any other individuals or entities, other than your attorneys, regarding your allegations about General Flynn in your assertions identified in ¶¶ 58, 65, 83, and 84 of the Complaint.

RESPONSE: Defendant objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and unlikely to lead to the discovery of admissible evidence. Defendant objects to this interrogatory to the extent such statements were made in privileged and confidential settings. Defendant also objects on the grounds that statements are publicly available on social media. Without waiving said objections, Defendant does not recall any communications besides those published publicly on X (formerly Twitter) and his blog.

11. Identify and describe any communications with or attempts to contact General Flynn regarding your allegations against him in your assertions identified in ¶¶ 58, 65, 83, and 84 of the Complaint. Include in your response the date, time, and means of attempting to contact General Flynn.

RESPONSE: Defendant objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and unlikely to lead to the discovery of admissible evidence

Without waiving said objections, Defendant only recalls communicating with General Flynn through public posts on X (formerly Twitter) such as those cited in the Complaint.

12. Identify and describe any and all communications from January 1, 2020, to present between you and any other individuals regarding General Flynn.

RESPONSE: Pursuant to the Court's Order Granting in Part and Denying in Part Plaintiff's Motion to Compel, this interrogatory solely pertains to the four (4) statements that are subject to this litigation. Defendant objects to this interrogatory insofar as it pertains to privileged attorney-client communications.

Without waiving said objection, Defendant has had ongoing communications about General Flynn with his legal counsel. Such communications are privileged attorney-client communications. Defendant has also engaged in public dialogue on X/Twitter on each of the tweets. Outside of those privileged or public communications, Defendant has not discussed the four (4) statements that are subject to this litigation with anyone else.

13. Identify any and all social media accounts operated or controlled, in whole or in part, by you and state the creation date of those accounts.

RESPONSE: Defendant objects to this interrogatory insofar as what constitutes a "social media account" is not defined. Without waiving said objection, Defendant responds as follows: Defendant has a Twitter/X account, started 2011, a Substack account, started in 2022, a Threads account started in 2023, and a Mastodon account started in 2022. Defendant also has a Facebook account which he does not actively use, and which was created more than ten (10) years ago.

Twitter/X: <https://x.com/jimstewartson>

Substack: <https://substack.com/@jimstewartson>

Threads: <https://www.threads.net/tag/jim-stewartson>

Mastodon: <https://mastodon.online/@jimstewartson@toad.social>

Facebook: <https://www.facebook.com/jim.stewartson>

14. Identify and describe each policy of insurance, or other financial arrangement, that might afford liability coverage to you for the defamation alleged in the Complaint, including homeowners, excess,

umbrella, or other policies. For any such policy, state the name and address of the named insured and of the insurance company, the policy number, the policy period, the limits of liability coverage, and whether question or doubt exists as to your rights under the policy.

RESPONSE: To the best of Defendant's knowledge, there is no available coverage. Defendant does not have homeowners, excess, or umbrella coverage. His only similar type of policy is a barebones renter's insurance policy.

15. Identify all persons who provided information that was used in preparing the responses to these Interrogatories and all sources of information, including any documents, consulted, or referred to in the preparation of these answers.

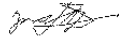
RESPONSE: Defendant consulted with his legal counsel in preparation of these responses. Any other documents referenced are cited in responses to other interrogatories.

16. State the name, address, telephone number, and email address for each person likely to have discoverable information, along with the subjects of that information, that relate to the subjects of the public statements you have made against General Flynn in ¶¶ 58, 65, 83, and 84 of the Complaint.

RESPONSE: Defendant Stewartson objects to this interrogatory on the grounds that it is vague, unduly burdensome and calls for speculation. Defendant's statements all concern matters of public importance, and Defendant cannot possibly know every person who may have knowledge of some or all of the relevant information alleged in this lawsuit. Defendant further objects on the grounds that this interrogatory is duplicative of interrogatory no. 1. Without waiving said objection, Defendant believes that no individuals, other than those already publicly known and/or known to Plaintiff, would have discoverable information that relate to the subjects of the public statements you have made against General Flynn in ¶¶ 58, 65, 83, and 84 of the Complaint.

Dated: September 25, 2025

Under penalties of perjury, I declare that I have read the foregoing answers to interrogatories and that the answers are true and correct to the best of my knowledge and belief.



Jim Stewartson
Defendant

/s/ George A.D. Thurlow

George K. Rahdert, Esquire
FBN 213365

George A.D. Thurlow, Esquire
FBN 1019960

Rahdert & Mortimer, PLLC
535 Central Avenue, Suite 200
St. Petersburg, FL 33701

Phone: (727)823-4191

Fax: (727)823-6189

Email: grahdert@rahdertlaw.com
service@rahdertlaw.com
gthurlow@rahdertlaw.com
tmccreary@rahdertlaw.com

Craig A. Whisenhunt, Esquire
FBN 81745

Ripley Whisenhunt, PLLC
8130 66th Street North, Suite 3
Pinellas Park, FL 33781

Phone: (727)256-1660

Email: craig@rwrlawfirm.com
efiling@rightingwrongsflorida.com

Attorneys for Defendant, STEWARTSON

ROGS Revised 9-25-2025

Final Audit Report

2025-09-25

Created:	2025-09-25
By:	George Thurlow (george.thurlow@outlook.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA_98E2IWpj6k1EI5nD_1xKOUhAOIRqmYP

"ROGS Revised 9-25-2025" History

-  Document created by George Thurlow (george.thurlow@outlook.com)
2025-09-25 - 9:44:51 PM GMT- IP address: 24.73.95.22
-  Document emailed to Jim Stewartson (jim@rides.tv) for signature
2025-09-25 - 9:44:55 PM GMT
-  Email viewed by Jim Stewartson (jim@rides.tv)
2025-09-25 - 9:45:46 PM GMT- IP address: 66.249.84.225
-  Document e-signed by Jim Stewartson (jim@rides.tv)
Signature Date: 2025-09-25 - 9:46:10 PM GMT - Time Source: server- IP address: 104.28.124.86
-  Agreement completed.
2025-09-25 - 9:46:10 PM GMT