

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----	X
ROSLYN LA LIBERTE,	: Civil Action No. 1:18-cv-05398
	: (DLI-VMS)
Plaintiff,	:
	:
-against-	:
	:
JOY REID,	:
	:
Defendant.	:
-----	X

**MEMORANDUM OF LAW IN OPPOSITION TO  
MOTION OF DEFENDANT JOY REID TO  
REVOKE *PRO HAC VICE* ADMISSION OF  
PLAINTIFF'S ATTORNEY L. LIN WOOD**

**L. LIN WOOD, P.C.**  
P.O. Box 52584  
Atlanta, GA 30355-0584  
(513) 381-2838  
and

**OLASOV LLP**  
485 Madison Avenue, 7<sup>th</sup> Floor  
New York, NY 10022  
(212) 588-0540  
*Attorneys for Plaintiff*

Lucian L. Wood  
David M. Olosov,  
Of Counsel

February 8, 2021

Plaintiff Roslyn La Liberte, by her attorneys, L. Lin Wood, P.C. and Olasov, LLP, respectfully submit this Memorandum of Law in opposition to the motion filed by defendant Joy Reid on January 25, 2021 to revoke the *pro hac vice* admission of L. Lin Wood granted on October 11, 2018 to represent Ms. La Liberte in this Court in connection with the captioned litigation.

By her motion Ms. Reid asks this Court to impose sanctions on Mr. Wood—with a hugely adverse impact on both the plaintiff, Roslyn La Liberte, and Mr. Wood-- for political opinions and alleged activities of his in the public arena and as a litigant or attorney that on their face have nothing to do with the claims in this action that have been litigated in this Court and in the Court of Appeals for the Second Circuit since October 2018. Defendant levels essentially no criticism of Mr. Wood's professional conduct in this Court or in the Court of Appeals. Ms. Reid undertakes this attack on Woods with no sworn statement of her own of any kind. The sole predicate for this motion is a moving declaration by one of her lawyers, John Reichman, that is not based on personal knowledge, concerning events in places that he was not present and in litigations in which there is not even a pretense of professional participation by Mr. Reichman or any of the other lawyers who have represented Ms. Reid in this case in this Court or in the Court of Appeals from time to time. Mr. Reichman is nevertheless apparently at ease in drawing the most extravagant factual conclusions without any personal knowledge.

Ms. Reid's comfort in endorsing this assault on Wood's integrity and competence is of a piece with the real dispute in this litigation, that, when you cut to the chase, she defamed Roslyn La Liberte because she saw a photo of her wearing a Trump MAGA hat and baselessly drew really terrible conclusions about *her* based on a photo, when Ms. Reid was acting, if anything, on her aversion to former President Trump. However, plaintiff declines to follow Ms. Reid and her counsel down this rabbit hole, and respectfully submits that this Court likewise should not go there.

The only reason that defendant's screed in her motion does not go on at even greater length is that this Court denied her motion to file a brief in excess of 25 pages, and implored counsel not unnecessarily to use the allotted page limit.

As we show below, and in the accompanying declaration of Roslyn La Liberte ("LaLiberte Decl."), dated February 8, 2021, the affirmation of David M. Olov ("Olov Aff.") dated February 8, 2021 and the affidavit of Lin Wood ("Wood Aff."), dated February 7, 2021, there is no conduct of Mr. Wood for which he should be sanctioned, and Ms. LaLiberte punished by depriving her of counsel of her choosing. Ms. Reid's motion should be denied in its entirety. Defendant withheld any mention of her alleged concerns until the end of the Initial Conference with the Court on January 11, 2021. The apparent objective of such concealment was to blindside plaintiff's counsel. Her concealment cannot be cured on this motion. Moreover, if the Court believes that it needs to have a further record, both the plaintiff and Wood would be entitled to an evidentiary hearing, which would impose on each of them expense and delay that is inappropriate on the basis on the deficient showing tendered by Ms. Reid and her attorneys.

In order to limit the energy the Court is to be forced to expend to act on this motion, we have limited the amount of cross-referencing between this Memorandum of Law and the proofs submitted by plaintiff and her counsel in opposition to the Reid motion. We respectfully refer the Court to these submissions, which speak for themselves.

### **Prior Proceedings**

The facts and claims underlying this action are well-known to this Court. We recite them only to the extent necessary to put the stakes and merits of the pending motion in context. *See*

First Amended Complaint filed November 27, 2018 and *La Liberte v. Reid*, 966 F.3d 79 (2d Cir. July 15, 2020).

