

REDACTED

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Anton J. Lazzaro,

Plaintiff,

vs.

Case Type: Civil-Other
Court File No.: 62-CV-25-7666
Judge Reynaldo A. Aligada, Jr.

Jeffrey R. Anderson and Jeff
Anderson & Associates, P.A.,

Defendants.

**DEFENDANTS' MEMORANDUM OF LAW IN SUPPORT OF SPECIAL MOTION
FOR EXPEDITED RELIEF PURSUANT TO MINN. STAT. § 554.09 AND FOR
ATTORNEYS' FEES AND COSTS PURSUANT TO MINN. STAT. § 554.16 AND,
ALTERNATIVELY, TO DISMISS PURSUANT TO MINN. R. CIV. P. 12.02(e)**

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INTRODUCTION

On March 31, 2023, following a ten-day trial, a federal jury convicted Plaintiff Anton J. Lazzaro (“Lazzaro”) of five counts of Sex Trafficking of a Minor and one count of Conspiracy to Commit Sex Trafficking of Minors. Lazzaro’s convictions and sentence were unanimously affirmed by the Eighth Circuit Court of Appeals, which found the mountain of record evidence substantiating Lazzaro’s heinous, predatory behavior was “more than sufficient” to support the jury’s guilty verdict. As summarized by the Eighth Circuit, the evidence showed that Lazzaro’s exploitation of minors “followed a similar pattern”:

Lazzaro or Castro Medina would identify young girls through social media. Then Castro Medina or someone acting on her behalf would reach out, asking if the girls wanted a “sugar daddy” and offering to put them in touch with Lazzaro. Often, the girls would be told how Lazzaro could get them alcohol or whatever else they wanted, and how he would pay for their time. They would receive photos of money and alcohol, or photos of Lazzaro with celebrities. The girls would then be put in touch with Lazzaro, who would talk with them through social media. Eventually, the girls would arrive at Lazzaro’s condo, where he would ply them with drugs or alcohol, while remaining sober himself. He would offer them money to remove their clothes, pose for photos, or kiss each other. Lazzaro would then have sex with the girls in his bedroom. After he was finished, Lazzaro would give the girls money or other expensive items, and each time, Castro Medina would get a cut for her help arranging the meeting.

United States v. Lazzaro, 129 F.4th 514, 521 (8th Cir. 2025). Leaving no doubt, Lazzaro specifically “told Castro Medina”—his “recruiter”—what he wanted: “‘younger girls’ between 16 and 18—with a preference for the former—who were ‘broken girls, sluts, [and] whores.’” *Id.* at 520. As recounted by the Eighth Circuit, the overwhelming evidence at trial showed Lazzaro’s depraved use of his wealth to identify, recruit, and sexually exploit vulnerable minors between the ages of 15 and 17. Five of those victims testified at trial, offering heartrending accounts of the devastation Lazzaro wrought in their lives.

Defendant Jeffrey R. Anderson (“Anderson”) is an attorney and founder of Defendant Jeff Anderson & Associates, P.A. (“JAA”)—a law firm dedicated to the representation of victims of childhood sexual abuse. On December 3, 2024, JAA held a media conference (the “Press Conference”) to announce a civil lawsuit filed on behalf of Victim A—a minor victim and survivor of the sex trafficking scheme for which Lazzaro was convicted. Victim A filed her lawsuit against the owners and operators of the Hotel Ivy (where Lazzaro lived and trafficked his victims), asserting claims under the Trafficking Victims Protection Reauthorization Act and for premises liability, negligence, and vicarious liability. During the Press Conference, Anderson catalogued the record evidence and testimony from Lazzaro’s criminal trial that supported Victim A’s allegations in the civil action.

Throughout his criminal case and even after his convictions, Lazzaro has shown a stunning lack of remorse to his victims and refused to accept responsibility for his actions. This lawsuit is more of the same. In his complaint, Lazzaro levels meritless claims of defamation and defamation per se for seven statements uttered by Anderson during the Press Conference. As established by video evidence, Lazzaro pleads most of these statements incompletely or inaccurately. The alleged statements, which are set forth completely in Table E on pages 51-54 below, can be summarized as follows:

- 1) Statement #1 includes a minor inaccuracy as to the length of Lazzaro’s prison term, which Defendants elsewhere consistently reported accurately;
- 2) Statement #2 is a true statement, reciting testimony from Lazzaro’s criminal trial, that Lazzaro used his convicted co-conspirator to “recruit” victims and offered “cash” to those victims in exchange for sex;
- 3) Statement # 3 is a true statement, reciting testimony from Lazzaro’s criminal trial, that the Hotel Ivy contains a private elevator bank for condominium residents, which Lazzaro’s victims used with assistance and authorization from hotel staff;

- 4) Statement #4 a true statement, reciting testimony from Lazzaro's criminal trial, that Lazzaro's victims were "often times" intoxicated to the point that they were "unable to walk out, uh, on their own free will";
- 5) Statement #5 is a true statement, reciting testimony from Lazzaro's criminal trial, about an instance in which the father of a 16 year-old victim pleaded with staff of the Hotel Ivy to intervene when his second daughter—just 18 years' old—was alone and intoxicated with Lazzaro in his residence, in the immediate aftermath of Lazzaro paying both daughters and their friend to pose together for lewd photographs and have sex with Lazzaro "one by one";
- 6) Statement #6 is a true statement, reciting testimony and evidence from Lazzaro's criminal case, concerning Lazzaro's efforts to coerce the silence of minor victims using nondisclosure agreements and hush money payments; and
- 7) Statement #7 offers an opinion, in response to a media member's question, that evidence of inaction by Hotel Ivy staff created "an implication" that Lazzaro paid staff to "look the other way," with the immediate caveat that Defendants had not interviewed witnesses that said so and that Defendants would "be able to answer that question more definitively once we get into what we call discovery."

(See *infra*, Table E.) Lazzaro's claims are frivolous and must be dismissed under Minnesota's Uniform Public Expression Protection Act ("UPEPA") for at least four independent reasons.

First, Lazzaro cannot make an essential showing of falsity. Five of seven statements are indisputably true or substantially true characterizations of the copious record evidence at Lazzaro's criminal trial and are therefore unactionable as a matter of law. The sixth is a substantially true statement of triviality concerning the length of Lazzaro's sentence. (The seventh statement, as discussed below, is one of nonactionable opinion that cannot be deemed "true" or "false.") Even assuming minor inaccuracies, the "gist" or "sting" of these statements remains the same and, as a legal matter, they do not inflict any incremental harm on Lazzaro's reputation—a reputation he had already thoroughly destroyed through his own conduct.

Second, and for much the same reason, five alleged statements are protected under the fair and accurate reporting privilege as mere recitations of the copious record evidence and testimony elicited (and credited) during Lazzaro's criminal trial. Anderson clarified repeatedly during the

Press Conference that he was reciting “testimony” and “evidence” from the criminal case—sworn testimony and evidence that aligns neatly with his statements. To eliminate any doubt, JAA’s digital press release and YouTube page hosting the Press Conference each stated that the lawsuit’s allegations were “according to the lawsuit and trial testimony.”

Third, two of the alleged statements are either wholly or partially statements of opinion or subjectivity that are nonactionable as a matter of law.

Fourth, each alleged statement concerns Lazzaro—a public figure—and Lazzaro’s criminal trial—a matter of public concern. Lazzaro cannot meet his resulting burden to show, by clear and convincing evidence, that Defendants acted with actual malice.

Because Lazzaro has not made a prima facie case as to each element of his defamation claims, has not stated any claim upon which relief can be granted, and cannot show any genuine issue of material fact, the Court must dismiss this action with prejudice and award Defendants their attorneys’ fees, costs, and expenses under Minn. Stat. § 554.16.

I. ISSUES

Pursuant to Minn. R. Gen. Prac. 115.03(d)(1), the issues which are the grounds for this motion relate to whether Defendants defamed Lazzaro during the Press Conference. Specifically, these issues include whether the allegedly defamatory statements are true or substantially true, whether the statements are subject to the fair and accurate reporting privilege, whether the allegedly defamatory statements constitute nonactionable opinion, whether Lazzaro is a public figure under defamation law, whether the alleged statements concern matters of public concern, whether Lazzaro can show clear and convincing evidence that Defendants acted with actual malice, and whether Lazzaro can establish damages.

II. DOCUMENTS COMPRISING THE RECORD

Pursuant to Minn. R. Gen. Prac. 115.03(d)(2), Defendants identify the following:

- Complaint (Index No. 3);
- Declaration of Barry Landy and all exhibits attached thereto, which include;
 - true and correct copies of transcripts from the jury trial conducted in Lazzaro’s criminal sex trafficking case, *United States v. Anton Joseph Lazzaro and Gisela Castro Medina*, No. 21-cr-173 (D. Minn.);
 - a true and correct copy of the plea agreement entered by Lazzaro’s co-defendant and conspirator, Gisela Castro Medina;
 - true and correct copies of other publicly available filings from Lazzaro’s criminal sex trafficking case;
 - other documents bearing the Bates pre-fix “JA Minor Doe 1,” as they were produced in discovery in the matters of *JA-Minor Doe 1 v. Anton Joseph Lazzaro*, No. 21-cv-1985 (D. Minn.) and *JA Doe 1 v. Heartland Ivy Partners LLC, et al.*, No. 24-cv-4347 (D. Minn.);
- other publicly available filings from Lazzaro’s criminal sex trafficking case, as cited herein; and
- other online and publicly-available sources, including a recording of the Press Conference referenced in Lazzaro’s complaint, media coverage of Lazzaro, and Lazzaro’s publicly available websites and social media accounts, as cited herein.

III. RECITAL OF FACTS¹

A. The Parties.

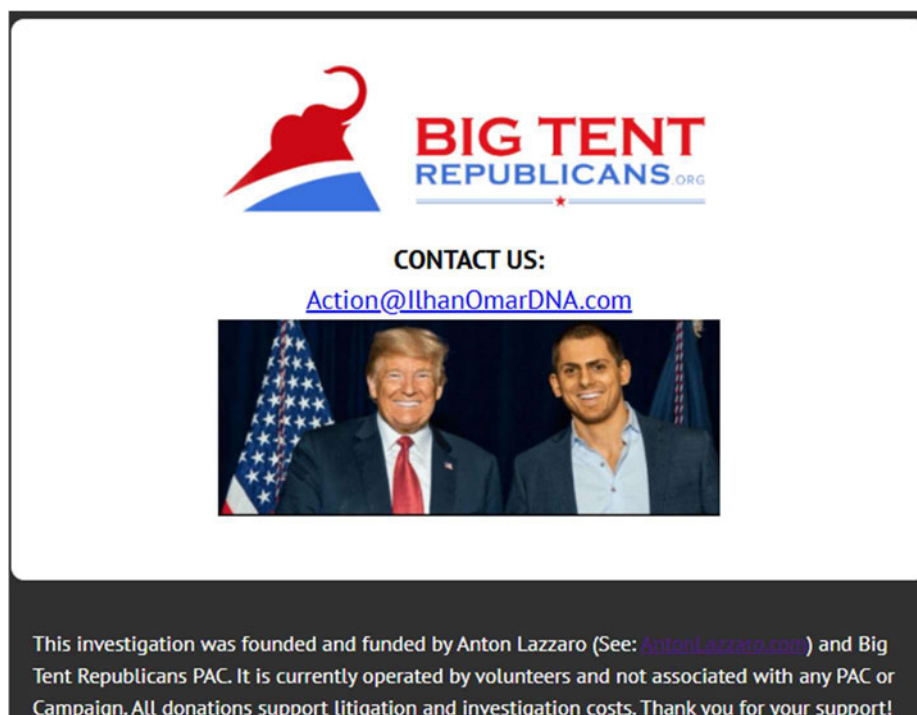
Plaintiff Anton Lazzaro is a resident of Minnesota who lived at all relevant times in Hennepin County, Minnesota. (Compl. ¶ 14 [Index No. 1].) Defendant Anderson is an attorney and founder of JAA. (*Id.* ¶ 15.) Defendant JAA is a law firm and Minnesota professional association with its principal place of business in St. Paul, Minnesota. (*Id.* ¶ 16.) Defendants specialize in the representation of victims and survivors of childhood sex abuse. (*Id.* ¶ 19.)

B. Before his indictment for sex trafficking, Anton Lazzaro deployed his wealth to become a publicly known political operative, pundit, and donor.

Lazzaro was criminally indicted in 2021 for sex trafficking minors and conspiring to commit sex trafficking of minors. This indictment, and the years'-long criminal case that followed, received extensive media coverage. This media coverage was fueled not only by the heinous and grotesque nature of Lazzaro's sex-trafficking activity, but also his existing status as a public figure. In the years preceding his criminal case, Lazzaro had strategically deployed his wealth and resources to enmesh himself in public debate and establish himself as a publicly known political donor and operative.

¹ Under UPEPA, the action must be dismissed with prejudice if either: (1) Lazzaro "fails to establish a prima facie case as to each essential element of the cause of action"; or (2) Defendants demonstrate that either: (a) Lazzaro has failed to state a claim upon which relief can be granted; or (b) there is no genuine issue as to any material fact and Defendants are "entitled to judgment as a matter of law on the cause of action or part of the cause of action." Minn. Stat. § 554.13. Accordingly, these facts are presented to the Court pursuant to Minn. R. Gen. Prac. 115.01(d)(3) and are drawn from the Complaint and documents that are public records, embraced by the allegations in the Complaint, and the authenticity of which is not disputed. These facts demonstrate that Lazzaro has not made a prima facie case as to each element of his defamation claims, has not stated any claim upon which relief can be granted, and that, regardless, there is no genuine dispute as to any material fact.

As Lazzaro tells it, his “political life” pre-indictment was “active and robust. Aside from being a GOP donor, he ran campaigns for Republican candidates and was a vocal critic of DOJ conduct and corrupt politicians.” (Lazzaro’s Amended Mtn. to Dismiss for Selective and Vindictive Prosecution, ECF No. 236 at 8–9, *United States v. Lazzaro*, No. 21-cr-173 (D. Minn. Aug. 19, 2022).)² For example, Lazzaro founded and chaired a political action committee (*i.e.*, “PAC”) known as Big Tent Republicans:



(<https://www.ilhanomardna.com/> (last accessed Jan. 8, 2026); *see also* Landy Ex.³ I ¶ 4 (“My PAC reported these findings on <http://IlhanOmarDNA.com>”).) Big Tent Republicans fundraised for and consulted on various political campaigns and causes, such as Lacy Johnson’s 2020 run for Congress. (*See* Federal Election Commission, *Big Tent Republicans PAC, Statement of*

² Lazzaro’s website—maintained to this day—similarly claims that Lazzaro was an “entrepreneur, well-respected Republican donor, campaign advisor and RNC delegate in Minneapolis” before his indictment. (<https://antonlazzaro.com/> (last accessed Jan. 8, 2026).)

