

October 25, 2017

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██████████  
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Meghan Herning  
Executive Editor  
PopFront

Re: Taylor Swift

Dear ██████████ and Ms. Herning:

This firm is litigation counsel for Taylor Swift. On behalf of Ms. Swift, we demand that PopFront immediately issue a retraction of a provably false and defamatory story about Ms. Swift, as well as remove the story from all sources and cease and desist from publishing or disseminating it. The story that is the subject of this letter is written by Ms. Herning and entitled “Swiftly to the alt-right: Taylor subtly gets the lower case kkk in formation.”<sup>1</sup> The story is replete with demonstrable and offensive falsehoods which bear no relation to reality or the truth about Ms. Swift. It appears to be a malicious attack against Ms. Swift that goes to great lengths to portray Ms. Swift as some sort of white supremacist figurehead, which is a baseless fiction masquerading as fact and completely misrepresents Ms. Swift. As further shown below, PopFront is substantially liable to Ms. Swift for defamation.

The story knowingly regurgitates, repeats, and attempts to expand on a malicious lie. Among other things, the story propagates such hideous falsehoods as: 1) “Taylor’s lyrics play to [a] subtle, quiet white support of a racial hierarchy;” 2) that there are similarities between Ms. Swift and Adolf Hitler; 3) that the “lyrics [of “Look What You Made Me Do”] are the most explicit in speaking to white anger and affirming white supremacy;” and 4) that Ms. Swift’s purported silence regarding white supremacy means she supports Donald Trump and identifies with the white supremacist/alt-right movement.

The story attempts to support the preposterous allegation that Ms. Swift has white supremacist/alt-right views by stating that she did not campaign for Hillary Clinton in the 2016 election and did not endorse Ms. Clinton until November 8, 2016. This is absurd. Ms. Swift has no obligation to campaign for any particular political candidate or broadcast her political views, and the fact that her political views are not public enough for your taste does not give you the

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<sup>1</sup> The article is available at <http://popfront.us/2017/09/swiftly-to-the-alt-right-taylor-subtly-get-the-lower-case-kkk-in-formation/>.

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authority to presume what her political opinions may be or that her political views correlate to the support of white supremacy.

And even if Ms. Swift had remained silent on the issue of white supremacy (which, as you will see below, she absolutely has not), silence does not mean support. Indeed, through this story, you attempt to impose a duty upon Ms. Swift (and only Ms. Swift) to loudly state her views on whatever hot-button issue is circulating at any given time.

The notion that Ms. Swift supports white supremacy is utterly fabricated and a reprehensible falsehood, and it attempts to portray Ms. Swift in a false light. Let this letter stand as a yet another unequivocal denouncement by Ms. Swift of white supremacy and the alt-right. Moreover, Ms. Swift has not remained silent regarding this issue, and she has made clear that she does not approve of any association with such repugnant groups or their beliefs. Contrary to the statements in this story, Ms. Swift has repeatedly and consistently denounced white supremacy when she has faced these disgusting accusations, including by denouncing these vile lies when other publications have repeated them.

PopFront's story is a classic example of defamation per se. Statements are defamatory per se if the allegations have a tendency to injure another in her business or profession. *See, e.g., Kumaran v. Brotman*, 247 Ill.App.3d 216, 617 N.E.2d 191 (1993) (a newspaper article accusing a schoolteacher of filing "scam" lawsuits was defamatory per se because part of a teacher's job is to set a good example and serve as a role model for students). This story, which associates Ms. Swift with the vile white supremacist movement and its abhorrent views, certainly has a tendency to injure Ms. Swift by damaging her reputation with her fans. The false statements about Ms. Swift are defamatory per se and harmful to Ms. Swift, thus in a potential lawsuit against PopFront, Ms. Swift would not have to show any damages to recover.