On June 25, 2018 La Liberte, a private citizen, appeared at a Simi Valley, California, City Council meeting as a concerned citizen for the purpose of expressing her views on California's sanctuary law. La Liberte was wearing a "Make America Great Again" hat at the time. Joy Reid, a TV personality with a national reputation and a huge following, saw a posting of a photograph of La Liberte at this meeting, retweeted that posting and made other publications of her own authorship on June 29 and July 1, 2018 in which Reid attacked La Liberte for having screamed abhorrent racial slurs at a 14 year old boy.

La Liberte was deluged with hostile and threatening communications that caused her to fear for her safety and the well-being of her family. She came to the conclusion that she would need experienced legal counsel to assist and guide her in her struggle to cope with the avalanche of threats and false, hurtful and damaging accusations against her. She performed an internet search that identified Wood as a leading defamation lawyer with a national reputation. She reached out to him on Sunday, July 1, 2018 and spoke with Wood and engaged his services on July 2, 2018. La Liberte Decl., ¶¶ 2 - 3; Wood Aff., ¶ 2 .

Wood composed a "cease and desist" letter addressed to Ms. Reid, that he sent on July 2, 2018, the day of his retention. Exhibit 7 to First Amended Complaint. This action was commenced on or about September 25, 2018. As lead counsel in this case, Wood has had a unique role in the representation of La Liberte. The Reichman Decl. is, at best, facetious in trying to minimize or disparage his involvement. *Cf.*, Reichman Decl., *passim*.

As the Court is fully aware, the history of this case has featured lengthy motion practice. By judgment dated September 30, 2019, this Court granted "in its entirety" defendant's motion to

dismiss the amended complaint under Fed. R. Civ. Pro. 12(b)(6) and to “strike” the pleading under California’s anti-SLAPP statute, Cal. Civ. Pro. Code §425.16 and granted defendant leave to seek attorneys’ fees and costs pursuant to Cal. Civ. Pro. Code §425.16(c)(1). This Court held that: (i) the plaintiff was a limited purpose public figure and that, accordingly, her claim for defamation as to a June 29, 2018 publication by the defendant be dismissed for failure to plead actual malice; and (ii) her claim for defamation as to defendant’s July 1, 2018 publication be dismissed as non-actionable opinion.

By decision dated July 15, 2020, *La Liberte v. Reid*, 966 F.3d 79 (2d Cir. July 15, 2020), the Court of Appeals for the Second Circuit vacated this Court’s judgment and remanded the case for further proceedings consistent with the appellate court’s opinion. The Court of Appeals held, among other matters, that, as matters of law to be determined by the Court: (i) plaintiff was a private person and not a limited purpose public figure, (ii) as a private person, plaintiff need only prove negligence (and not actual malice) to recover for defamation and (iii) the July 1, 2018 statements alleged to be defamatory were not statements of opinion but provable assertions of fact and therefore actionable. On August 7, 2020 defendant petitioned the Court of Appeals for the Second Circuit for rehearing, with a suggestion of rehearing *en banc*. This petition was denied by order dated September 25, 2020. The mandate of the Court of Appeals issued on October 2, 2020. On remand, by order dated November 11, 2020, this Court denied defendant’s motion for attorneys’ fees and costs.

Many fewer legal issues remain in this case than preceded the foregoing motion practice.

Mr. Wood was the architect of the legal pleadings that were sustained in all material respects by the Second Circuit. For the purposes of the instant motion, it is not, and cannot, be argued, that the amended complaint and its allegations of fact and embedded principles of law

were made in bad faith or filed in derogation of any professional duty of plaintiff's counsel to this Court, much less in sanctionable breach.

Defendant and her counsel make no showing that they themselves have any legally cognizable interest in Wood's political and other activities unrelated to this action and to plaintiff La Liberte. They do not say anything about the delay or expense that would be visited upon La Liberte and Wood were Reid's motion granted or why this Court should wreak financial and litigation havoc on La Liberte and Wood on the application of the defendant. Just as important, Reid does essentially nothing to meet her burden under the Rules and case authorities the Magistrate Judge cited to her counsel and her.

## **A R G U M E N T**

### **I. Plaintiff is Entitled to Representation by Counsel of Her Choosing**

This Court granted the Wood *pro hac vice* application to practice in this Court in connection with his firm's representation of Roslyn La Liberte by order dated October 11, 2018. Wood Aff., ¶ 1. He has a national reputation as defamation counsel, and has practiced all over the United States in the representation of clients in defamation and other actions in a career spanning decades. Wood Aff., ¶¶ 1, 32. The routine entry of the *pro hac vice* order, without opposition by the defendant, reflects the established recognition that a party is, absent special other considerations, entitled to the representation by counsel of her choosing.