³ Citations to “Landy Ex.” are to exhibits attached to the Declaration of Barry Landy filed in support of this motion.

Organization (Dec. 6, 2019), <https://docquery.fec.gov/pdf/440/201912069166160440/201912069166160440.pdf> (identifying Big Tent Republicans as “Joint Fundraising Representative” for Lacy Johnson for Congress and Lazzaro as “Designated Agent”).)

Beyond fundraising and contributing directly to political campaigns, Lazzaro used Big Tent Republicans as a vehicle to fund and publish sensationalized, exposé-style opposition research into rival candidates. In fact, Lazzaro would later argue (repeatedly) that the Government was “selectively” and “vindictively” prosecuting him for sex trafficking as retribution for his efforts to ostensibly reveal “serious allegations of immigration, marriage, and tax fraud” against U.S. Representative, Ilhan Omar. (Lazzaro’s Am. Mtn. to Dismiss for Selective and Vindictive Prosecution, ECF No. 236 at 8–9 & n.7, *United States v. Lazzaro*, No. 21-cr-173 (D. Minn. Aug. 19, 2022).) In a sworn declaration, Lazzaro has attested that his PAC, Big Tent Republicans, conducted this “\$200,000 investigation” and “reported these findings on <http://IlhanOmarDNA.com>.” (Landy Ex. I ¶ 4; accord *IlhanOmarDNA.com* (“This investigation was founded and funded by Anton Lazzaro (See: AntonLazzaro.com) and Big Tent Republicans PAC.”).) For these ostensible findings, Lazzaro received attribution and coverage from national media outlets, such as New York Post, Daily Mail, and Tucker Carlson’s Fox News program.⁴

⁴ E.g., New York Post, *Opinion, FBI dodged Ilhan Omar-‘bro’ wed probe: Devine* (Aug. 16, 2021), available at <https://nypost.com/2021/08/15/fbi-dodged-ilhan-omar-bro-wed-probe-devine/> (“Lazarro [sic] and a group of conservative donors had spent hundreds of thousands of dollars on three continents hiring private investigators to track down Elmi Omar’s ex-husband in the UK and procure his DNA from a drinking straw.”); Daily Mail, *EXCLUSIVE: Is this the proof that Ilhan Omar married her own brother to bypass US immigration rules?* (Aug. 13, 2021), available at <https://www.dailymail.co.uk/news/article-9891015/Claims-DNA-match-proves-Ilhan-Omar-married-brother.html> (“The test was posted online by Anton Lazzaro, a Republican strategist in Minneapolis on Wednesday.”); Fox News, *Tucker Carlson Tonight, DNA evidence reportedly proves Ilhan Omar married her brother* (Aug. 18, 2021), <https://www.foxnews.com/video/6268538170001> (attributing investigation to Lazzaro).

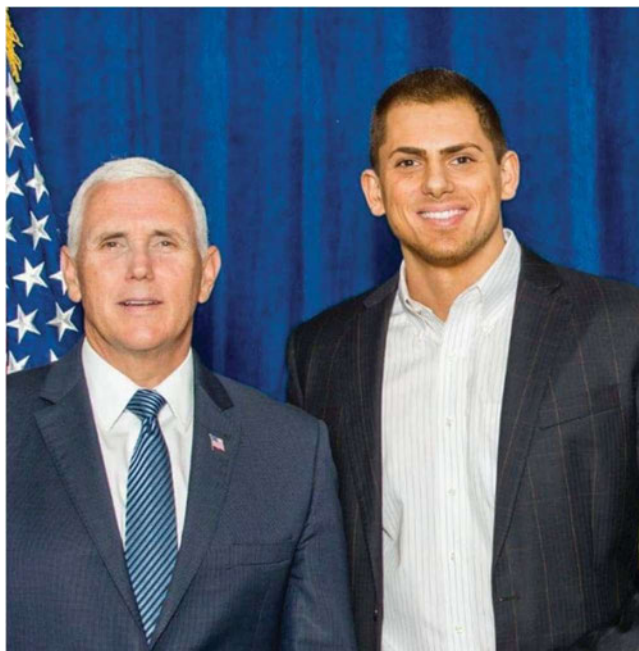
As touted by Lazzaro on his own websites and social media accounts, Lazzaro's wealth gained him access to the Republican party's most prominent figures:



(Landy Ex. A.)



(Landy Ex. B, *also available at antonlazzaro.com* (last accessed Jan. 8, 2026).)



(Landy Ex. C, also available at antonlazzaro.com.)



(YouTube, *KARE 11, Turmoil within the MN GOP following Anton Lazzaro sex trafficking charges* (Aug. 16, 2021), <https://www.youtube.com/watch?v=AZ6IjQ7Bau0>.)

Lazzaro was also an active political commentator in various forms of media. From 2019 to 2020, for example, Lazzaro co-hosted a podcast with Jennifer Carnahan, then-Chair of the Republican Party of Minnesota:



MNGOP's #TruthMatters

By

Chair of the MNGOP, Jennifer Carnahan, is here to talk everything going on with the Republican Party of Minnesota and what really matters, the truth.

MNGOP's #TruthMatters episodes:

Q Search episodes...

November 03, 2019

002: Presidency In Peril? Nope

Chair of the MNGOP, Jennifer Carnahan is joined by co-host, and advocate for the MNGOP, Tony Lazzaro. We take your calls on what's on your political periphery. Talking about Jason Lewis' next bid for election and the media's bias is becoming increasingly clear as we grow closer to Election Day. Major Dave Hughes from the 7th Congressional District calls in to shed some light on what's going on with his area demographically. Just how close we are to flipping Minnesota to Red, but where we need to be doing better. Fighting back against the negative assumptions the Republican Party carries with it, and bringing to light some of the double standards of the Democrats.



40min

▶ Play

(Podcast App, *MNGOP's #TruthMatters* (last accessed Jan. 8, 2026), <https://podcast.app/mngops-truthmatters-p883222>; see also <https://podbay.fm/p/mngops-truthmatters> (additional episodes).)

During this same period, Lazzaro was an author and contributor for Alpha News. (See Alpha News, *Anton Lazzaro*, <https://alphanews.org/author/antonlazzaro/> (last accessed Jan. 8, 2026) (“Anton (Tony) Lazzaro is the founder and Director of Big Tent Republicans PAC, a unique group dedicated to broadening the appeal of the Republican Party.”).)

In August 2020, the Star Tribune published an article prominently featuring Lazzaro, a then-Minnesota GOP delegate:

Young Trump supporters in Minnesota say they're different from the older generation

By Zoë Jackson

AUGUST 27, 2020 AT 3:17PM



Anton Lazzaro, a young Republican and RNC delegate living in downtown Minneapolis. (Vince Tucci/The Minnesota Star Tribune)

ADVERTISEMENT

Comment Gift Share Listen

Minneapolis entrepreneur Anton Lazzaro supports President Donald Trump, even if he doesn't agree with some of the socially conservative messages emanating from this week's Republican National Convention.

At 29, Lazzaro is the youngest of the known Minnesota GOP delegates, and he worries that some of the Republican Party's ideas on social change might be holding it back with other young conservatives.

(Landy Ex. D, also available at <https://www.startribune.com/young-trump-supporters-in-minnesota-say-they-re-different-from-the-older-generation/572233442>.)

Lazzaro further enhanced his public visibility (and enmeshed himself into public debate) by making recurring appearances on national television networks, such as Fox News:



(Landy Ex. E.)



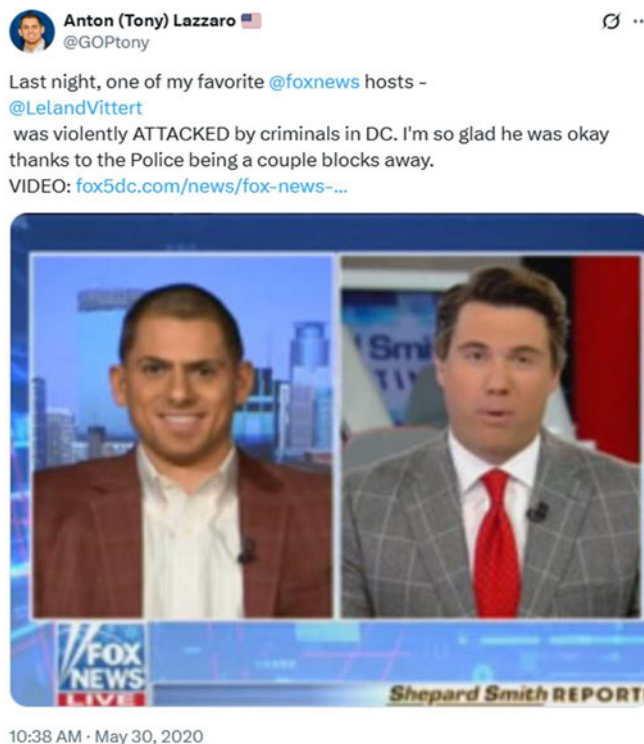
(Landy Ex. F.)



(Landy Ex. G.)



(Landy Ex. H.)



(X, @GOPtony⁵ (May 30, 2020), <https://x.com/GOPtony/status/1266755956202971141>.)

Lazzaro’s efforts to thrust himself into public spotlight and political debate were persistent and continued until his indictment in August 2021. As Lazzaro tells it, “Lazzaro was even scheduled to appear on the *Tucker Carlson Tonight* FOX News program to reveal [] bombshell evidence he uncovered on the *very day* of his [] arrest on 12 August 2021.” (Lazzaro’s Am. Mtn. to Dismiss for Selective and Vindictive Prosecution, ECF No. 236 at 9, *United States v. Lazzaro*, No. 21-cr-173 (D. Minn. Aug. 19, 2022) (emphasis in original).)

⁵ Lazzaro has acknowledged ownership of this X (then-Twitter) account in court filings and has described the account as “entirely political.” (Lazzaro’s Amended Mtn. to Dismiss for Selective and Vindictive Prosecution, ECF No. 236 at 9, *United States v. Lazzaro*, No. 21-cr-173 (D. Minn. Aug. 19, 2022).) Lazzaro recently changed the account “handle” from “@GOPtony” to “@AntonJLazzaro.” (See, e.g., X, @AntonJLazzaro (May 30, 2020), <https://x.com/AntonJLazzaro/status/1266755956202971141> (depicting same May 30, 2020 post with updated account name).)

C. In August 2021, Lazzaro is indicted for sex trafficking.

In August 2021, a federal grand jury indicted Lazzaro and his co-conspirator, Gisela Castro Medina (“Medina”), on five counts of sex trafficking a minor and one count of conspiracy to commit sex trafficking of minors under 18 U.S.C. §§ 1591, 1594, among other related charges. *See* ECF No. 1, *United States v. Lazzaro*, No. 21-cr-173 (D. Minn. Aug. 11, 2021) (hereinafter, “*Lazzaro I*”). With respect to five minor victims, the Indictment charged that Lazzaro had, from in or about May 2020 through in or about December 2020, “knowingly recruited, enticed, harbored, transported, provided, obtained, maintained, patronized, and solicited” victims to “engage in a commercial sex act and attempted to do so, knowing and in reckless disregard of the fact and having had a reasonable opportunity to observe” that these victims were minors.⁶ (*Id.* at 2.) Immediately, Lazzaro’s case drew a whirlwind of local, national, and international media coverage.⁷

⁶ In March 2023, the grand jury returned a Superseding Indictment again charging Lazzaro with five counts of sex trafficking a minor and one count of conspiring to commit sex trafficking of a minor, although dropping other counts. (*See* Landy Ex. X.)

⁷ *See, e.g.*, The Daily Beast, *GOP Strategist Arrested for Underage Sex Trafficking* (Aug. 12, 2021), <https://www.thedailybeast.com/gop-strategist-anton-lazzaro-arrested-for-underage-sex-trafficking/>; Daily Mail, *Wealthy GOP strategist, 30, who shared snap of himself with Donald Trump and on private jet is charged with paying six underage children to participate in sex acts* (Aug. 12, 2021), <https://www.dailymail.co.uk/news/article-9889013/Wealthy-GOP-strategist-charged-paying-six-underage-children-participate-sex-acts.html>; Business Insider, *A GOP strategist was arrested on 10 felony counts of underage sex trafficking, conspiracy, and obstruction of justice* (Aug. 12, 2021), <https://www.businessinsider.com/gop-strategist-anton-lazzaro-arrested-sex-trafficking-obstruction-indictment-2021-8>; Newsweek, *Who is Anton Lazzaro? Minnesota GOP Strategist Faces Underage Sex Trafficking Charges* (Aug. 13, 2021), <https://www.newsweek.com/minnesota-gop-strategist-faces-underage-sex-trafficking-charges-1619142>; Fox 9, *The making of Tony Lazzaro* (Aug. 23, 2021), <https://www.fox9.com/news/who-is-tony-lazzaro>; Washington Post, *A GOP strategist was charged with sex trafficking minors. Then he tried to ‘threaten’ law enforcement, judge says.* (Nov. 4, 2021), <https://www.washingtonpost.com/nation/2021/11/04/republican-political-operative-sex-trafficking/>.

D. Medina pleads guilty to two felony counts in connection with Lazzaro’s sex trafficking scheme.

On December 19, 2022, Medina pleaded guilty to the single count of conspiracy to commit sex trafficking of minors and one count of obstruction. (*Lazzaro I*, ECF No. 271; *see also* Landy Ex. J.) In doing so, Medina offered a disturbing account of the sex trafficking conduct for which Lazzaro was charged—and a preview of the corroborative testimony that later prompted a jury to convict him.

As recounted in Medina’s executed plea agreement, Lazzaro first contacted Medina—then 18 years-old—in May 2020 using a “sugar daddy” website. (Landy Ex. J at 2.) Lazzaro began communicating with Medina and her friend, then-16-year-old Victim A. (*Id.*) After sending them money for food, Lazzaro invited Medina and Victim A to his condominium at the Hotel Ivy in Minneapolis, and he did so having been told that Victim A was just 16 years old. (*Id.*) Medina and Victim A then visited Lazzaro’s condo together multiple times—each time, Lazzaro served them alcohol before paying them for commercial sex acts. (*Id.* at 2-3; *see also infra*, § III.E.) Lazzaro continued to engage in commercial sex acts with Victim A after these first two visits, in each case paying a portion of proceeds to Medina even though she was no longer participating directly in the sexual acts. (Ex. J at 3.)

Medina further agreed that, eventually, Lazzaro made overt requests that she begin recruiting and soliciting young girls, including specifically minors, to engage in commercial sex acts, and Medina agreed. (*Id.* at 3-6.) Communicating on encrypted messaging platforms like WhatsApp and Signal,⁸ Medina would show Lazzaro pictures of minor girls with whom she was connected on social media platforms like Snapchat and Instagram, and Lazzaro would respond

⁸ Medina agreed that Lazzaro “changed the settings on [her] phone so that WhatsApp and Signal would delete text messages between [them] multiple times a day.” (Landy Ex. J at 3.)

indicating whether he was interested in particular girls; Medina would then provide Lazzaro with contact information for those girls he was interested in, and would also relay information to those girls about Lazzaro, including “that he had a lot of money, that he was not ‘creepy,’ and that he was interested in the particular girl.” (*Id.* at 3-4.)