PopFront has an independent and non-delegable duty to conduct a reasonable investigation of the information it publishes and disseminates and the failure to do so is a violation of law and the rights of those targeted by such unfounded allegations. Indeed, even a small amount of research shows that the notion that Ms. Swift either belongs to or silently supports such an infamous and reprehensible group is a fabrication. It is clear that, in publishing this story, you utterly failed to maintain any journalistic responsibility. A couple of minutes of online searching reveals two easily accessible articles by well-known publications that clearly refute any purported affinity by Ms. Swift for the alt-right. For example, in its article "No Doubt Taylor Swift Is Horrified To Learn She Has A Neo-Nazi Following," the Huffington Post made clear in its title that Ms. Swift wants nothing to do with neo-Nazis, included an excerpt from Ms. Swift's attorney denouncing any such association, and ended by stating "it's safe to say the

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singer is not amused” [by being associated with the alt-right].<sup>2</sup> Similarly, when the Washington Post reported on the alt-right’s purported affinity for Ms. Swift, their article began by making it crystal clear that Ms. Swift did not reciprocate such feelings for this reprehensible group: “Taylor Swift is not a white supremacist. She doesn’t identify as a neo-Nazi, and there is no evidence to suggest that, behind closed doors, she might.”<sup>3</sup>

These two articles were published over a year ago, far pre-dating this story. Thus, the purported “Taylor Swift/Neo-Nazi” story has been debunked for well over a year. It is shocking that you would continue to perpetuate the sickening lie that Ms. Swift supports white supremacists. This is unquestionable malice under the standard set forth in *N.Y. Times Co. v. Sullivan*, 376 U.S. 254 (1964). See, e.g., *Khawar v. Globe Intern., Inc.*, 19 Cal. 4th 254, 262 (1998) (actual malice is knowledge of falsity or reckless disregard of falsity); *Antonovich v. Super. Ct.*, 234 Cal. App. 3d 1041, 1048 (1991) (“the purposeful avoidance of the truth” supports a finding of actual malice).

One thing is certain: you are requiring Ms. Swift, but not any other celebrity or musician, to loudly denounce white supremacy and you do not accept her previous condemnations as good enough. Given your apparent animus and malice toward Ms. Swift, the intent to cause harm to Ms. Swift is clear.

Venable LLP, on behalf of Ms. Swift, demands that PopFront (i) immediately issue a retraction that is of equal prominence to the story by no later than Tuesday, October 24, 2017, (ii) remove the story from all media sources, and (iii) cease and desist from further dissemination or publication. Should PopFront not immediately take these steps, Ms. Swift is prepared to proceed with litigation.

This letter does not constitute a complete or exhaustive statement of all of Ms. Swift’s rights, claims, contentions or legal theories. Nothing stated herein is intended or should it be deemed to constitute a waiver or relinquishment of any of Ms. Swift’s rights or remedies, whether legal or equitable, all of which are hereby expressly reserved.

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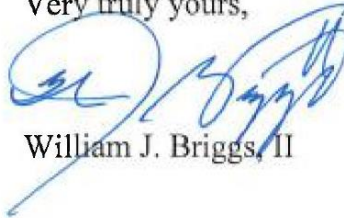
<sup>2</sup> See [http://www.huffingtonpost.com/entry/taylor-swift-has-a-neo-nazi-following\\_us\\_57446fd3e4b045cc9a71f98a](http://www.huffingtonpost.com/entry/taylor-swift-has-a-neo-nazi-following_us_57446fd3e4b045cc9a71f98a) (May 24, 2016).

<sup>3</sup> See [https://www.washingtonpost.com/news/morning-mix/wp/2016/05/25/alt-right-white-supremacists-have-chosen-taylor-swift-as-their-aryan-goddess-icon-through-no-fault-of-her-own/?utm\\_term=.bfaefe0e302e](https://www.washingtonpost.com/news/morning-mix/wp/2016/05/25/alt-right-white-supremacists-have-chosen-taylor-swift-as-their-aryan-goddess-icon-through-no-fault-of-her-own/?utm_term=.bfaefe0e302e) (May 25, 2016).

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Very truly yours,



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