**II. Defendant Ordinarily Has No Say in Plaintiff's Choice of Counsel and Thus Has to Meet a Heavy Burden to Force the Opposing Party to Obtain Other Attorneys for Her Representation**

In establishing the schedule for consideration of the revocation motion defendant asked to make on January 11, 2021, the Magistrate Judge directed:

Defendant requested a briefing schedule to move to revoke Plaintiff counsels *pro hac vice* admission in this action. Defendants proposed motion, if any, must address material legal and factual issues including, but not limited to, a movants burdens when seeking such relief, pertinent Local Civil Rule 1.3 factors and substantive and procedural evidence pertaining to those factors. See, e.g., Local Civ. R. 1.3; *Martens v. Thomann*, 273 F.3d 159 (2d Cir. 2001); *Doe v. Mastoloni*, 307 F.R.D. 305 (D. Conn. 2015).

Defendant gives only lip service to her burden. Local Civil Rule 1.3(c) governs the admission of a member of another state or federal court to practice in a civil matter in the Eastern District of New York. Defendant does not allege, much less show, that there was any defect in Wood's application for *pro hac vice* admission in October 2018.

Once such an application is granted, the admitted attorney does not acquire second class attorney status, subject to the vagaries of attitudes of opposing parties or counsel. Thus, in *Martens v. Thomann*, 273 F.3d 159 (2d Cir. 2001), then Court of Appeals Judge Sotomayor observed that there was a distinction between denying an application for *pro hac vice* status and revoking *pro hac vice* admission after it has been granted. In the latter situation, which is what would be applicable here, the Court held that "revocation of *pro hac vice* admission is a form of sanctions that cannot be imposed without notice and an opportunity to be heard." 273 F.3d at 175. In so holding, she observed that "it may be inappropriate to revoke *pro hac vice* status on the basis of past misconduct unless the past misconduct affects counsel's current representation," *id.*, and quoted with approval authority that revocation is granted only in two situations:

With rare exceptions disqualification has been ordered [in this Circuit] only in essentially two kinds of cases: (1) where an attorney's conflict of interests in violation of Canons 5 and 9 of the Code of Professional Responsibility undermines the court's confidence in the vigor of the attorney's representation of his client, or more commonly (2) where the attorney is at least potentially in a position to use privileged information concerning the other side through prior representation, for example, in violation of Canons 4 and 9, thus giving his present client an unfair advantage. . . . But in other kinds of cases, we have shown considerable reluctance to disqualify attorneys despite misgivings about the attorney's conduct. . . . {Therefore,] unless an attorney's conduct tends to taint the underlying trial by disturbing the balance of the presentations in one of these two ways. . . courts should be quite hesitant to disqualify an attorney.

273 F.3d at 177, fn.11, quoting *Bd. of Educ. of New York*, 590 F.2d 1241, 1246 (2d Cir 1979)(internal citations and footnotes omitted).

Obviously, neither of these situations are implicated here. It takes no genius to see that the defendant is looking for tactical advantage, not a level playing field. This motion has nothing to do with professional ethics. No one seriously questions Wood's commitment to Roslyn La Liberte and her case. The vigor of his representation cannot be challenged. Nor has Wood ever had any relationship of professional confidence with defendant Joy Reid. Nothing of the sort is alleged in her moving papers.

The Magistrate Judge's scheduling order also directed defendant Reid to deal with lines of cases in which one side allegedly abuses the discovery process, and revocation of *pro hac vice* admission is sought as a sanction under Rule 37 for discovery abuse. The Court referenced the case of *Doe v. Mastoloni*, 307 F.R.D. 305 (D. Conn. 2015). That case stands for at least two relevant procedural propositions. The first is that one party cannot simply seek revocation of the *pro hac vice* admission of counsel for an opposing party without giving the opposing party prior notice of the first party's objection and violation of an applicable court order to comply. This case



underscores the procedural obstacles that defendant faces but has ignored. First, she has not objected to the conduct of plaintiff's counsel's conduct or demanded compliance prior to making her motion. Second, she has not sought or obtained an order of this Court requiring compliance. Third, any such motion to compel would face problems of the first order that the party is seeking relief that is wholly unrelated to the litigation before the Court. Fourth, any such order, if granted, would have constitutional infirmities, especially since Reid is challenging free speech rights on matters having nothing to do with this litigation or implicating any interests of her own.

Even a cursory review of the issues raised by the Court show how ill-conceived is defendant's motion. The problems with this exercise are underscored by the evidence dripping from Reid's moving papers that exude malice and an unapologetic attempt to smear. Defendant puts before the Court a pleading by Wood's former colleagues in a fee dispute. Why does she do that? She has no stake in the outcome of that dispute. No ethical issues arise from Wood's defense of his contractual position. The dispute is not pending in this Court, and has not been resolved. We are left, therefore, with inflammatory assertions in pleadings that Reid and her counsel believe should be embarrassing or prejudicial to Wood before this Court. They lay bare defendant's purpose on this motion.