Medina agreed that she went on to recruit each of five different minor victims identified in the Indictment into Lazzaro’s sex trafficking scheme—known as Victims A, B, C, D, and E in the criminal case⁹—despite already knowing, or learning during the conspiracy, that each was younger than 18. (*Id.* at 2-5, 7.) Medina also agreed she knew Victim C was just 15 years old and had “extensive discussions” about her age with Lazzaro during the time when he was engaged in commercial sex acts with Victim C. (*Id.* at 4-5; *see also id.* at 7 (recounting Lazzaro’s efforts “to try to pay off [] Victim C to prevent her from talking to law enforcement because [Medina] and [Lazzaro] knew that [] Victim C was only 15 years old”).) Medina agreed that Lazzaro paid each of Victims A through E cash and other items of value—such as alcohol, vaping cartridges, food, smartphones, high-end purses, accommodations at the Hotel Ivy, and transportation—in exchange for sex. (*Id.* at 5.) In exchange for “identifying, recruiting, and introducing minor girls to [] Lazzaro for purposes of commercial sex acts with [Lazzaro],” Lazzaro paid Medina with significant amounts of cash, alcohol, Adderall, and Venmo payments. (*Id.* at 5-6.)

Medina also agreed that she and Lazzaro worked together to attempt to silence victims and to obstruct the Government’s investigation into Lazzaro’s sex trafficking scheme. To secure Medina’s silence as to the sex trafficking conspiracy, for example, Lazzaro promised to pay for

⁹ Medina agreed that Lazzaro’s sex trafficking went beyond the five minor victims identified in the criminal case. In Medina’s plea agreement, she agreed to having “successfully recruited and attempted to recruit additional minor victims to engage in commercial sex acts with [Lazzaro]” who were “not named in the Indictment.” (Landy Ex. J at 7.)

Medina's future graduate school expenses and to buy her a house. (*Id.* at 6.) After search warrants were executed at Medina's and Lazzaro's residences in December 2020, the two began speaking about the federal investigation to determine which minor victims had spoken with law enforcement. (*Id.*) In or about March 2021, Lazzaro and Medina hatched a hush money scheme, agreeing to try to "pay off" Victim C to prevent her from speaking to law enforcement about engaging in commercial sex acts with Lazzaro; Lazzaro and Medina did so knowing (and "because") Victim C was just 15 years old. (*Id.* at 6-7.) Medina agreed that, on multiple occasions, she met with Victim C in an effort to obstruct and prevent her from speaking with law enforcement, providing her with "hundreds of dollars of cash, gift cards, vapes, and alcohol from [Lazzaro]," which Lazzaro had supplied for the purpose of preventing Victim C from speaking with law enforcement about Lazzaro's sex trafficking. (*Id.* at 7.)

More recently, Medina has shared her story with the press, sitting for an interview that elaborates further on her efforts to recruit minor victims in exchange for "maybe like a little under half a million" in payments from Lazzaro, or "like \$10,000 to \$20,000 a month." (*See* Kare 11, *A recruiter's regret: Sex trafficker Tony Lazzaro's co-defendant shares her story* (Oct. 29, 2025), <https://www.kare11.com/video/news/local/kare11-extras/a-recruiters-regret-sex-trafficker-tony-lazzaros-co-defendant-shares-her-story/89-4273819a-b394-4372-93b6-98dcbc8f15b0>.)

E. At Lazzaro's criminal trial, victims offer harrowing testimony of Lazzaro's sex trafficking conduct.

Trial in Lazzaro's federal criminal case commenced in the District of Minnesota before the Honorable Chief Judge Patrick J. Schiltz on March 21, 2023. *Lazzaro I*, ECF No. 333. Victims A, B, C, D, and E each bravely testified concerning their experiences as survivors of Lazzaro's sex

trafficking scheme.¹⁰ This testimony—later credited by the jury—revealed the depths of depravity to which Lazzaro sunk to exploit and manipulate his minor victims.

For example, Victim A—

(Victim A Tr. 785:6-8; 786:15-17.)

(*Id.* 788:17-791:8.)

(Victim A Tr. 791:9-792:2.)

(*Id.* 795:20-796:21; *see also id.* 787:1-21.)

(*Id.* 796:1-799:18.)

(*E.g., id.* 797:25-798:6

¹⁰ True and correct copies of transcripts bearing the trial testimony of Victims A, B, C, D, and E from *Lazzaro I* have been confidentially filed as Exhibits K, L, M, N, and O to the Declaration of Barry Landy. For ease of reference, these exhibits are hereinafter referred to as “Victim A Tr.,” “Victim B Tr.,” and so forth.

[REDACTED]

[REDACTED]

[REDACTED] (Victim A. Tr. 800:1-805:9.)

[REDACTED]

[REDACTED] (*Id.* 801:3-19.)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(Victim A Tr. 806:1-23.) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(*Id.* 808:12-17.) [REDACTED]

[REDACTED] (*See id.* 808:5-11 [REDACTED])

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Certain elements of Victim A’s experience mirrored the graphic accounts shared by other victims during trial. One common thread of Lazzaro’s interactions with his victims, for instance, was to ply them with alcohol and drugs—while abstaining himself—before having sex with them. At trial, several victims recounted occasions on which they or others became intoxicated to the point that they lost consciousness or lost control of bodily functions. In some of those cases, Lazzaro proceeded to have sex with them anyway:

Table A	
Victim C Tr. 210:6-211:10	[REDACTED]

	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
Victim C Tr. 218:17-19	<p>[REDACTED]</p> <p>[REDACTED]</p>
Victim C Tr. 239:5-22	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
Victim A Tr. 792:6-12	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

<p>Victim A Tr. 801:3-19</p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
<p>Victim B Tr. 674:13-675:2</p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

Victim B Tr. 695:16-696:7	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
------------------------------	-------------------------------------------------------------------------

Like Victim A, the remaining victims each testified that Lazzaro paid them with cash and other items of value to engage in commercial sex acts:

Table B	
Victim B Tr. 690:23-691:1	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
Victim B Tr. 693:21-694:3	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

	<p>[REDACTED]</p>
<p>Victim B Tr. 703:24-704:19</p>	<p>[REDACTED]</p>
<p>Victim E Tr. 939:1-940:4</p>	<p>[REDACTED]</p>

[REDACTED]

	<p>[REDACTED]</p>
<p>Victim D Tr. 1003:4-16</p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
<p>Victim D Tr. 1013:19- 1014:1</p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
<p>Victim C Tr. 231:7-11</p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

Victim A Tr. 815:5-14	[REDACTED]

Like Victim A, the testimony at trial confirmed that each of Victims B, C, D, and E were under the age of 18 when Lazzaro paid them to engage in commercial sex acts and, corroborating Medina’s account, that Lazzaro either knew or had reason to know that the Victims had not attained the age of 18:

Table C	
Victim B Tr. 683:2-24	[REDACTED]

	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
Victim C Tr. 142:5-6	<p>[REDACTED]</p> <p>[REDACTED]</p>
Victim C Tr. 190:12-191:7	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
Victim A Tr. 808:3-11	<p>[REDACTED]</p> <p>[REDACTED]</p>
Victim E Tr. 898:8-9	<p>[REDACTED]</p> <p>[REDACTED]</p>

Corroborating Medina’s own plea, the victims offered ample testimony that Lazzaro conspired with Medina by paying her to recruit minor victims for commercial sex acts:

Table D	
Victim A Tr. 805:10-22	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
Victim A Tr. 810:1-811:19	

	<p>[REDACTED]</p> <p>[REDACTED]</p>
Victim C Tr. 167:2-169:13	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
Victim D Tr. 988:5-8	<p>[REDACTED]</p> <p>[REDACTED]</p>
Victim E Tr. 904:8-905:14.	

[REDACTED]

(See also Ex. J at 3-6.)

The victims also testified to the profound devastation and lasting trauma Lazzaro had caused them. When asked how Lazzaro had affected her life, for example, Victim D answered:

[REDACTED]

(Victim D Tr. 1013:12-18; *see also* Victim A Tr. 853:23-854:5 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (Victim B Tr. 689:12-690:22.) [REDACTED]

[REDACTED]

(*Id.* 690:15-694:5.) [REDACTED]

[REDACTED] (*Id.* 693:21-23.)

[REDACTED]

[REDACTED]

[REDACTED] (*Id.* 694:17-695:3.) [REDACTED]

[REDACTED] (*Id.* 695:4-695:15.) [REDACTED]

[REDACTED] (*Id.* 695:17-696:2.) [REDACTED]

[REDACTED]
[REDACTED] (*Id.* 696:2-19.)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] (*Id.* 696:22-697:4.) [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] (*Id.* 697:5-20.)

F. Lazzaro is convicted and sentenced for sex trafficking minors and exhausts his rights to appeal.

On March 31, 2023, after ten days of trial, a jury convicted Lazzaro of one count of conspiracy to commit sex trafficking of a minor and all five counts of sex trafficking of a minor, in violation of 18 U.S.C. §§ 1591(a)(1), (b)(2) and § 1594. (*See Landy Ex. Y.*) The Court sentenced Lazzaro to concurrent prison terms of 252 months on each count, a 5-year term of supervised release, and to pay \$415,475.39 in restitution. *See Lazzaro I*, ECF Nos. 500, 502. Lazzaro was also ordered to refrain from knowingly associating with any female under the age of 18, except in the presence of a responsible adult approved by a probation officer; to “register with the state sex-offender registration agency in Minnesota and in any other state” in which he lives, works, or attends school; and to follow “all of the other requirements of the Sex Offender Registration and Notification Act.” *Lazzaro I*, ECF No. 502 at 5.

On February 25, 2025, Lazzaro’s conviction and sentence were unanimously affirmed by the Eighth Circuit Court of Appeals. In so affirming, the Court summarized the extensive evidence supporting the jury’s verdict, including Lazzaro’s initial victimization of Medina and Doe—paying

them for sex on two separate occasions—and his eventual scheme to use Medina as his “recruiter” to prey on the additional minor victims. *See Lazzaro*, 129 F.4th at 520. The Court recited evidence from trial that “Lazzaro told [] Medina what he wanted: ‘younger girls’ between 16 and 18—with a preference for the former—who were ‘broken girls, sluts, [and] whores.’” *Id.* The Court also summarized record evidence showing the “pattern” of sex trafficking that ensued:

In the months that followed, Castro Medina helped find more girls for Lazzaro. The interactions followed a similar pattern. Lazzaro or Castro Medina would identify young girls through social media. Then Castro Medina or someone acting on her behalf would reach out, asking if the girls wanted a “sugar daddy” and offering to put them in touch with Lazzaro. Often, the girls would be told how Lazzaro could get them alcohol or whatever else they wanted, and how he would pay for their time. They would receive photos of money and alcohol, or photos of Lazzaro with celebrities. The girls would then be put in touch with Lazzaro, who would talk with them through social media. Eventually, the girls would arrive at Lazzaro's condo, where he would ply them with drugs or alcohol, while remaining sober himself. He would offer them money to remove their clothes, pose for photos, or kiss each other. Lazzaro would then have sex with the girls in his bedroom. After he was finished, Lazzaro would give the girls money or other expensive items, and each time, Castro Medina would get a cut for her help arranging the meeting.

Id. at 521. The Court also observed that there were occasional “differences” in Lazzaro’s encounters with his victims, including the number of victims present, how victims traveled to Lazzaro’s residence, the “acts leading up to sex,” and the types of alcohol Lazzaro served them. *Id.* at 521–22 (“The alcohol differed, too. He gave them champagne, or vodka, or shots of grain alcohol, of schnapps.”). Yet, “[w]hatever these differences, many things remained the same. Lazzaro used Castro Medina to identify potential matches—most often underage girls—and to make the initial introduction. He used his condo to meet the girls and have sex with them. He always paid the girls afterwards, and he always paid Castro Medina for her assistance.” *Id.* at 522.

On October 6, 2025, the Supreme Court of the United States denied Lazzaro’s petition for a writ of certiorari. *Lazzaro I*, ECF No. 600.

G. Lazzaro’s criminal sex trafficking case receives extensive coverage throughout.

From start to finish—and even recently—Lazzaro’s criminal trial was a matter of public concern, garnering extensive media attention. This media coverage was attributable not only to Lazzaro’s prior efforts to enmesh himself in public political debate, but also the heinous nature of his crimes and his own outrageous conduct throughout the proceedings.

Early on, for example, the Court admonished Lazzaro for leveling threats against prosecutors and law enforcement, for his efforts to collect their home addresses and personal information, and for his attempts to obstruct the investigation and intimidate victims and witnesses with nondisclosure agreements and hush money payments. Faced with these facts, the Court found Lazzaro’s continued detention was the only means by which it could “be assured that Lazzaro [would] not continue to try to intimidate potential witnesses and government officials.” (Landy Ex. Z at 9–10; *see id.* at 6–10 (cataloguing testimony and evidence of Lazzaro’s obstruction and efforts to threaten and intimidate witnesses and government officials).) Naturally, local and national media—for example, Washington Post, Newsweek, and the Associated Press—reported on this behavior.¹¹

¹¹ *See, e.g.*, Star Tribune, *Judge says Anton Lazzaro must remain in jail, citing threats to FBI, prosecutors* (Nov. 3, 2021), <https://www.startribune.com/judge-says-anton-lazzaro-must-remain-in-jail-citing-threats-to-fbi-prosecutors/600112367>; Washington Post, *A GOP strategist was charged with sex trafficking minors. Then he tried to ‘threaten’ law enforcement, judge says.* (Nov. 4, 2021), <https://www.washingtonpost.com/nation/2021/11/04/republican-political-operative-sex-trafficking/>; AP News, *Judge: No release for GOP donor accused of sex trafficking* (Nov. 2, 2021), <https://apnews.com/article/minnesota-dd64e119f490b427d5c929111270b794>; Newsweek, *GOP Strategist Anton Lazzaro Accused of Threatening Cops Ahead of Sex Trafficking Trial* (Nov. 3, 2021), <https://www.newsweek.com/gop-strategist-anton-lazzaro-accused-threatening-cops-ahead-sex-trafficking-trial-1645722>; Bring Me The News, *Judge: Accused child sex trafficker Anton Lazzaro tried to ‘threaten and intimidate’ officer* (Nov. 5, 2021), <https://bringmethenews.com/minnesota-news/judge-accused-child-sex-trafficker-anton-lazzaro-tried-to-threaten-and-intimidate-officer>.

