

Planned Parenthood Files Federal Lawsuit Against People Behind Fraudulent Smear Campaign

‘The people behind this fraud lied and broke the law in order to spread malicious lies about Planned Parenthood’

GRAND RAPIDS, MI; JANUARY 14, 2016 – Today, Planned Parenthood filed a federal lawsuit against the people behind an ongoing, widely discredited video smear campaign – charging that anti-abortion activists engaged in an elaborate, illegal conspiracy in order to block women’s access to safe and legal abortion. The videos, which make false and disproven claims, have been invoked in political attacks on access to reproductive health care here in Michigan and across the country.

The civil lawsuit, filed in San Francisco, outlines how the defendants – including David Daleiden, Troy Newman, Albin Rhomberg, Sandra Merritt, Gerardo Lopez, Phillip Cronin, the Center for Medical Progress, and BioMax – engaged in a complex criminal enterprise to defraud Planned Parenthood and prevent the health care organization from providing preventive and reproductive health services to millions of women and men. The lawsuit charges that CMP, its leaders, and co-conspirators engaged in illegal conduct that includes violating the Racketeer Influence and Corrupt Organization Act (RICO Act) and engaging in wire fraud, mail fraud, invasion of privacy, illegal secret recording, and trespassing.

Over the course of nearly three years, Daleiden, Newman, and other principals used aliases, obtained fake government I.D.s, and formed a fake tissue procurement company, Biomax, in an effort to worm their way into private medical conferences and health care centers. They also illegally taped private professional conversations of doctors and other medical providers and spliced together shards of long conversations to create short videos in order to spread false claims that Planned Parenthood “sells” or profits from women’s decisions to donate fetal tissue for medical research. In fact, Planned Parenthood has never sold fetal tissue or facilitated fetal tissue donation in order to make a profit.

This affiliate, Planned Parenthood of West and Northern Michigan (PPWNM), does not facilitate fetal tissue donation for patients locally and is not a party in the lawsuit – but the video smear campaign has been used to push for restrictions on access to reproductive health care in Michigan and around the country.

“These anti-abortion activists broke multiple laws to spread lies about Planned Parenthood, and the lawsuit filed today will expose this fraud for what it is and hold accountable the people behind it,” said Jim Norton, PPWNM interim president/CEO, “It’s

Planned Parenthood of West and Northern Michigan

really unbelievable that these lies are being used to try to block the more than 70-thousand people in Michigan served by Planned Parenthood each year from receiving our high-quality reproductive health care. We won't let that happen."

A small number of Planned Parenthood affiliates have offered patients the ability to donate fetal tissue for critical medical research that has led to important medical breakthroughs such as vaccines, and treatment for diseases such as Parkinson's and Alzheimer's disease. Like all of Planned Parenthood's services, this work operates under the highest legal, medical and ethical standards, with full consent of patients. To date, officials in 10 states have concluded investigations into claims that Planned Parenthood profited from fetal tissue donation, and each one has cleared Planned Parenthood of wrongdoing. Another eight states, including Michigan, have declined to even investigate, citing a lack of any evidence to suggest wrongdoing.

The malicious, distorted, and discredited videos that have been released over the last several months were timed to coincide with congressional votes to defund Planned Parenthood and enact additional abortion restrictions. Since the release of these deceptively edited videos last July, Planned Parenthood has seen a nine-fold increase in threats and criminal activities against their health centers.

"CMP's reckless and dangerous actions have created a poisonous environment that fuels political attacks on access to reproductive health care and feeds threats against our health centers," said Norton. "We're going on the offensive to prevent further harassment of our patients and staff and protect access to the preventive and reproductive health care that Planned Parenthood provides."

Planned Parenthood provides safe, high-quality, essential health care including life-saving cancer screenings, birth control, STD testing and treatment, sexual health information and education and, in some locations, primary care. Planned Parenthood also provides abortion services and ensures that women have full information about all of their options related to pregnancy.

Planned Parenthood is asking in the lawsuit for restitution of actual damages, compensatory and punitive damages and triple damages for violations under the civil RICO claim, as well as attorneys' fees. The lawsuit was brought by Planned Parenthood Federation of America and all seven Planned Parenthood affiliates in California. Arnold and Porter LLP represents the plaintiffs. The lead attorneys on the case are Amy Bomse, Sharon May, and Jee Young You of Arnold and Porter LLP, Beth Parker of Planned Parenthood Affiliates of California, and Helene Krasnoff of Planned Parenthood Federation of America.

Plaintiffs:

Planned Parenthood of West and Northern Michigan

- Planned Parenthood Federation of America
- Planned Parenthood Northern California
- Planned Parenthood Mar Monte
- Planned Parenthood of the Pacific Southwest
- Planned Parenthood Los Angeles
- Planned Parenthood Orange and San Bernardino Counties
- Planned Parenthood Santa Barbara, Ventura and San Luis Obispo Counties
- Planned Parenthood Pasadena and San Gabriel Valley

Defendants

- Center for Medical Progress (CMP)
- Biomax Procurement Services, LLC, which is the fake firm created by anti-abortion extremists for the smear campaign
- David Daleiden, president of the Center for Medical Progress, who created the alias Robert Sarkis as an employee of the fake firm Biomax and appeared in many of the videos. A long-time anti-abortion extremist, Daleiden is the former director of research for the discredited anti-abortion organization Live Action.
- Troy Newman, secretary of the Center for Medical Progress. Newman is a long-time anti-abortion extremist who operates the group Operation Rescue. In 2003 Newman issued a press release claiming that the murder of John Britton, a doctor who provided abortion services, was “justifiable defensive action.” Operation Rescue operates the website abortiondocs.org that publicly lists the names, photos, and work addresses of doctors who provide abortion services.
- Albin Rhomberg, chief financial officer for the Center for Medical Progress. Rhomberg is an anti-abortion extremist known for harassing women who seek abortion services. He was arrested in 1991 for disrupting an ecumenical prayer service as part of Gov. Pete Wilson’s inauguration.
- Sandra Susan Merritt, who created the alias Susan Tennenbaum, claimed to be the Founder and CEO of BioMax, and appeared in many of the videos. Merritt previously worked with Daleiden on another anti-abortion smear campaign.
- Gerardo Adrian Lopez, an employee of Biomax who attended many of the private conferences and recorded participants.
- Phillip Cronin, a registered agent for BioMax, who provided assistance to the conspiracy and is a long-time abortion activist.

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Planned Parenthood of West and Northern Michigan (PPWNM) provides sexual health care and sexuality education services, and advocates for access to these services for everyone. PPWNM, an affiliate of the [Planned Parenthood Federation of America](http://www.plannedparenthood.org), operates health centers in seven Michigan cities — Big Rapids, Grand Rapids, Marquette, Muskegon, Petoskey, Traverse City, and Wyoming — providing medical and education services to thousands of women, men, and teens each year. Log on, learn more: ppwnm.org.