In his affidavit Wood disputes the accuracy and relevance of allegations made in the Reichman Declaration. But there are so many substantive and procedural obstacles to defendant's motion that the Court need not reach Wood's account in order to deny Reid's motion.

## CONCLUSION

For the foregoing reasons, and for those expressed in the answering La Liberte Declaration, the Olosov affirmation and the Wood affidavit, defendant's motion should be denied in its entirety, and the Court should award plaintiff and Wood as her counsel such additional relief as the Court may consider just and proper in the premises.

Dated: February 8, 2021

**L. LIN WOOD, P.C.**

By: /s/ Lucian L. Wood, Esq.

P.O. Box 52584  
Atlanta, GA 30355-0584  
(513) 381-2838

Lucian L. Wood  
David M. Olosov,  
Of Counsel

**OLASOV LLP**

By: /s/ David M. Olosov.

485 Madison Avenue, 7<sup>th</sup> Floor  
New York, NY 10022  
(212) 588-0540

*Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----	X
--	:
	: Civil Action No. 1:18-cv-05398
	: (DLI-VMS)
ROSLYN LA LIBERTE,	:
	:
Plaintiff,	:
	:
-against-	:
	:
JOY REID,	:
	:
Defendant.	:
-----	X
-	

ROSLYN LA LIBERTE hereby declares pursuant to 28 U.S.C. §1746, as follows:

1. I am the plaintiff in this action. I submit this declaration in opposition to the motion made by defendant Joy Reid on January 25, 2021 for an order revoking the *pro hac vice* admission of L. Lin Wood, which I am informed would deprive me of the benefit of his continued services in this litigation.
2. I retained Mr. Wood as my lawyer in the beginning of July, 2018 as my family and I struggled to try to cope with the avalanche of threats and false, hurtful and damaging accusations against me that immediately followed the publications by defendant Joy Reid on June 29 and July 1, 2018 pleaded in the amended complaint. He has been my lawyer continuously since his retention.

3. Mr. Wood has a national reputation as a defamation lawyer. I am grateful that he has forcefully –and so far, very effectively -- protected me in a very difficult time in my life.

4. I am of course aware from extensive media coverage of political activities Mr. Wood has engaged in relating to the recent national elections that have attracted a lot of public attention. None of his public activities has anything to do with me or with my case. All of his dealings with me have been highly professional. He has done nothing in this case that has embarrassed or concerned me or, so far as I am aware, disrespected the Court or counsel for the other side.

5. I have reviewed the papers filed by Ms. Reid and her lawyers, and see nothing in them to alter my desire for Mr. Wood to continue as my counsel in this case. I see no reason why Ms. Reid as the defendant should have any right to disrupt my representation through counsel of my choosing. Mr. Wood has represented me for almost three years. This case is well over two years old. Mr. Wood has successfully guided me through motions and an appeal. I want him to see me through to the conclusion of this litigation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 8, 2021



Roslyn La Liberte

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----	X
ROSLYN LA LIBERTE,	: Civil Action No. 1:18-cv-05398
	: (DLI-VMS)
	:
Plaintiff,	: <b>AFFIRMATION OF DAVID</b>
	: <b>M. OLASOV IN OPPOSITION</b>
-against-	: <b>TO MOTION TO REVOKE</b>
	: <b><i>PRO HAC VICE</i> ADMISSION</b>
JOY REID,	: <b>OF L. LIN WOOD</b>
	:
Defendant.	:
	:
-----	X

DAVID M. OLASOV, a member in good standing of the Bar of the State of New York and of this Court, affirms under penalties of perjury pursuant to NY CPLR § 2106(a), as follows:

1. I am a member in good standing of the Bar of the State of New York, a member of the Bar of this Court since 1972, and a member of Olasov LLP, co-counsel with L. Lin Wood of L. Lin Wood, P.C., for plaintiff Roslyn La Liberte in this action. My firm and I have acted as local counsel for the plaintiff continuously since this case was filed in 2018. I submit this affirmation in opposition to the motion made by defendant Joy Reid on January 25, 2021 for an order revoking Mr. Wood's *pro hac vice* admission, which was granted on application and without opposition on or about October 11, 2018.

2. This motion was not precipitated by any interaction between Mr. Wood and any lawyer for the defendant, Joy Reid. Nor was it preceded by any telephonic or personal appearance of Mr. Wood before this Court. To the best of my recollection, the first personal appearances of

any legal representatives of the parties before this Court took place with the initial conference before Magistrate Judge Vera M. Scanlon on January 11, 2021.