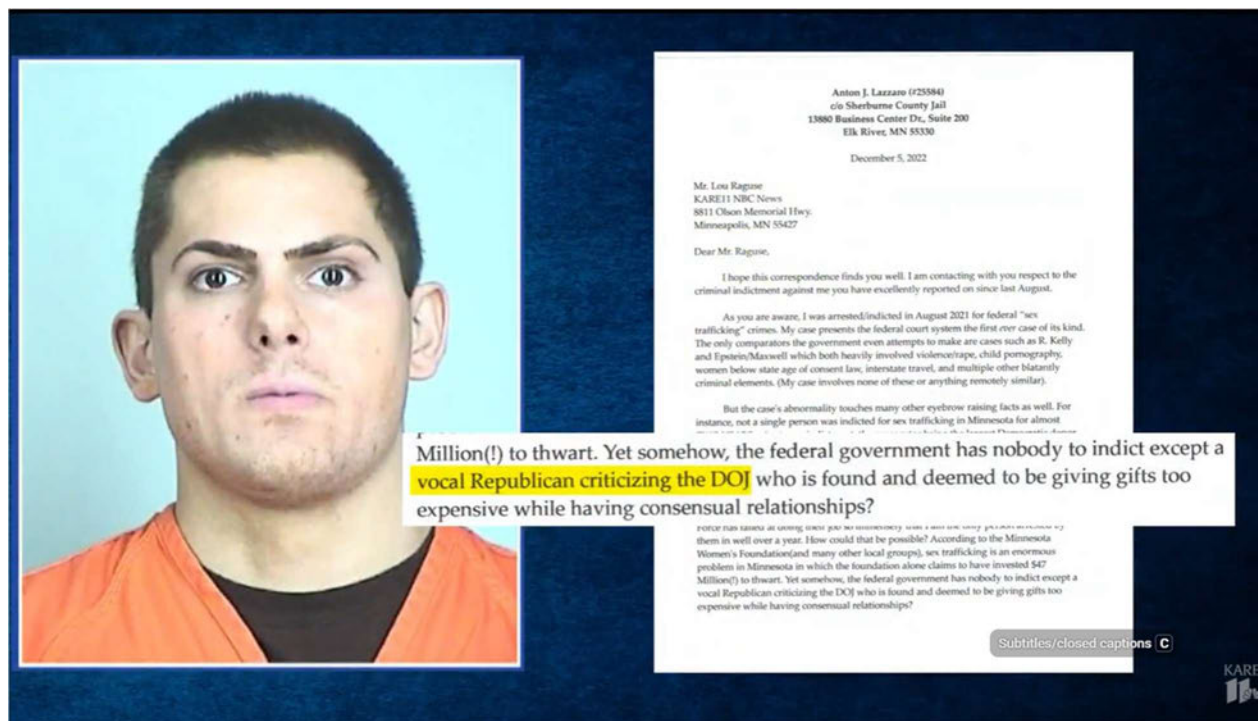
Lazzaro then campaigned unrelentingly during his criminal case—in court, to the media, and through his own websites and social media channels—that he was being selectively and “vindictively” prosecuted for his “robust” and “vocal” political activity. In one of his myriad requests for relief on these grounds, for example, Lazzaro told the Court:

Lazzaro’s political life has been active and robust. Aside from being a GOP donor, he ran campaigns for Republican candidates and was a vocal critic of DOJ conduct and corrupt politicians. The government was well aware of Lazzaro’s political activities long before he was indicted. Mr. Lazzaro’s protected political speech included serious allegations of immigration, marriage, and tax fraud against a prominent Democratic United States Representative from Minnesota. Lazzaro was even scheduled to appear on the *Tucker Carlson Tonight* FOX News program to reveal the bombshell evidence he uncovered on the *very day* of his 6:30 a.m. arrest on 12 August 2021.

Lazzaro I, Def.’s Am. Mtn. to Dismiss for Selective and Vindictive Prosecution, ECF No. 236 at 8–9 (emphasis in original).¹²

As Lazzaro spun it, the entire case was a government conspiracy and retribution for his political standing and supposed efforts to investigate Ilhan Omar. Lazzaro—both directly and through his legal team—availed himself of the press in a concerted effort to amplify his sensational theory of government conspiracy to the public. Consider the following KARE 11 story, discussing a letter Lazzaro addressed and sent to reporter Lou Raguse raising these very allegations:

¹² See also, e.g., *Lazzaro I*, Def.’s Mtn. to Dismiss Indictment for Selective Prosecution, ECF No. 133; *id.*, Def. Anton Joseph Lazzaro’s Mtn. for Leave to Reinstate and Amend his Mtn. for Selective/Vindictive Prosecution, ECF No. 214; *id.*, Def.’s Letter in Appeal of Magistrate’s Decision to Disallow Pro-Se Selective Prosecution & Outrageous Conduct by the Gov’t Filings, ECF No. 195.

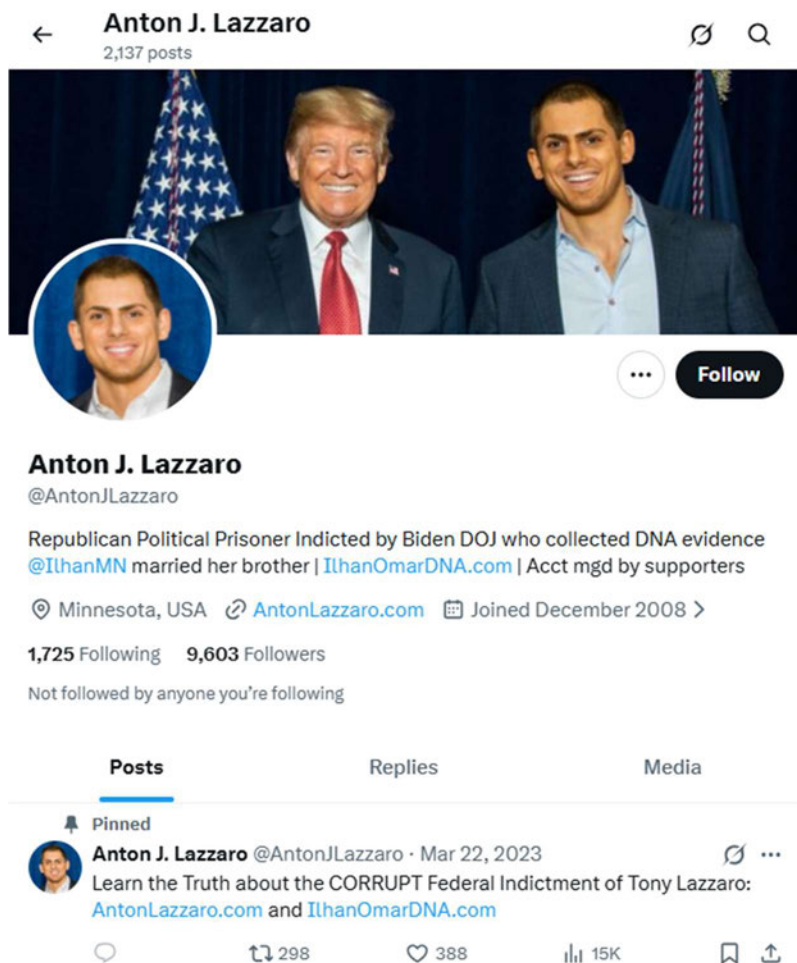


(YouTube, KARE 11, Anton Lazzaro plans to continue fighting sex trafficking charges despite Medina plea, at 1:21 (Dec. 20, 2022), <https://www.youtube.com/watch?v=PjjLix8dDvw>, also published at <https://www.kare11.com/article/news/crime/lazzaro-plans-to-continue-fighting-sex-trafficking-charges-despite-medina-plea/89-f57ccb9a-cf3c-4257-9457-e155ce51979c>.)

Lazzaro also deployed his legal team to amplify his sensational conspiracy theory through the press:



(Fox 9, *Defense argues Anton Lazzaro is facing discriminatory prosecution in sex trafficking because he's wealthy*, at 0:48-1:02 (Mar. 24, 2022), <https://www.fox9.com/video/1049929> (“He’s the kind of person that paints a target on his back. You know, he published a website. He was due to appear on Tucker Carlson the day, or two, before he was arrested—or maybe even the day he was arrested, I think.”).) During the criminal case (and to this day), Lazzaro has further disseminated his conspiratorial defense using his public website and X account, where he identifies himself as a “Republican Political Prisoner Indicted by Biden DOJ who collected evidence @IlhanMN married her brother.” (X, @AntonJLazzaro, <https://x.com/AntonJLazzaro> (last accessed Jan. 7, 2026).) Currently, the X account “pins” a 2023 tweet—a tweet Lazzaro published during his criminal trial—describing his indictment as “CORRUPT” and inviting readers to learn more at Lazzaro’s hyperlinked websites, “AntonLazzaro.com” and “IlhanOmarDNA.com”:



(*Id.*) To this day, Lazzaro regularly publishes (*i.e.*, “retweets”) posts by fringe accounts endorsing his message that he was wrongfully prosecuted as political retribution. (*See generally id.*) Even in recent months, Lazzaro’s criminal case continues to draw attention, including most recently over apparent efforts to deceive and bribe a juror to drum up support for Lazzaro’s motion for a new trial.¹³ *Lazzaro I*, ECF No. 606.

¹³ See Star Tribune, *Judge admonishes convicted sex trafficker Anton Lazzaro over alleged scheme to ‘deceive and bribe’ juror* (Nov. 6, 2025), available at <https://www.startribune.com/judge-admonishes-convicted-sex-trafficker-anton-lazzaro-over-alleged-scheme-to-deceive-and-bribe-juror/601518122>; see also Pioneer Press, *Tony Lazzaro, Minnesota GOP donor likened to Jeffrey Epstein, loses at Supreme Court* (Oct. 8, 2025), available at <https://www.twincities.com/2025/10/08/tony-lazzaro-minnesota-gop-donor-likened-to-jeffrey-epstein-loses-at-supreme-court/>.

The fallout of Lazzaro’s criminal proceedings—and the horrific conduct for which he was convicted—has utterly tarnished Lazzaro’s reputation. Many, such as presiding Chief Judge Schiltz, have likened him to Jeffrey Epstein.¹⁴ (E.g., Law & Crime, *Disgraced GOP donor who called Jeffrey Epstein ‘his brother’ sentenced for running ‘sex trafficking assembly line’* (Aug. 9, 2023), <https://lawandcrime.com/crime/disgraced-gop-donor-who-called-jeffrey-epstein-his-brother-sentenced-for-running-sex-trafficking-assembly-line/> (“[Judge] Schiltz used Wednesday’s sentencing hearing to castigate Lazzaro for his appalling crimes, even going so far as to compare him with one of the most infamous accused sex traffickers in American history: Jeffrey Epstein.”).) In fact, the media reported extensively on trial evidence demonstrating Lazzaro’s apparent admiration for Epstein.¹⁵

¹⁴ See also, e.g., Kare 11, *How a GOP Strategist Became the Jeffrey Epstein of Minnesota* (Oct. 30, 2025), https://www.youtube.com/watch?v=5s_xfEo0q2g; Pioneer Press, *Tony Lazzaro, Minnesota GOP donor likened to Jeffrey Epstein, loses at Supreme Court* (Oct. 8, 2025), available at <https://www.twincities.com/2025/10/08/tony-lazzaro-minnesota-gop-donor-likened-to-jeffrey-epstein-loses-at-supreme-court/>.

¹⁵ See, e.g., Fox 9, *Anton Lazzaro trial: Lazzaro allegedly referenced Jeffrey Epstein in text messages* (Mar. 29, 2023), <https://www.fox9.com/news/anton-lazzaro-trial-lazzaro-referenced-jeffrey-epstein-in-text-messages-prosecutors-say>; Kare 11, *Live Tweets lead to batch of new evidence turned over in middle of Lazzaro sex trafficking trial*, (Apr. 3, 2023), <https://www.kare11.com/article/news/local/breaking-the-news/live-tweets-lead-to-batch-of-new-evidence-turned-over-in-middle-of-anton-lazzaro-sex-trafficking-trial/89-f923182d-9f08-4bc7-8416-38248a930c1c#:~:text=And%20Assistant%20U.S.%20Attorney%20Melinda,concerning%20Lazzaro%27s%20comment%20about%20lingerie> (“And Lazzaro especially started floundering on the witness stand when Williams showed these messages to Bittman, on the anniversary of the death of Jeffrey Epstein, the world’s most infamous sex trafficker: ‘Poor Jeff. RIP my brother.’”); MPR News, *Lazzaro’s former friend sends prosecutors texts, photos as sex trafficking trial nears end* (Mar. 29, 2023), <https://www.mprnews.org/story/2023/03/29/lazzaros-former-friend-sends-prosecutors-texts-photos-as-sex-trafficking-trial-nears-end> (same).

H. Defendants represent Victim A in civil actions concerning Lazzaro’s sex trafficking scheme.

Defendants represent Victim A in two civil actions stemming from Lazzaro’s sex trafficking scheme. The first action, filed in 2021, asserts claims for sex trafficking a minor against Lazzaro. *See JA-Minor Doe 1, et al. v. Lazzaro*, No. 21-cv-1985 (D. Minn.). The second action, filed in December 2024, asserts related claims against the owners and operators of the Hotel Ivy, where Lazzaro lived and carried out the bulk of his sex trafficking activity. *See JA Doe 1 v. Heartland Ivy Partners LLC, et al.*, No. 23-cv-4347 (D. Minn.) (hereinafter, the “Ivy Lawsuit”).

I. In December 2024, Defendants hold the Press Conference to announce the Ivy Lawsuit, reciting evidence and testimony from Lazzaro’s criminal case that supported the allegations.

On December 3, 2024, Defendants hosted a press conference to announce details of the newly filed Ivy Lawsuit (the “Press Conference”). (*See* Compl. ¶ 26.) The Press Conference was recorded and livestreamed on YouTube, where it remains available at https://www.youtube.com/watch?v=7s-7Qi5X_XM.¹⁶ The Press Conference was also attended by

¹⁶ Because Lazzaro is not registered for e-service and cannot otherwise receive service of electronic media in his place of incarceration (FCI Sandstone), Defendants have not submitted a copy of the Press Conference as an exhibit with this motion, but instead cite to the true and correct copy as it was originally livestreamed, published, and now preserved by JAA at https://www.youtube.com/watch?v=7s-7Qi5X_XM. The Press Conference was also livestreamed, published, and preserved online by media outlets in attendance. (*See, e.g.*, YouTube, *KSTP 5 Eyewitness News, Legal team announces lawsuit against Hotel Ivy for alleged role in sex trafficking scheme* (Dec. 3, 2024), <https://www.youtube.com/watch?v=Dd-bXF9HPQk>.)