3. As the Court is fully aware, the history of this case has featured lengthy motion practice. By judgment dated September 30, 2019 this Court granted “in its entirety” defendant’s motion to dismiss the amended complaint under Fed. R. Civ. Pro. 12(b)(6) and to “strike” the pleading under California’s anti-SLAPP statute, Cal. Civ. Pro. Code §425.16 and granted defendant leave to seek attorneys’ fees and costs pursuant to Cal. Civ. Pro. Code §425.16(c)(1). This Court held that: (i) the plaintiff was a limited purpose public figure and that, accordingly, her claim for defamation as to a June 29, 2018 publication by the defendant be dismissed for failure to plead actual malice; and (ii) her claim for defamation as to defendant’s July 1, 2018 publication be dismissed as non-actionable opinion.

4. By decision dated July 15, 2020, *La Liberte v. Reid*, 966 F.3d 79 (2d Cir. July 15, 2020), the Court of Appeals for the Second Circuit vacated this Court’s judgment and remanded the case for further proceedings consistent with the appellate court’s opinion. The Court of Appeals held, among other matters, that, as matters of law to be determined by the Court: (i) plaintiff was a private person and not a limited purpose public figure, (ii) as a private person, plaintiff need only prove negligence (and not actual malice) to recover for defamation and (iii) the July 1, 2018 statements alleged to be defamatory were not statements of opinion but provable assertions of fact and therefore actionable. On August 7, 2020 defendant petitioned the Court of Appeals for the Second Circuit for rehearing, with a suggestion of rehearing *en banc*. This petition was denied by order dated September 25, 2020. The mandate of the Court of Appeals issued on October 2, 2020. On remand, by order dated November 11, 2020, this Court denied defendant’s motion for attorneys’ fees and costs.

5. Mr. Wood was the architect of the legal pleadings that were sustained in all material respects by the Second Circuit. For the purposes of the instant motion, it cannot be argued that the amended complaint and its allegations of fact and embedded principles of law were made in bad faith or filed in derogation of any professional duty of plaintiff's counsel to this Court, much less in sanctionable breach.

6. Defendant served her answer to the amended complaint, with defenses, on October 30, 2020, three and one-half months after the Second Circuit's ruling. In a draft of a Joint Report that I composed, I raised for the benefit of defendant's counsel and the Court the objection that defendant's answer asserted defenses that plaintiff's counsel believed to be foreclosed by the Second Circuit's decision:

Plaintiff respectfully refers the Court to the recitation of her claims as summarized in the July 15, 2020 opinion of the Court of Appeals. Defendant's answer to the amended complaint, which was filed after the Second Circuit's July 15, 2020 opinion and the issuance of its mandate on October 2, 2020, sets forth defenses that, in plaintiff's view, have been foreclosed, including, among other matters, plaintiff's status as a private person (as opposed to a limited purpose public figure), the necessity to allege and prove actual malice (as opposed to negligence), and the status of defendant's July 1, 2018 publication as provable and actionable fact (as opposed to non-actionable opinion). In plaintiff's view, for the efficient, economical and just administration of this case, discovery on such matters ought not to be permitted.

7. John Reichman advised me of his view that the Second Circuit's decision foreclosed essentially none of the defenses raised in defendant's October 30, 2020 answer. He composed the following language in the same draft Joint Report:

Plaintiff has asserted a defamation claim against Defendant based on two social media posts arising out of a Simi Valley, California city council meeting on June 25, 2018 that Plaintiff attended. Plaintiff alleges that the posts falsely and maliciously accused the Plaintiff of making racial slurs at the meeting, Defendant's defenses include, but are not limited to, that the posts were substantially true;

Defendant did not act maliciously or negligently; the posts constitute politically protected speech; Plaintiff was a limited purpose public figure, the posts are non-actionable statements of opinion, Defendant issued a timely retraction, and Defendant did not proximately cause Plaintiff's damages (if any).

8. In the Joint Report that was filed with the Court, Mr. Reichman insisted on deleting what each of us had written about the claims and defenses and the preclusive effect of the Second Circuit's decision. In my opinion defendant's assessment of the impact of the Court of Appeals' ruling is not tenable. I intended to raise this problem in the initial conference, which came to be held on January 11, 2021.

9. Prior to the January 11 conference before Magistrate Judge Scanlon, neither Mr. Reichman nor any of defendant's other lawyers said anything to me nor to Mr. Wood, to the best of my understanding, that he had any objection of any kind to Mr. Wood's representation of Roslyn La Liberte in this Court. There is no writing of any such objection.