Although Lazzaro’s Complaint purports to cite a YouTube page where the December 2024 Press Conference is published, this cited URL actually links to a recording of an earlier, September 2021 press conference announcing Victim A’s civil action against Lazzaro (not the Ivy Lawsuit filed years later). (*See* Compl. ¶ 26 & n.4 (citing https://youtu.be/Q4x_pwtuX9M?si=BmX_zKRAoJ9nDgDR.) This citation appears inadvertent, as the Complaint only describes statements allegedly uttered during the December 2024 Press Conference. In any case, the September 2021 press conference falls well outside of Minnesota’s two-year statute of limitations for defamation under Minn. Stat. § 541.07(1).

representatives of the Zero Abuse Project, who spoke to raise awareness on the issue of child abuse prevention and intervention. (*See* Press Conf. 15:30-17:58.) Both during (and before) the Press Conference, Defendants took scrupulous efforts to highlight that descriptions of Lazzaro's sex trafficking conduct were derived from evidence and testimony from Lazzaro's criminal case.

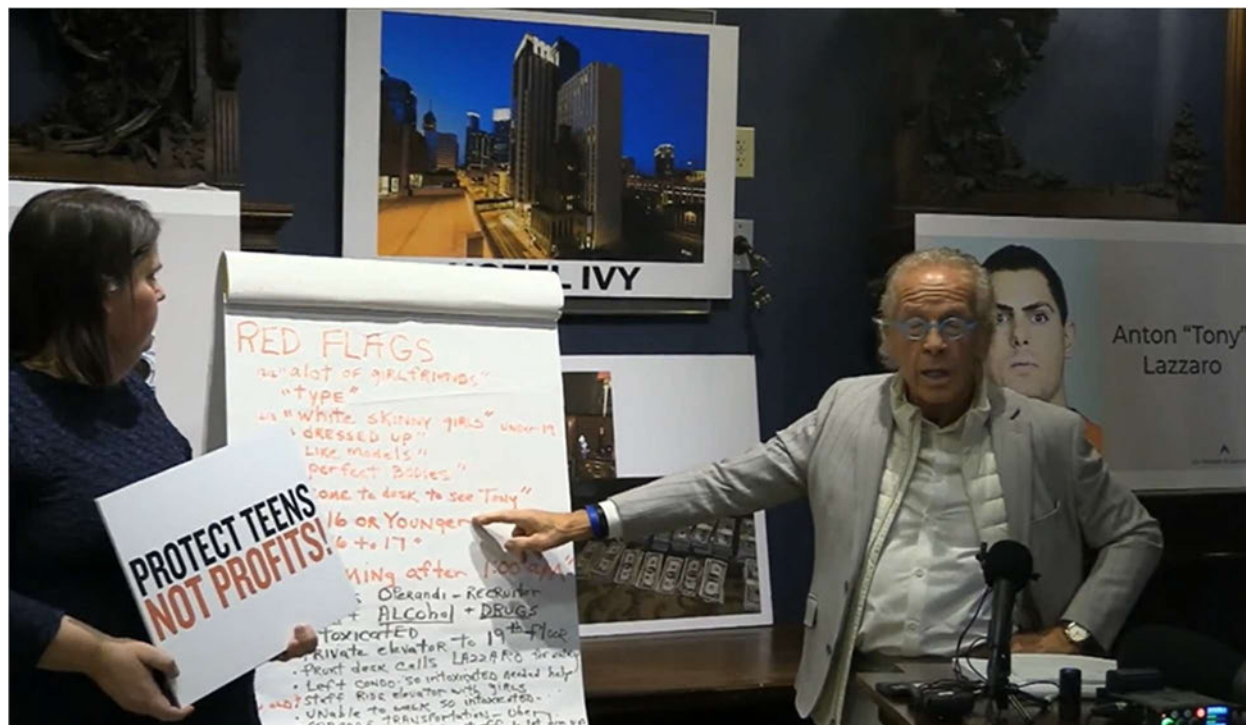
First, throughout the Press Conference, Anderson made clear that his statements and descriptions of Lazzaro's sex trafficking behavior were derived from record evidence and testimony in Lazzaro's criminal case. In his opening remarks, for example, Anderson clearly explained:

This suit names the Ivy Hotel. **It's 41 pages that we took from—uh, of evidence, uh, that we took from the criminal trial and the prosecution of a serial predator, Anton Lazzaro.** You all know who he is, he's not only just a predator now convicted and serving time, he is and was a major political operative and a very, very connected one, and a very powerful, moneyed individual. And he's been convicted of five counts of sex trafficking and conspiracy.

(Press Conf. 1:12-2:01 (emphasis added).) Throughout his subsequent remarks, Anderson then reiterated that the allegations in the Ivy Lawsuit were derived from evidence and testimony in Lazzaro's criminal case:

And why now, uh, the Ivy Hotel and its former owners and management and staff? **In the complaint, and from the trial, we took some of the evidence that was induced at the criminal trial. And there they had, um, staff testify as witnesses and the night staff at the desk. And there were, and in the criminal trial and through our investigation, red flags flying all over the place all the time. . . . And when I say the red flags were-were-were flying, let me just talk a little bit about what the staff testified to and having seen,** that there was a lot of girlfriends and they met his type. His type was White, skinny girls under the age of 19, and all dressed up like models with perfect bodies. And they would come to the desk to see Tony and to get up to his condominium, to his residence, they would have to accompany these girls. **The testimony is** the girls were 16 or younger, or 16 to 17, and that they would be coming after hours and in the night, oftentimes after 1:00 AM.

(Press Conf. 7:26-8:10; 8:54-10:19 (emphasis added).) Anderson's remarks were accompanied by gestures to a poster board with excerpted trial testimony in quotation marks, further signaling his recitation of evidence from Lazzaro's criminal trial:



(Press Conf. 9:59.) When Anderson concluded his remarks, the media's first question reflected listeners' understanding that the allegations in the Ivy Lawsuit were derived from record evidence and testimony in Lazzaro's criminal trial:

We—were it not for the testimony of the trial from the survivors in the case, but also the staff at Hotel Ivy, would you still believe you'd have enough to be able to bring a lawsuit or, uh, can you describe how integral that was in this process?

(Press Conf. 19:40-50.) In responding to this question, Anderson again made clear that his statements were "citing" sworn testimony in Lazzaro's criminal case:

It's-it's—the question is, is without the—uh, without the criminal trial, um, would there be enough evidence for you, for us to have brought this suit? The answer is absolutely. Um, uh, we got involved in the reporting of this early on, got involved in the criminal prosecution of it, and throughout the trial and watched the evidence unfold. We also did our own investigation. And I'm citing to testimony given under oath here and recited to testimony in this complaint.

(Press Conf. 19:51-20:28 (emphasis added).)

Even before the Press Conference, Defendants had taken further care to highlight the source of the Ivy Lawsuit allegations for anyone interested in attending or viewing remotely. In the online press release announcing the Press Conference on JAA's website, for example:

- JAA expressly articulated that Hotel Ivy's alleged culpability was "revealed by testimony in the criminal trial." The phrase "testimony in the criminal trial" was embedded with a hyperlink to a transcript of testimony from Lazzaro's criminal trial.
- JAA described throughout the press release what Hotel Ivy employees had "testified" during Lazzaro's criminal trial, using quotation marks to connote excerpted trial testimony.
- When outlining "Lazzaro's Playbook" for trafficking teenage girls, JAA expressly stated that this description was "according to the lawsuit and trial testimony."
- JAA embedded links to two PDF attachments in the press release: (1) a copy of the Ivy Lawsuit complaint, titled "Lawsuit: JA Doe 1 v. Ivy Hotel, et al 12.2.24"; and (2) a transcript of testimony from Lazzaro's criminal trial, titled "Testimony in Criminal Trial of Anton Lazzaro – File No. 21-CR-0173."

(See Landy Ex. P, also available at <https://www.andersonadvocates.com/press-event/hotel-ivy-sued-for-permitting-rampant-sex-trafficking/>.) Likewise, at the YouTube page where the Press Conference was livestreamed and remains available, JAA similarly noted that an outline of "Lazzaro's Playbook" was "according to the lawsuit and trial testimony." (See Landy Ex. Q, also available at https://www.youtube.com/watch?v=7s-7Qi5X_XM.)

J. Lazzaro files this action, alleging defamation for true statements uttered by Anderson during the Press Conference.

On September 12, 2025, Lazzaro filed the Complaint in the above-captioned action, though having never lawfully served either JAA or Anderson with the Complaint and summons in accordance with Minn. R. Civ. P. 4.03. (See Landy Ex. T.) Defendants later agreed to waive service

of the Complaint and summons pursuant to Minn. R. Civ. P. 4.05. (See Landy Exs. R, S; Index No. 11.)

In the Complaint, Lazzaro asserts claims for defamation and defamation per se based on seven statements uttered by Anderson during the Press Conference. (See Compl. ¶ 26.) These seven allegedly defamatory statements—some pleaded inaccurately, incompletely, or lacking relevant context—are as follows¹⁷:

Table E	
Alleged Defamatory Statement	Actual Statements Captured by Press Conference Recording
<i>Statement #1</i>	
<p>“Lazzaro is now serving, how much time is he serving? 30 years? Serving 30 years.”</p> <p style="text-align: right;">(Compl. ¶ 26.a.)</p>	<p>Anderson: “And so, Anton Lazzaro now serving—how much time is he serving?”</p> <p>Molly Burke¹⁸: “30 years.”</p> <p>Anderson: “Serving 30 years.”</p> <p style="text-align: right;">(Press Conf. 4:30-37.)</p>

¹⁷ The Court should not credit the assertedly defamatory statements as they are imprecisely—and, in most cases, inaccurately—alleged by Lazzaro. The Court should adopt the uncontroverted video evidence of the statements as they were uttered during the Press Conference. See, e.g., *Hickman v. Schmell*, 2023 WL 1770132, at *4 (Minn. Ct. App. Feb. 6, 2023) (“When the plaintiff’s version of relevant events is contradicted by an unambiguous video recording, summary judgment may be appropriate.”) (citing *Scott v. Harris*, 550 U.S. 372, 381 (2007)); accord *Howard v. Weidemann*, 2021 WL 6063630, at *1 n.1 (D. Minn. Dec. 22, 2021).

¹⁸ Molly Burke is a JAA attorney representing Victim A in the Ivy Lawsuit. (See Jeff Anderson & Associates PA, *Molly Burke, Attorney*, <https://www.andersonadvocates.com/overview/jeff-anderson-associates-attorneys/molly-burke-attorney/>.)

<i>Statement #2</i>	
<p>“What he would do is use [Gisela Castro Medina] to recruit these girls and offer cash to them and ultimately in exchange for sex.”</p> <p style="text-align: right;">(Compl. ¶ 26.b.)</p>	<p>Anderson: “But what he would do is use [Medina] to recruit these girls and offer cash to them and ultimately in exchange for sex.”</p> <p style="text-align: right;">(Press Conf. 11:00-10.)</p>
<i>Statement #3</i>	
<p>“While in his control there was private elevator to the 19th floor that had to require the staff to accompany these girls there.”</p> <p style="text-align: right;">(Compl. ¶ 26.c.)</p>	<p>Anderson: “There was a private elevator to the 19th floor that had to—required the staff to accompany these girls there. The front desk would call, uh, Lazzaro when they would arrive so that he would give permission for them to come up.”</p> <p style="text-align: right;">(Press Conf. 11:44-12:00.)</p>
<i>Statement #4</i>	
<p>“Often times uh the girls were so intoxicated as I said they were unable to walk out uh on their own free will.”</p> <p style="text-align: right;">(Compl. ¶ 26.d.)</p>	<p>Anderson: “Often times, uh, the girls were so intoxicated, as I said, they were unable to walk out, uh, on their own free will, and then he’d arrange transportation.”</p> <p style="text-align: right;">(Press Conf. 12:04-12:17.)</p>
<i>Statement #5</i>	
<p>“Characterizing testimony from Lazzaro’s trial, Anderson stated: ‘[E.L.] went to the desk to report that Lazzaro is sex trafficking her and other girls that he is offering cash to her and other girls and other items to induce them in exchange for sex, her words, her report to the hotel staff. And then she asked them that they needed uh the staff to remove her sister from Lazzaro’s residence cuz she was still up there. And the staff’s response to her plea to them to save her sister was there’s nothing we can do so she called her dad. Her dad arrives and um she’s waiting for uh her dad uh the lobby and at that time the father goes back to the desk and implores the staff to retrieve his older daughter who’s still upstairs being</p>	<p>Anderson: “On one occasion, one of the girls reported to the staff. And, it is of record, that she was a victim and she went to the desk to report that Lazzaro is sex trafficking her and other girls. That he is offering cash to her and other girls and other items to induce them in exchange for sex. Her words, her report to the hotel staff. And then, she asked them that, uh, they needed, uh, the staff to remove her sister from Lazzaro’s residence ‘cause she was still up there. And the staff’s response to her plea to them—to save her sister—was, there’s nothing we can do.</p> <p>So, she called her dad. Her dad arrives and, um, she’s waiting for, uh, her dad in, uh, the</p>

<p><i>trafficked, being used, being exploited, and abused. And when he asked him to save his daughter uh from the capture of Lazzaro.’ (emphasis added).”</i></p> <p>(Compl. ¶ 26.e.)</p>	<p>lobby. And at that time, the father goes back to the desk and implores the staff to retrieve his other daughter who’s still upstairs being trafficked, being used, being exploited and abused. And when he asked him to save his daughter, uh, from the capture of Lazzaro, what is the Ivy staff’s response? There’s nothing we can do.”</p> <p>(Press Conf. 12:19-14:41.)</p>
Statement #6	
<p>“A father called, called me and said Anton Lazzaro has been having a sexual relationship with my teenage [16 year old] daughter and now he sent me an agreement where he wants me to sign it on behalf of my daughter in which he pays \$2,000. I said send me he [sic] agreement. And I immediately looked at that and realized this guy had committed serious felony.”</p> <p>(Compl. ¶ 26.f.)</p>	<p>Anderson: “Anton Lazzaro was not ever, uh, on the radar of the police or law enforcement, uh, for at least a year or two as he trafficked these girls. And it wasn’t until a father called me and said, ‘Anton Lazzaro has been having a sexual relationship with my teenage daughter, and he now sent me an agreement where he wants me to sign it on behalf of my daughter, in which he pays \$2,000.’ I said, ‘send me that agreement.’ And I immediately looked at that and realized this guy had committed a serious felony. And thus, we reported Anton Lazzaro to law enforcement. That father, in that call to us, was the first time any action was taken to prevent—to protect these kids.”</p> <p>(Press Conf. 18:11-19:10.)</p>
Statement #7	
<p>“[Lazzaro] paid the [staff of his condo building] to look the other way.”</p> <p>(Compl. ¶ 26.g.)</p>	<p>Media Member: “Do we know if, uh, hotel staff were being paid off by Lazzaro or if there were any transactions?”</p> <p>Anderson: “The question is, do we know the hotel staff was being paid off by Lazzaro? We know this today: he had a lot of money, and he has a lot of money. And he lived very lavishly. And so the implications to us, and it’s subject to further investigation, are that he paid the staff a lot of money to look the other way, all-</p>

	<p>all the time. And that would account, in part, for their indifference and their blind-sightedness. But we don't have, and haven't interviewed witnesses yet that has said, 'I got paid.' But we will, and we'll be able to answer that question more definitively once we get into what we call discovery.”</p> <p style="text-align: right;">(Press Conf. 26:56-27:53.)</p>
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The Complaint makes passing reference to fragments of other supposed statements—*i.e.*, that Lazzaro “imprisoned” victims or was “holding them prisoner”—but these allegations lack specificity and do not otherwise describe statements uttered during the Press Conference.¹⁹ (*Compare* Compl. ¶¶ 24–25, *with* Press Conf.)