10. Nevertheless, at what should have been the conclusion of the telephonic conference, and without prior notice to the Court, Mr. Wood or me, Mr. Reichman made the argument that other public activities of Mr. Wood, having nothing to do with this case, obliged his client to move for revocation of Mr. Wood's *pro hac vice* admission to practice in this Court.

11. In her scheduling order of January 12, 2021 Magistrate Judge Scanlon pointedly set forth a movant's burden in sanctions motion of the kind defendant Reid has decided to make:

As discussed during the 1/11/2021 conference, Defendant requested a briefing schedule to move to revoke Plaintiff counsels *pro hac vice* admission in this action. Defendants proposed motion, if any, must address material legal and factual issues including, but not limited to, a movants burdens when seeking such relief, pertinent Local Civil Rule 1.3 factors and substantive and procedural evidence pertaining to those factors. See, e.g., Local Civ. R. 1.3; *Martens v. Thomann*, 273 F.3d 159 (2d Cir. 2001); *Doe v. Mastoloni*, 307 F.R.D. 305 (D. Conn. 2015). On or before 1/25/2021, Defendant must serve any motion she elects to make. On or before 2/8/2021,



Plaintiffs response in opposition must be served. On or before 2/16/2021, Defendant may reply.


12. Lin Wood has a well-deserved national reputation as a defamation lawyer often representing the powerless and vulnerable. I believe that Roslyn LaLiberte is within that group, and that she has every right to retain and keep the legal services of Mr. Wood in this case, as she has indicated in her affidavit submitted to the Court she wishes to do.

13. Of late Mr. Wood has also become a public figure in the electoral and related disputes that have roiled our country. That is, also in my opinion, his right to do, although it has nothing to do with plaintiff Roslyn LaLiberte or this case. Lest there be any doubt on the matter, Lin and I do not share the same politics. I am, at least by my own assessment, a liberal, a registered Democrat and a very long-term resident of Brooklyn. I have Southern roots, but attitudes informed by my education (Columbia College and Yale Law School) and my Brooklyn community.

14. Both Mr. Wood and I feel deeply, however, that Roslyn LaLiberte has been wronged by the conduct of Ms. Joy Reid pleaded in the amended complaint. I have known him for years, and hold him in high professional regard. I am very comfortable litigating this action on her behalf with him, and believe that the Court should have the same level of comfort with his practicing in this District in this case.

15. In my view Defendant's motion is her effort to smear Mr. Wood, and cause additional and inappropriate expense and delay to the plaintiff and undeserved notoriety to her claim, which has real merit. But for the expense and delay entailed by the effort, I would have endorsed cross-moving for sanctions.

Dated: Brooklyn, New York  
February 8, 2021



David M. Olasov

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X	
ROSLYN LA LIBERTE,	: Civil Action No. 1:18-cv-05398
	: (DLI-VMS)
	:
Plaintiff,	: <b>AFFIDAVIT OF L. LIN WOOD</b>
	: <b>IN OPPOSITION TO MOTION</b>
-against-	: <b>TO REVOKE <i>PRO HAC VICE</i></b>
	: <b>ADMISSION</b>
JOY REID,	:
	:
Defendant.	:
	:
----- X	

STATE OF GEORGIA        )  
                                  :ss.:  
COUNTY OF FULTON        )

L. LIN WOOD, being duly sworn, deposes and says:

1. I am a member in good standing of the Bar of the State of Georgia, and the principal and sole shareholder of L. Lin Wood, P.C., lead counsel for plaintiff Roslyn La Liberte in this action. My admission *pro hac vice* was granted by this Court by order dated October 11, 2018. I submit this affidavit in opposition to the motion made by defendant Joy Reid on January 25, 2021 for an order revoking my admission.

2. Ms. La Liberte contacted me on Sunday, July 1, 2018 after a search she performed on the internet identified me as a nationally recognized and experienced defamation lawyer. I asked her to telephone me on Monday, July 2, 2018. As a result of our conversation my firm and I have represented her interests in the Reid defamation matter continuously since that date. I composed and sent the “cease and desist” letter that is attached as Exhibit 7 to the first amended complaint in this action.

3. Responding to Paragraph 3 of the Declaration of John H. Reichman (“the Reichman Declaration”), since its inception in September of 1997, I have been the sole partner in the law firm of L. Lin Wood, P.C. While I entered into an office expense sharing agreement with Taylor Wilson, Jonathan Grunberg, and Nicole Wade, these lawyers have never been partners in L. Lin Wood, P.C. Each of these lawyers practice law through their own professional corporations and in the past, I associated them to assist me in cases of clients of L. Lin Wood, P.C. on a case-by-case fee agreement.

4. Responding to Paragraph 4 of the Reichman Declaration, my former office-sharing lawyers formed the firm of Wade, Grunberg & Wilson, LLC (“WGW”) and I associated that firm to assist in this lawsuit. Members of that firm withdrew from this action at the request of Plaintiff. WGW filed lawsuit against L. Lin Wood, P.C. for alleged breach of a fee agreement and against me for alleged fraud in the inducement. That lawsuit is still pending and the material allegations of the lawsuit are denied and disputed. In my opinion, the fraud allegations in the WGW lawsuit are frivolous and were asserted with an intent to falsely smear me in part, because I am a supporter of President Donald Trump and one or more of the partners of WGW are public supporters of BLM. Discovery has not yet commenced in the WGW and I intend to vigorously defend against the frivolous claims. In my opinion, Mr. Reichman’s inclusion of this pleading in his Declaration in what is supposed to be a sanctions motion by his client also has an improper purpose.

5. I deny and dispute the allegations stated in Paragraph 5 of the Reichman Declaration. I have been involved in extensive client meetings, the drafting of the pleadings in this case, and prosecuting the successful appeal of the motion to dismiss order. I recently handled as lead counsel a conference with defense counsel on issues of initial disclosures and settlement. Mr. Olasov is my co-counsel and will play an active role in the case for Plaintiff, but I am lead

counsel. During 25 of my 43 years of law practice, I have focused on defamation and First Amendment litigation.

6. I deny and dispute the allegations stated in Paragraph 6 of the Reichman Declaration. Prior to November 3, 2020, I was a strong and vocal supporter of the re-election of President Trump. At the request of the President, I met with him on March 11, 2020 in the Oval Office. Subsequent to the November 3 election, I have continued to exercise my First Amendment right of free speech to support President Trump. I have also exercised my right of free speech to advocate for protection of the Bill of Rights, honest elections, and against pedophilia and child sex trafficking. I have also received credible evidence of serious wrongdoing by high-ranking government officials which I have brought to the attention of the public and to federal law enforcement officials. The evidence of wrongdoing includes evidence of potentially serious crimes perpetrated by the Chief Justice of the United States Supreme Court.

7. I deny and dispute the allegations stated in Paragraph 7 of the Reichman Declaration. I conducted a press conference with Sidney Powell, the attorney for Lt. General Michael Flynn, at Wills Park in Alpharetta, Georgia. I exercised my right of free speech and did urge attendees to consider engaging in acts of non-violent freedom of assembly and the right to publicly protest acts and inactions by the Georgia Governor and Secretary of State. I am in possession of credible evidence supporting criminal acts by these Georgia officials.

8. I deny and dispute the allegations as stated in Paragraph 8 of the Reichman Declaration. My use of Twitter was an exercise of my right of free speech. The Reichman Declaration cherry picks a few of my tweets out of context of the body of social messages on Twitter as I post about politics, my religious faith, my rescue puppies, photos of my properties,

and other matters of interest to me. I like to write and have used social media as a platform for my writing on a variety of subjects.

9. I deny and dispute the allegations stated in Paragraph 9 of the Reichman Declaration. My tweet about Former Vice-President Mike Pence was protected rhetorical and political hyperbole. *See Watts v. United States*, 394. U.S, 705 (1969).

10. I deny and dispute the allegations as stated in Paragraph 10 of the Reichman Declaration. I did not attend the rally in support of President Trump on January 6, 2021 and was not involved whatsoever in planning the rally or in the incident at Congress that day. Based on publicly available information, the events of and participants in the January 6 incident at Congress is disputed and unresolved at the present time. What is undisputed is that I was not involved in any manner whatsoever. My tweet was protected speech.

11. I deny and dispute the allegations stated in Paragraph 11 of the Reichman Declaration and incorporate my response to Paragraph 10 above. I am in possession of credible evidence to support my statements about Pence and Rod Rosenstein, as well as information about the death of Seth Rich.

12. I deny and dispute the allegations stated in Paragraph 12 of the Reichman Declaration and incorporate my response to Paragraph 10 above. I am in possession of credible evidence to support my statements about Mike Pence.

13. I deny and dispute the allegations stated in Paragraph 13 of the Reichman Declaration and incorporate my response to Paragraph 10 above. The tweet of Bill White that I re-tweeted called only for a peaceful protest which is protected under the First Amendment.

14. I deny and dispute the allegations stated in Paragraph 14 of the Reichman Declaration. The authenticity of the alleged social account of Ashli Babbitt has not been established by admissible evidence and remains unproven and disputed.

15. I deny and dispute the allegations stated in Paragraph 15 of the Reichman Declaration. I have no firsthand knowledge of or involvement with the “Three Percenters: or “Qanon.”