Lazzaro alleges having suffered “severe and permanent injuries in mind and body” and “ongoing reputational damages” exceeding \$1 million, although he pleads no facts to support these allegations. (Compl. ¶¶ 31, 37.)

K. Defendants file the instant motion.

On November 26, 2025, Defendants timely filed this special motion for expedited relief under Minnesota’s Uniform Public Expression Protection Act, Minn. Stat. § 554.07, *et seq.* (“UPEPA”). (Index No. 5.) As set forth below, Defendants seek an expedited, with-prejudice dismissal of the entirety of the Complaint because: (1) six statements are true or substantially true and, as a matter of law, cause no harm to Lazzaro’s reputation; (2) five statements are immunized

¹⁹ Like fraud, defamatory statements must be pleaded with specificity. The Minnesota Supreme Court has “required that in defamation suits, the defamatory matter be set out verbatim.” *Moreno v. Crookston Times Printing Co.*, 610 N.W.2d 321, 326 (Minn. 2000); *accord Yohannes v. Minn. IT Servs.*, 2025 WL 1554578, at *4 (Minn. Ct. App. June 2, 2025). A complaint must also “at the very least allege which defendants made the statements, to whom, and when.” *Hunter v. Coughlin*, 2021 WL 1962905, at *2 n.2 (Minn. Ct. App. May 17, 2021) (cleaned up) (collecting cases); *accord Svendsen v. Lobb*, 2022 WL 16910596, at *2 (Minn. Ct. App. Nov. 14, 2022).

by the fair and accurate reporting privilege; (3) two statements express nonactionable opinion; and (4) Lazzaro cannot establish any evidence of actual malice, let alone with the clear and convincing evidence required for each alleged statement. Defendants also seek a mandatory award of attorneys' fees, costs, and expenses under UPEPA, Minn. Stat. § 554.16. Were the Court to find that UPEPA does not apply, dismissal is alternatively appropriate under Minn. R. Civ. P. 12.02(e).

IV. ARGUMENT

A. Legal Standards.

UPEPA authorizes defamation defendants to file a “special motion for expedited relief to dismiss the cause of action or part of the cause of action.” Minn. Stat. § 554.09. Minnesota courts apply a three-part analysis under UPEPA:

First, a district court must determine whether UPEPA applies to the action at issue. Minn. Stat. § 554.13(a)(1)-(2). *Second*, a district court must determine whether the nonmoving party has established a prima facie case for each essential element of the challenged causes of action. *Id.* (a)(3)(i). And *third*, a district court must determine whether the moving party has demonstrated a basis for dismissal either for failure to state a claim or because there are no genuine issues of material fact and judgment is appropriate as a matter of law. *Id.* (a)(3)(ii).

J&D Dental v. Hou, 26 N.W.3d 491, 496 (Minn. Ct. App. 2025) (emphasis added).

Lazzaro asserts one count of defamation and a second count of defamation per se. (Compl. ¶¶ 27–37.) To prevail on defamation, Lazzaro must prove that Defendants made: “(a) a false and defamatory statement about [him]; (b) in [an] unprivileged publication to a third party; (c) that harmed [his] reputation in the community.” *Johnson v. Freborg*, 995 N.W.2d 374, 384 (Minn. 2023). “Certain types of speech, like accusations of ‘criminal behavior or moral turpitude’—including accusations of sexual assault—are considered ‘defamation per se.’” *Id.*

B. Defendants’ UPEPA motion is timely.

A special motion for relief under UPEPA may be filed “[n]ot later than 60 days after a party is served with a . . . pleading that asserts a cause of action to which sections 554.07 to 554.19

apply, or at a later time on a showing of good cause.” Minn. Stat. § 554.09. Here, neither Defendant was lawfully served with the summons and Complaint, prompting the parties’ agreement to waive formal service under Minn. R. Civ. P. 4.05 and that Defendants’ “deadline to answer or otherwise respond . . . would be November 28, 2025.”²⁰ (Landy Exs. R, S; Index No. 11.) Defendants timely filed this motion on November 26. (Index No. 5.)

C. UPEPA governs Lazzaro’s claims.

UPEPA “must be broadly construed and applied to protect the exercise of the right of freedom of speech . . . guaranteed by the United States Constitution or Minnesota Constitution.” Minn. Stat. § 554.17. For two reasons, UPEPA governs the claims asserted in the Complaint.

First, UPEPA applies because Lazzaro’s claims are “based on [Defendants’] . . . communication on an issue under consideration or review in a legislative, executive, judicial, administrative, or other governmental proceeding.” Minn. Stat. § 554.08(b)(2). Each statement forming the basis of Lazzaro’s claims concerned the Ivy Lawsuit—a pending judicial proceeding—including the summation of evidence and testimony from which the Ivy Lawsuit allegations derived. (*See* Table E *supra*; *see also, e.g.*, Press Conf. 1:12-34, 20:19-28.) Each statement also concerned *Lazzaro I*—a judicial proceeding in its own right—which remained on appeal in December 2024.

Second, UPEPA also applies because Lazzaro’s claims are “based on” Defendants’ “exercise of the right of freedom of speech . . . on a matter of public concern.” Minn. Stat.

²⁰ Lazzaro attempted service on both Defendants by leaving a copy of the summons and Complaint at JAA’s offices with a back-office employee filling in for an absent receptionist. (Index Nos. 1, 2.) As explained to Lazzaro in later correspondence, this attempt was noncompliant with Minn. R. Civ. P. 4.03. Neither Anderson (nor this employee) resides at JAA’s offices (making substitute service there ineffectual), and the receiving employee was not a managing agent of JAA, not designated by statute to accept service, nor otherwise vested with actual or implied authority to accept service on behalf of JAA. (*See* Landy Ex. T at 1–2 & n.1 (collecting authorities).)

§ 554.08(b)(3). For deciding whether a matter is one of “public concern,” Minnesota courts borrow the standard established by the U.S. Supreme Court:

Speech deals with matters of public concern when it can be fairly considered as relating to any matter of political, social, or other concern to the community, or when it is a subject of legitimate news interest; that is, a subject of general interest and of value and concern to the public.

J&D Dental, 26 N.W.3d at 497 (quoting *Snyder v. Phelps*, 526 U.S. 443, 453 (2011)). Whether speech implicates a “matter of public concern” under this standard is determined “on a case-by-case basis given the totality of circumstances, taking into consideration the content, form, and contexts of the speech, as well as any other pertinent factors.” *Id.* at 498; *see, e.g., Freborg*, 995 N.W.2d at 384–85 (Facebook post about sexual abuse deemed speech on a matter of public concern), *cert. denied*, 144 S. Ct. 819 (U.S. 2024); *Richie v. Paramount Pictures Corp.*, 544 N.W.2d 21, 26 (Minn. 1996) (statements uttered “during a discussion of sexual abuse of children by their parents and legal recourse available,” publicized “via television media,” were “certainly of public concern”); *Jacobson v. Rochester Commc’ns Corp.*, 410 N.W.2d 830, 836 n.7 (Minn. 1987) (although petitioner was not a public figure, “the news report describing [his felony arson trial] and his activities were matters of ‘undoubted public concern’”).

Anderson’s statements describing the Ivy Lawsuit—including statements reciting the allegations and supporting evidence testimony from *Lazzaro I*—related to undoubted matters of public concern. The depraved and sensational nature of Lazzaro’s alleged sex trafficking scheme—paired with Lazzaro’s prior efforts to place himself at the center of public political debate—immediately captured the attention of local, national, and international media, which reported consistently on the ensuing, years’-long criminal proceedings. (*See supra*, §§ III.B, III.G.) The form and context of the statements—a press conference attended by media members and livestreamed on YouTube—are themselves indicative of “a subject of legitimate news interest.”

Unsurprisingly, print, digital, and cable media reported on (and aired) the very Press Conference at which the alleged statements were uttered.²¹ Finally, the Press Conference was also attended by representatives of Zero Abuse Project, who spoke to raise awareness on the issues of sex trafficking and child abuse prevention and intervention—additional matters of public concern.

D. For Statements #1-6, Lazzaro cannot establish the essential element of falsity because each statement is true or substantially true.

To prove defamation, Lazzaro must prove the falsity of each statement. *McKee v. Laurion*, 825 N.W.2d 725, 730 (Minn. 2013). A plaintiff “cannot succeed in meeting the burden of proving falsity by showing only that the statement is not literally true in every detail. If the statement is true in substance, inaccuracies of expression or detail are immaterial.” *Jadwin v. Minneapolis Star & Tribune Co.*, 390 N.W.2d 437, 441 (Minn. Ct. App. 1986). This “substantial-truth doctrine” instructs that “[m]inor accuracies do not amount to falsity so long as ‘the substance, the gist, the sting of the libelous charge [is] justified.’” *McKee*, 825 N.W.2d at 730. “A statement is substantially true if it would have the same effect on the mind of the reader or listener as that which the pleaded truth would have produced.” *Id.* The substantial-truth test is “broad”; “if any reasonable person could find the statements to be supportable interpretations of their subjects, the

²¹ See, e.g., Star Tribune, *Teen victim of Anton Lazzaro accuses Hotel Ivy staff of helping him traffic her and others* (Dec. 3, 2024), available at <https://www.startribune.com/one-of-anton-lazarros-teen-victims-now-accusing-hotel-ivy-staff-of-helping-him-traffic-her-others-in-plain-sight/601190171>; CBS News, *Hotel Ivy in downtown Minneapolis made no effort to protect Anton Lazzaro’s sex trafficking victims, lawsuit claims* (Dec. 3, 2024), <https://www.cbsnews.com/minnesota/news/hotel-ivy-minneapolis-lawsuit-anton-lazzaro/>; Kare 11, *Former Minneapolis hotel owners face lawsuit tied to Anton Lazzaro case* (Dec. 3, 2024), <https://www.kare11.com/article/news/crime/hotel-ivy-suit-anton-lazzaro/89-59693e91-1b11-452f-bafa-e11176e8dc64>; FOX 9, *Minneapolis hotel faces lawsuit over Anton Lazzaro crimes* (Dec. 3, 2024), <https://www.fox9.com/video/1556727>; KSTP-TV, *Minneapolis hotel sued over alleged role in sex trafficking scheme involving Anton Lazzaro* (Dec. 3, 2024), <https://kstp.com/kstp-news/top-news/minneapolis-hotel-sued-over-alleged-role-in-sex-trafficking-scheme-involving-anton-lazzaro/>.

statements are incapable of carrying a defamatory meaning, even if a reasonable jury could find that the statements were mischaracterizations.” *Hunter v. Hartman*, 545 N.W.2d 699, 707 (Minn. Ct. App. 1996) (cleaned up), *rev. denied* (Minn. June 19, 1996). When, as here, the underlying facts are not in dispute, “the question of whether the statements are substantially accurate is one of law for the district court to determine.” *Oaks Gallery & Country Store-Winona, Inc. v. Lee Enters., Inc.*, 613 N.W.2d 800, 803 (Minn. Ct. App. 2000) (citing *Jadwin*, 390 N.W.2d at 441); *accord Blackwell v. Collin*, 2025 WL 2256675, at *12 (Minn. Dist. Ct. Apr. 8, 2025).²²

Before applying the substantial-truth doctrine, it’s pivotal to note its heightened import in this case. In actions by plaintiffs, like Lazzaro, convicted of heinous crimes of moral turpitude, the bar for establishing substantial falsity—that is, that the “substance, the gist, the sting of the libelous charge” is not justified—is uniquely high. Similar cases teach is that, intuitively, the more heinous (and widely reported) a plaintiff’s criminal conduct, the more unlikely—if not impossible—that inaccuracies concerning that conduct will have any effect on the mind of the listener.

Consider *Davis v. McKenzie*, 2017 WL 8809359, at *12–13 (S.D. Fla. Nov. 3, 2017), *report and recommendation adopted*, 2018 WL 1813897 (S.D. Fla. Jan. 19, 2018). There, defamation-plaintiff Corey Davis was serving a comparable prison term for sex trafficking a minor (293 months). *Id.* at *1. Davis sued PBS and others, alleging it published an interview in which a woman falsely stated Davis “had subjected her to a variety of physical sexual abuse: he had put a gun in her mouth and pulled the trigger, but the gun was not loaded, . . . had sodomized her as punishment for trying to leave him, . . . had enslaved and tortured her for 18 months, . . . had threatened to kill her family if she ever ran away from him, . . . and [] had choked her on one occasion for trying to

²² The substantial-truth doctrine applies equally to Lazzaro’s claim of defamation per se. *E.g.*, *Cohen v. Beachside Two-I Homeowners’ Ass’n*, 2006 WL 1795140, at *2 n.4 (D. Minn. June 29, 2006), *aff’d as modified sub nom.*, 272 F. App’x 534 (8th Cir. 2008).

escape, resulting in her passing out and later waking up in her own urine[.]” *Id.* at *2. PBS sought expedited relief under Florida’s similar anti-SLAPP statute.

The court began by “taking judicial notice of the publicly available transcripts and other filings from Davis’s criminal proceedings” and cataloguing “the various media outlets with far-ranging audiences [that] published stories about the criminal case.” *Id.* at *5–11. The court determined Davis had “thoroughly destroyed whatever favorable reputation he may have once enjoyed when he adopted a criminal lifestyle that incorporated repeated acts of violence and physical and sexual abuse, not only of adults, but of minors as well”; it was “against this reputational status” that the court measured “the impact of the additional allegations of violence and physical and sexual abuse” raised by the interviewee. *Id.* at *11. After a thorough analysis, the Court found that “whether or not [she] was actually an additional victim of Davis’s sex trafficking operation, her allegations of violence and abuse broadcast by PBS are ‘substantially true’ as a matter of law because they produce no different effect on the mind of the listener or reader as far as Davis’s reputation is concerned than that produced by his admitted sex trafficking of a minor and the accompanying publicity, as well as by his additional conviction for assault resulting in serious bodily injury.” *Id.* at *14. The Court not only recommended granting PBS’s motion for expedited relief, it ruled *sua sponte* that claims against the remaining defendants should be dismissed as “frivolous or malicious” under 28 U.S.C. § 1915. *Id.* at *18–20.

Other courts, in similar cases, have reached similar outcomes. In *Koniak v. Heritage Newspapers, Inc.*, the Michigan Court of Appeals held:

[D]efendants’ article stating that plaintiff had allegedly assaulted his stepdaughter thirty to fifty times since the spring of 1985 was close enough to the truth about the nature of the criminal sexual conduct charges to justify summary disposition Although the record of the preliminary examination revealed that the complainant testified that the plaintiff assaulted her only eight times, we are persuaded that [] the gist or sting of the article was substantially accurate. As the trial court noted in

this case, whether plaintiff assaulted his stepdaughter once, eight times, or thirty times would have little effect on the reader.

198 Mich. App. 577, 581 (Mich. Ct. App. 1993).

This case is just like *Davis* and *Koniak*—if not more extreme. Lazzaro’s own conduct—which has been extensively reported in large part due to his own outrageous conduct and efforts to amplify sensational conspiracies—has thoroughly destroyed his own reputation, heralding deserved comparisons to Jeffrey Epstein. As a result, Lazzaro has created an impossibly higher bar for any statement about his sex trafficking conduct to inflict reputational harm beyond that which he has already inflicted. Even assuming his reputation could be further damaged, the true and substantially true statements he alleges do not come close to inflicting additional harm.

Statement #1. Statement #1—that Lazzaro’s prison term is 30 years, rather than 21 years—is substantially true and does no greater harm to Lazzaro’s reputation than the literal truth. For example, in *Woodard v. Sunbeam Television Corp.*, 616 So.2d 501, 503 (Fla. Dist. Ct. App. 1993), a court faced with a similar question held that “[t]he fact that [the plaintiff] actually spent two years in prison, as opposed to the four years reported by Steinberg, would not have had a different effect on the mind of the viewer since this fact does not affect the gist of the story.”

The same is true here. In the big picture of Lazzaro’s horrific sex trafficking scheme, the precise length of his prison term is merely a footnote. Lazzaro was convicted by a jury that heard gut-wrenching testimony of his efforts to prey on and sexually exploit minors, resulting in his conviction on five felony counts of sex trafficking minors and one count of conspiracy to sex traffic minors. For years, the details of Lazzaro’s crimes have been circulated across the globe in print, digital, and cable media. Compared to a report of the exact length of Lazzaro’s prison sentence, Statement #1 does not affect Lazzaro’s reputation in the mind of the listener. *See also, e.g., Weisburgh v. Mahady*, 511 A.2d 304, 306–07 (Vt. 1986) (report that plaintiff received \$50,000

worth of stolen coins, as opposed to \$500, did not alter its sting, which was “the *arrest* of plaintiff for *receiving stolen property*”).

Moreover, a complete recitation of Lazzaro’s literal sentence carries a *greater* sting than Statement #1’s mere reference to a 30-year prison term. As noted above, Lazzaro was sentenced to 6 concurrent prison-terms of 21 years on each conviction for sex trafficking minors, plus a 5-year term of supervised release. Lazzaro was ordered to “refrain from knowingly associating” with any female minor in the absence of a responsible adult; to register as a sex offender in Minnesota and any other state in which he lives, works, or attends school; and to abide by all requirements of the Sex Offender Registration and Notification Act. *Lazzaro I*, ECF Nos. 500, 502.

Statement #2. Statement #2—that Lazzaro “use[d] [Medina] to recruit these girls and offer cash to them and ultimately in exchange for sex”—is a true recitation of testimony and evidence from Lazzaro’s criminal case. As documented above, Victims A-E each testified that Lazzaro paid them cash and other items of value in exchange for sex. (*See supra*, Table B.) Victims also offered ample testimony that Medina recruited them, and that Lazzaro paid her with cash and other items of value for her recruiting efforts. (*See supra*, Table D.) Medina herself pleaded guilty to conspiring with Lazzaro to sex traffic minors and, in doing so, agreed that Lazzaro paid her to recruit minor victims, facilitating his commercial sex acts with those victims. (*See supra*, § III.D; Landy Ex J.) A jury convicted Lazzaro on each charged count of sex trafficking minors and the single count of conspiracy to commit sex trafficking of minors, crediting the copious sworn evidence that Lazzaro paid cash and other items of value to the minor victims in exchange for sex. (*See* Landy Ex. Y.)

Now, Lazzaro tries to rehash arguments that were thoroughly and finally rejected in his criminal case. The Eighth Circuit has already rejected Lazzaro’s claim that “there was no evidence

that he ever explicitly offered anything for sex.” *Lazzaro*, 129 F.4th at 528–29 (“First, the evidence shows that he *did* make such a statement. He explicitly offered \$400 to E.L., her sister, and their friend for sex, and when the friend became uncomfortable, Lazzaro made clear that she would not get the money if she left.”). And, just like Anderson, the Eighth Circuit described the evidence as establishing Lazzaro’s use of Medina to “recruit” minor victims to whom he paid cash and other items of value in exchange for sex. *See, e.g., id.* at 520 (“[Lazzaro] wanted her to be, in his words, his ‘recruiter.’ As Lazzaro’s recruiter, Castro Medina would message girls on his behalf, and she would get paid to do so.”), at 522 (“Lazzaro used Castro Medina to identify potential matches—most often underage girls—and to make the initial introduction. He used his condo to meet the girls and have sex with them. He always paid the girls afterwards, and he always paid Castro Medina for her assistance.”).

Statement #3. This Statement is a true recitation of the testimony and evidence at Lazzaro’s criminal trial. Specifically, Anderson merely stated that navigating to Lazzaro’s residence on the nineteenth floor required using a “private elevator” and that Ivy staff would accompany minor victims or “call . . . Lazzaro when they would arrive so that he would give permission for them to come up.” (*Supra*, Table E (citing Press Conf. 11:44-12:00.) The trial testimony supported these facts, which were not seriously contested.²³ A manager of the Hotel Ivy testified that guests were required to “see a person at the front desk” before accessing or using the residential elevators and that residents would “either let us know, or when they arrive, we just call the resident and take their permission to let the guest up.” (Landy Ex. U 1209:10-1212:6.) [REDACTED]

²³ Lazzaro himself alleges that, within the Hotel Ivy lobby, there are different elevator banks for residents and hotel guests, depicting an image to this effect. (*See* Compl. ¶ 26.c.)

[REDACTED]

[REDACTED] (Victim E Tr. 942:5-9; *see also id.* 932:13-24 [REDACTED]

[REDACTED]

[REDACTED] Victim B Tr. 679:17-680:11 [REDACTED]

[REDACTED]

[REDACTED] Thus, Statement #3 is both true and substantially true.

In any case, the precise access controls of the Hotel Ivy elevator banks are minor details that do nothing to harm Lazzaro’s reputation or “lower him in the estimation of the community.” *McKee*, 825 N.W.2d at 731. No listener would think more or less of a convicted sex trafficker of Lazzaro’s repute based on the degree to which victims could or could not freely access elevators.

Statement #4. Statement #4 is a true recitation of evidence and testimony from Lazzaro’s criminal trial, which reflected that “[o]ften times, . . . the girls were so intoxicated [that] they were unable to walk . . . on their own free will” and that, in some cases, Lazzaro then “arrange[d] transportation.” (Table E (citing Press Conf. 12:04-12:17).) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (Victim C Tr. 239:5-22.) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (*See supra*, Table A.) [REDACTED]

[REDACTED] (*E.g.*, Victim A Tr. 804:21-805:9 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
(Victim C Tr. 216:7-217:14 [REDACTED])

[REDACTED] The Eighth Circuit recited this evidence in affirming Lazzaro’s convictions and sentence. *See Lazzaro*, 129 F.4th at 522 (“During this encounter, [Victim C] became so drunk that Lazzaro let her stay the night . . .”).

Statement #5. Lazzaro recognizes that Statement #5 is a characterization of Victim B’s testimony. (*See* Compl. ¶ 25.e & n.6.) Each element of this statement (as accurately recited in Table E) is a true “characterization” of Victim B’s testimony. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] (Victim B Tr. 695:16-697:4) [REDACTED]

[REDACTED] (*Id.* 697:5-18.) [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] (*See* Victim B Tr. 689:12-697:20.)

Lazzaro takes apparent offense to the word “abuse,” citing Minnesota statutes defining criminal sexual conduct. (Compl. ¶ 26.e & n.7.) Of course, Anderson did not cite or otherwise imply a violation of these statutes, and “the meaning of an allegedly defamatory statement is not determined by legal research, but ‘by the plain and ordinary meaning of the word.’” *Anderson v. Cramlet*, 789 F.2d 840, 844 (10th Cir. 1986) (citation omitted). Lazzaro’s conduct unquestionably meets the ordinary definition of “abuse.” *See, e.g., Abuse*, Black’s Law Dictionary (12th ed. 2024) (“Cruel or violent treatment of someone; specif., physical or mental maltreatment, often resulting in mental, emotional, sexual, or physical injury.”). Regardless, the testimony established—and Lazzaro was convicted—for engaging in commercial sex acts with a 15-year-old. (*See, e.g., Victim C Tr.* 142:5-6; Ex. J at 4-5; Landy Ex. Y.) This qualifies as felony criminal sexual conduct. *See* Minn. Stat. § 609.345, subd. 1a(b) (defined to include “the following circumstances: . . . (b) the complainant is at least 14 but less than 16 years of age and the actor is more than 36 months older than the complainant or in a current or recent position of authority over the complainant. Consent by the complainant to the act is not a defense.”).

At minimum, and even assuming inaccuracy, no aspect of Statement #5 would inflict incremental harm on whatever remains of Lazzaro’s reputation. Each element of this Statement represents minor details in the greater sex trafficking scheme for which Lazzaro was convicted, meaning the Statement is substantially true as a matter of law.

Statement #6. Statement #6 is entirely true or substantially true. To begin, Anderson was correct insofar as he stated that Lazzaro had committed a felony.²⁴ Lazzaro was convicted of six felonies.

²⁴ Although most would undoubtedly agree that Lazzaro’s felony offenses are “serious,” the seriousness of his conduct is a matter of nonactionable opinion.

As a factual matter, Anderson also correctly recited testimony that Lazzaro sought to prevent Victim A from speaking with law enforcement by offering hush money and, as part of this scheme, presented her with a nondisclosure agreement. (*See* Victim A Tr. 813:3-814:17 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Relying on sworn testimony from law enforcement, Chief Judge Schiltz admonished Lazzaro for this very hush-money scheme in affirming his order of detention. (*See* Landy Ex. Z at 7 (summarizing testimony that Lazzaro approached victim and her parent “to sign a nondisclosure and nondisparagement agreement in return for \$1000” after learning the “minor victim intended to go to the police”).)

Citing Minn. Stat. § 609.345, Lazzaro also alleges that Statement #6 implies he committed felony criminal sexual conduct, and suggests this implication is false because Victim A was 16 years-old and “Minnesota’s age of consent is 16.” (Compl. ¶ 26.f & n.10.) For two reasons, this argument fails. First, and as noted above, the evidence at trial did establish that Lazzaro had sexual intercourse with a 15-year-old (Victim C), meeting the definition of criminal sexual conduct under the very statute Lazzaro invokes. *See* Minn. Stat. § 609.345, subd. 1a(b). Second, Lazzaro *also* conspired with Medina in a similar effort to silence 15-year-old Victim C. Medina pleaded guilty to an obstruction charge for this very conduct and thoroughly detailed Lazzaro’s role in attempting to silence Victim C, (*see supra*, § III.D), and additional testimony of this scheme was also relied on by Chief Judge Schiltz in his order affirming Lazzaro’s detention. (*See* Landy Ex. Z at 8 (summarizing testimony that Lazzaro messaged Victim C “please don’t say anything” and had

“enlisted Medina [] and her boyfriend to contact that victim by going to her workplace and providing ‘a bottle of alcohol and cash’ in exchange for her silence”).)

In sum, Lazzaro’s allegations on Statement #6 seem to present a theory that Anderson wrongly implied that Victim A was below the age of 16 and, as a result, wrongly implied that Lazzaro committed criminal sexual conduct. But the evidence did establish that Lazzaro engaged in sexual intercourse with another victim under the age of 16 (Victim C), and that Lazzaro attempted to silence each of these victims with hush money payments. Meanwhile, Lazzaro was convicted for five counts of felony sex trafficking of minors and one felony count of conspiracy to do the same. As a matter of law, the “sting” and “gist” of Statement #6 is true and, regardless, has no material effect on Lazzaro’s reputation in the mind of the listener.

E. Statements #2-6 are protected by the fair and accurate reporting privilege.

Next, there is also no genuine dispute that Statements #2-6 are immunized by the fair and accurate reporting privilege. This privilege offers an independent basis for dismissal.

“Even if every element of a defamation claim is established, a speaker is not liable if an absolute or qualified privilege protects the defamatory statement and the qualified privilege is not abused.” *Larson v. Gannett Co., Inc.*, 940 N.W.2d 120, 131 (Minn. 2020). The fair and accurate reporting privilege immunizes “publication of defamatory matter concerning another in a report of an official action or proceeding or of a meeting open to the public that deals with a matter of public concern . . . if the report is accurate and complete or a fair abridgment of the occurrence reported.” *Id.* at 132 (quoting Restatement (Second) of Torts § 611 (Am. Law Inst. 1975)). “[F]ault is not determined by the truth or falsity of the content of the defamatory statement,” but “by the accuracy with which the statement is reported.” *Moreno*, 610 N.W.2d at 331. The speaker “is not required either to provide every fact or to omit information that some may consider merely contextual in

order to be protected by the privilege.” *Gabbert v. Star Tribune Media Co.*, 2022 WL 2911884, at *3 (Minn. Ct. App. July 25, 2022). “[L]ike an absolute privilege, the fair and accurate reporting privilege cannot be defeated by common law malice.” *Larson*, 940 N.W.2d at 131. “Whether the fair and accurate reporting privilege applies [] is a question of law.” *Id.*

Relevant here, the fair reporting privilege is not limited to “newspapers, broadcasting stations and others [] in the business of reporting news to the public,” but “extends to any person who makes an oral, written or printed report to pass on the information that is available to the general public.” Restatement (Second) of Torts § 611, cmt. c.²⁵ Thus, courts extend the privilege to nonmedia, including specifically to reports by law firms and attorneys. *See, e.g., Myers v. D.C. Hous. Auth.*, 2021 WL 1167032, at *5 (D.D.C. Mar. 26, 2021) (application to “law firm’s ‘News & Updates’ section is []consistent with the privilege’s purpose to inform the public about ‘what occurs in official proceedings’”); *Healthsmart Pac., Inc. v. Kabateck*, 7 Cal. App. 5th 416, 431–37 (Cal. Ct. App. 2016), *as modified*, (Jan. 10, 2017) (protecting attorneys’ statements to media); *Sig Sauer, Inc. v. Jeffrey S. Bagnell, Esq., LLC*, 2023 WL 4421769, at *2–4 (D. Conn. July 10, 2023) (applied to animation and press release published online by law firm); *McNamara v. Koehler*, 429 P.3d 6, 11–13 (Wash. Ct. App. 2018) (privileged applied to statements published on law firm’s website).