16. I deny and dispute the allegations stated in Paragraph 16 of the Reichman Declaration. I am not responsible for the characterizations of Ms. Powell and myself by unknown third parties.

17. My tweet described in Paragraph 17 of the Reichman Declaration is protected speech.

18. I deny and dispute the allegations stated in Paragraph 18 of the Reichman Declaration. My tweet is protected speech.

19. With respect to the allegations stated in Paragraph 19 of the Reichman Declaration, I have no knowledge of Mr. Colt and am not responsible for his statements.

20. I deny and dispute the allegations stated in Paragraph 20 of the Reichman Declaration. My tweets are protected speech. No tweet is identified in this paragraph.

21. With respect to the allegations stated in Paragraph 21 of the Reichman Declaration I do not deny any statement I made at the January 11, 2021 conference assuming it is not taken out of context.

22. With respect to the allegations as stated in Paragraph 22 of the Reichman Declaration, my Twitter account was terminated on or about January 7 as was the account of President Trump. After that date, many Twitter accounts of Trump supporters have been

terminated. I have credible evidence to support my statements about Pence. My tweet is protected speech.

23. With respect to the allegations stated in Paragraph 23 of the Reichman Declaration, I posted on Parler for months prior to my account being terminated by Twitter and I presently post on Telegram. My posts are protected speech and my January 7 post is protected rhetorical and political hyperbole. *See Watts v. United States*, 394. U.S, 705 (1969).

24. I have credible evidence to support the truth of my description of Former Vice-President Pence as a traitor.

25. I deny and dispute the allegations stated in Paragraph 24 of the Reichman Declaration. I have turned over whistleblower evidence to the United States Secret Service related to Former Vice-President Mike Pence and other high-ranking government officials. If desired by this Court, I am prepared to file that evidence along with a considerable amount of evidence of election fraud. I am not doing so at this time as I do not believe those issues are relevant to the present motion which I believe is nothing more than an effort to smear my reputation and interfere with Plaintiff's Constitutional right to counsel of her choice.

26. With respect to the allegations stated in Paragraph 25 of the Reichman Declaration, my social posts are protected speech and I have credible evidence to support my statements of potential criminal actions which I will file with this Court if requested.

27. I deny and dispute the allegations stated in Paragraph 26 of the Reichman Declaration. I was not counsel of record in the Wisconsin, Arizona, and Michigan cases. I did not seek *pro hac vice* privileges in those cases. No motion for sanctions has been filed and served upon me in the Michigan case. I am the plaintiff in the Georgia case and was represented at the time of filing and in the trial court by competent and qualified Georgia counsel. The Georgia case is

presently pending before the United States Supreme Court on writ of certiorari and has been set for conference on February 19. I believe there is a good faith legal argument supporting the Georgia case.

28. I deny and dispute the allegations stated in Paragraph 27 of the Reichman Declaration. The revocation of my *pro hac vice* admission in the Delaware case wherein I represented Carter Paige is on appeal as it was based on false finding regarding the status of the Georgia case and the Wisconsin case. I believe the revocation was undertaken as part of a political agenda by a Delaware judge who raised the issue *sua sponte* without having received any complaint by a client or interested party. Delaware is the home state of Joe Biden.

29. I deny and dispute the allegations stated in Paragraph 28-34 of the Reichman Declaration which relate to my social media posts concerning Chief Justice John Roberts. My posts are protected speech and I have credible whistleblower evidence to support the truth of my statements. I have not received a retraction demand from Justice Roberts or his counsel and he has not made any claim to date that my posts are false and defamatory. Former Vice President Mike Pence or Rod Rosenstein have not sent retraction demands or claims that my posts of and concerning them are false and defamatory.

30. I deny and dispute the allegations stated in Paragraph 35 of the Reichman Declaration. I have never advocated that anyone should break the law either in my capacity as a private citizen or in my 43 years as a lawyer. Anyone who states that I have done so is not speaking the truth.

31. I deny and dispute the allegations stated in Paragraph 36 of the Reichman Declaration. I had absolutely no involvement in any aspect of the January 6 events or incidents in Washington, D.C. I have not visited Washington, D.C. since my March 11 meeting with President



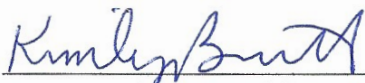
Trump. Any allegation that I was involved in the January 6 events or incidents is errant nonsense with no factual support.

32. I have at all times in this action sought to comply with the rules applicable to the practice of law in this Court and I intend to continue to do so. The body of my life's work as a lawyer who has practiced *pro hac vice* in over 25 states demonstrates that I adhere to the highest standards of my profession.



L. Lin Wood

Sworn to Before Me  
this 7 day of February, 2021



Notary Public

exp. 3/4/2021