To begin, the alleged statements were reports of an official proceeding (*i.e.*, testimony from *Lazzaro I* and allegations in the Ivy Lawsuit). Defendants clearly explained—in the release

²⁵ Although it has not had occasion to apply the fair reporting privilege to nonmedia members, the Minnesota Supreme Court has already adopted § 611 and further signaled that it would by observing the First Amendment’s equal application to media and nonmedia members alike. *See Maethner v. Someplace Safe, Inc.*, 929 N.W.2d 868, 878 (Minn. 2019) (“Minnesota affords to nonmedia defendants the same first amendment protection for criticism of public officials that it grants to the mass media. The rule should not be different when the plaintiff is a private individual but the matter nonetheless raises an issue of public concern.”) (citations omitted).

announcing the Press Conference, on the webpage where it was livestreamed (and remains accessible), and during the Press Conference itself—that statements about Lazzaro’s conduct derived from “evidence” and “testimony” in the criminal proceedings. (*See supra*, § III.I.) Through these channels, Defendants made abundantly clear that this testimony was being used for “allegations” made in the Ivy Lawsuit. (*Id.*) Naturally, those attending and reporting on the Press Conference clearly understood as much. In its reporting on the Press Conference, for example, the Star Tribune noted: “The lawsuit relies on testimony from Lazzaro’s victims as well as co-defendant Gisela Medina,” along with “testimony from a front desk manager at the Hotel Ivy.”²⁶ In fact, Lazzaro himself understands that Defendants were describing trial testimony. (*See Compl.* ¶ 25.e (“Characterizing testimony from Lazzaro’s trial, Anderson stated: . . .”))

Second, for the same reasons Statements #2-6 are true or substantially true, they are also a fair and accurate report of evidence and sworn testimony elicited during Lazzaro’s criminal trial. As catalogued above, each of these statements aligns neatly with sworn testimony adduced at trial (and with the account of Lazzaro’s co-defendant). (*See supra*, § IV.D.) Thus, as a matter of law, Lazzaro’s claims must be dismissed with prejudice as to Statements #2-7. *See, e.g., Myers*, 2021 WL 1167032, at *3–4 (granting Rule 12 motion when similar language and context clues meant “only reasonable interpretation” was that release summarized sexual harassment allegations in client’s complaint); *Healthsmart Pac., Inc.*, 7 Cal.App.5th at 434–38 (affirming award of expedited anti-SLAPP relief based on fair report privilege because attorneys’ statements to media were fair and true statements concerning allegations in complaint).

²⁶ *Supra*, § IV.D n.21, Star Tribune, *Teen victim of Anton Lazzaro accuses Hotel Ivy staff of helping him traffic her and others*; *see also supra*, § IV.D n.21, KSTP-TV, *Minneapolis hotel sued over alleged role in sex trafficking scheme involving Anton Lazzaro* (“The lawsuit relies heavily on the testimony from Lazzaro’s criminal trial . . .”).

F. Statements #5 and #7 are not statements of fact, but nonactionable opinion.

“The First Amendment protects opinion from defamation liability.” *Larson*, 940 N.W.2d at 147. “Courts consider four factors when determining whether a statement is one of fact or opinion: (1) the precision and specificity of the statement; (2) the statement’s verifiability; (3) the social and literary context of the statement; and (4) the public context in which the statement was made.” *Bebo v. Delander*, 632 N.W.2d 732, 740 (Minn. Ct. App. 2001). “Determining whether a statement is an opinion or a fact is a question of law.” *Blackwell*, 2025 WL 2256675, at *17 (collecting cases).

First, while Statement No. 5 is true, certain elements can be construed as opinion, such as Anderson’s remarks that a father’s 18-year-old daughter (and Victim B’s sister) had been “used, “exploited,” and “abused” by Lazzaro, as well as his recitation that the girl’s father asked Ivy staff to “save his daughter [] from the capture of Lazzaro.” (*Supra*, Table E.) Of course, nearly any listener faced with the sworn testimony of Lazzaro’s minor victims would *agree* he had used, exploited, and abused them. So too would they agree that Victim B’s sister was in “the capture” of Lazzaro, [REDACTED]

[REDACTED] (*See generally* Victim B Tr. 689:12-697:20).) Even if one disagrees with these statements—which is difficult to imagine—that disagreement boils down to a matter of opinion.

Statement #7—Defendants’ answer when questioned if Ivy staff were “paid off”—is also nonactionable. *Hunter v. Coughlin*, 2021 WL 1962905 (Minn. Ct. App. May 17, 2021), is instructive. There, the defendant allegedly said that “anyone who was favorable” to the plaintiff

“must have been paid off.” *Id.* at *6. The Court of Appeals found this statement reflected mere “opinion” that plaintiff had bribed witnesses and, therefore, was nonactionable. *Id.* Here, Defendants did not, as alleged, make a declarative statement that Lazzaro “paid the [staff of his condo building] to look the other way.” (Compl. ¶ 26(g).) Instead, when asked whether “hotel staff were being paid off by Lazzaro,” Defendants answered that the silence and inaction of Ivy staff created an “implication[] to us” that they were; in the same breath, Defendants stated that it was “subject to further investigation”; that Defendants “[had]n’t interviewed witnesses yet that ha[d] said, ‘I got paid,’”; and that Defendants would “be able to answer that question more definitively once we get into what we call discovery.” (*See* Table E; Press Conf. 26:56-27:54.)

Finally, insofar as Statement #7 concerns Defendants’ mere belief that further investigation could reveal evidence of payments to hotel staff, this similarly constitutes an opinion or “prediction of future events” that is “not actionable in defamation because it is not capable of being proven true or false.” *Said v. Mayo Clinic*, 2021 WL 5371571, at *12 n.6 (D. Minn. Nov. 18, 2021) (quoting *Alexander v. Strong*, 2021 WL 2645516, at *5 (Minn. Ct. App. June 28, 2015)).

G. Lazzaro cannot show clear and convincing evidence of actual malice.

Next, Lazzaro must establish actual malice by clear and convincing evidence. His inability to do so is yet another independent basis for dismissal.

1. Lazzaro must show clear and convincing evidence of actual malice.

To begin, there are two independent reasons why Lazzaro must show actual malice. *First*, Lazzaro is required to establish malice if the Court deems him a public figure. “There are three categories of public figures: an involuntary public figure, an all-purpose public figure, and a limited-purpose public figure.” *Metge v. Cent. Neighborhood Improvement Ass’n*, 649 N.W.2d 488, 495 (Minn. Ct. App. 2002). Relevant here, an all-purpose public figure is “generally described as a celebrity or a prominent social figure,” whereas a limited-purpose public figure is one who

voluntarily “injects [herself] or is drawn into a particular public controversy and thereby becomes a public figure for a limited range of issues.” *Id.* at 495–96. To determine if an individual is a limited-purpose public figure, courts consider (1) whether a public controversy existed; (2) whether the plaintiff played a meaningful role in the controversy; and (3) whether the allegedly defamatory statement related to the controversy. *Chafoulias v. Peterson*, 668 N.W.2d 642, 651 (Minn. 2003). “Whether a plaintiff is a public figure is a question of law” that, in some cases, “might involve disputes of material fact.” *MacDonald v. Brodkorb*, 939 N.W.2d 468, 477 (Minn. Ct. App. 2020) (public-figure status established as a matter of law).

Lazzaro must be considered either an all-purpose or limited public figure. First, as discussed above, Lazzaro made relentless efforts to insert himself into the public eye in the years preceding his indictment for sex trafficking minors. Through these efforts, Lazzaro obtained visibility, access, and influence in the local and national political landscape. Lazzaro used his wealth to gain access to the Republican Party’s most visible figures and touted that visibility online (and to his victims); founded and operated a PAC, Big Tent Republicans, that funded political campaigns, made substantial financial contributions, and conducted scandalous opposition research, including spending “\$200,000” to investigate and peddle controversies about Rep. Ilhan Omar; made recurring appearances on national television programming, such as Fox News (as Lazzaro tells it, he was set to appear on Tucker Carlson the night of his arrest); hosted a podcast with Minnesota’s then-GOP Chair, Jennifer Carnahan; contributed to print media, including Alpha News, and as the subject of a Star Tribune profile; served as an RNC Delegate; and published continuously from his “entirely political” Twitter account. (*See supra*, §§ III.B.)

Regardless, Lazzaro also established himself as a limited-purposed public figure in connection with his criminal case. Lazzaro broadcast sensational theories of government

conspiracy and vindictive prosecution, for instance, amplifying them in the press—both directly and through his legal team. (*See supra* § III.G); *see also, e.g., Brinkman v. MN is Ready Action*, 2025 WL 863359, at *4 (Minn. Dist. Ct. Jan. 31, 2025); *Stepnes v. Ritschel*, 663 F.3d 952, 964 (8th Cir. 2011). Lazzaro amplified his claims through social media and multiple websites (maintained to this day)—including during his trial. (*See supra* § III.G.) Lazzaro pushed these theories in Court, long after they were rejected, and engaged in myriad other outrageous, headline-grabbing conduct—including making threats to law enforcement and prosecutors and attempting to silence numerous witnesses and victims with hush-money schemes. (*See id.*) Lazzaro’s case received wall-to-wall media coverage from local, national, and international press.

Second, if the Court alternatively deems Lazzaro a private plaintiff—that is, a non-public figure—Lazzaro still must establish actual malice because, for the reasons discussed in Section IV.C, the alleged statements involve matters of public concern. *Erickson v. Sawyer*, 650 F.Supp.3d 758, 767 (D. Minn. 2023) (citing *Maethner*, 929 N.W.2d at 876–79).

2. *Lazzaro cannot show clear and convincing evidence of actual malice.*

Lazzaro cannot meet his resulting burden to marshal clear and convincing evidence of actual malice. “Actual malice is a term of art; it means that the defendant acted with knowledge that the publication was false or with reckless disregard of whether it was false or not.” *Chafoulias*, 668 N.W.2d at 654 (cleaned up). “[R]eckless disregard’ does not mean ‘recklessness’ in the ordinary sense of extreme negligence. Instead, ‘reckless disregard’ requires that a defendant make a statement while subjectively believing that the statement is probably false.” *Id.* at 654–55. A prima facie case of defamation requires “clear and convincing evidence” that the defendant acted with actual malice. *Id.* at 654. In *Chafoulias*, for example, the Court reversed and found summary judgment was appropriate for the ABC defendants, reasoning that “[e]ven if ABC had any reason

to doubt” its source’s veracity, the evidence showed it “undertook an independent investigation to substantiate” its statement. *Id.* at 655.

The recent actual-malice analysis in *Cook v. Trimble* is particularly apt. 22 N.W.3d 196 (Minn. Ct. App. 2025). There, Dalvin Cook sued attorneys representing his ex-girlfriend in a separate personal injury suit, alleging they defamed him in a press conference, including by reciting allegations that Cook “physically abused” and held her “hostage.” *Id.* at 201. The district court denied the attorney’s UPEPA motion, finding Cook had adequately pleaded actual malice, and later denied summary judgment. *Id.* at 202. On appeal, the Court of Appeals “reverse[d] the denial of [the] special motion for expedited relief” under UPEPA, finding Cook could not show actual malice by clear and convincing evidence. *Id.* at 208–09. Like here, the underlying suit “presented a classic he-said-she-said” with evidence creating a clear “factual dispute as to what transpired.” *Id.* This meant “no reasonable juror could find, by clear and convincing evidence, that [counsel] acted with actual malice in making the [] media statements.”²⁷ *Id.* at 209.

For Statements #2-7, *Cook* is dispositive. Even assuming falsity, the copious evidence substantiating Defendants’ media statements about the Ivy Lawsuit goes much further than presenting the “factual dispute” *Cook* did. Here, Defendants’ statements—and the derivative Ivy Lawsuit allegations—were reciting *sworn testimony and evidence* that was already credited by a jury in *convicting Lazzaro* of all six counts. Against this backdrop, no reasonable jury could find that Defendants—by announcing their client’s lawsuit and the source evidence for her claims—uttered the alleged statements believing they were probably false. Were the Court to determine

²⁷ The Minnesota Supreme Court recently granted cross-petitions for review in *Cook*. In doing so, the Court denied review on just one petitioned issue: the determination, as a matter of law, that Cook could not show clear and convincing evidence of actual malice. *See Cook v. Trimble*, No. A24-1486, Respondent’s Cross-Petition (June 23, 2025) & PFR Order (Aug. 12, 2025).

otherwise, any lawyer addressing their client's allegations in a matter of public concern would be forced to endure defamation lawsuits, nullifying UPEPA's protections for a discrete class.

This leaves Statement #1. As noted above, Statement #1 is a substantially true statement of Lazzaro's prison term that, as a legal matter, cannot cause additional harm to Lazzaro's self-destroyed reputation. Assuming it could, Lazzaro still cannot show actual malice. As shown in the Press Conference recording, Anderson could not instantaneously recall the length of Lazzaro's prison sentence while addressing media members—prompting a colleague to answer, mistakenly, that Lazzaro's prison term was thirty years. (*See* Table E (citing Press Conf. 4:30-37).) This shows not a knowingly false statement, but one of inadvertence. In fact, Defendants elsewhere consistently reported the correct length of Lazzaro's prison sentence—including in the very release announcing the Press Conference.²⁸ For these reasons, it suspends common sense to determine Statement #1 was made with knowledge of falsity. Because Lazzaro cannot show actual malice by clear and convincing evidence, his claims must be dismissed.

H. The Court should award Defendants their attorneys' fees, costs, and expenses.

Because Defendants are entitled to prevail on the motion, the Court “shall award court costs, reasonable attorney fees, and reasonable litigation expenses related to the motion.” Minn. Stat. § 554.16 (emphasis added); *accord Anderson v. Anderson*, 2025 WL 2090526, at *2 (Minn. Ct. App. July 22, 2025) (prevailing party is “entitled” to award under § 554.16).

²⁸ *See* Landy Ex. P at 1 (“In 2023, Anton Lazzaro was sentenced to 21 years in prison for sex trafficking minor females.”), Landy Ex. V, *also available at* <https://www.andersonadvocates.com/blog/anton-lazzaro-politics-predation-power/> (“Today, [Lazzaro] was sentenced to 21 years in prison for his crimes. . . . It is only because of courageous survivors that the assembly line has stopped, at least for the next 21 years, while Lazzaro is imprisoned.”); Landy Ex. W, *also available at* <https://www.andersonadvocates.com/news/former-gop-donor-and-political-operative-anton-lazzaro-sentenced-to-21-years-in-prison-today/>.

CONCLUSION

For the foregoing reasons, Defendants respectfully request that the Court grant Defendants' motion as set forth in the accompanying Proposed Order.

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