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Rom Bar-Nissim (SBN: 293356)

[REDACTED]  
**HEATH BARENISSIM LLP**

Attorneys for Plaintiff  
ETHAN KLEIN

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE

ETHAN KLEIN, an individual,  
Plaintiff,

v.

NOAH SAMSEN, an individual; and  
SAMSEN CREATIVE LLC, a California  
Limited Liability Company.  
Defendants

Case No.: 30-2026-01553698-CU-DF-CJC

**COMPLAINT FOR DEFAMATION**

**JURY TRIAL DEMANDED**

**Assigned for All Purposes**  
Judge Lee Gabriel

## INTRODUCTION

1  
2           1.       Defendant Noah Samsen (“Samsen”) advocates that the only solution to the  
3 genocide of Palestinians is the genocide of Israelis – even if they vocally support the Palestinian  
4 cause. Through his entity, Samsen Creative LLC (“Samsen Creative”), Samsen published a video  
5 on YouTube entitled *The YouTubers Who Backed a Genocide* (the “Defamatory Video”). The  
6 thumbnail for the Defamatory Video depicted various individuals, including Plaintiff Ethan Klein  
7 (“Ethan”). Samsen knew that Ethan vociferously advocated against the genocide of Palestinians.  
8 Despite this, Samsen and Samsen Creative (collectively, “Defendants”) published the Defamatory  
9 Video to falsely paint Ethan as supporting the genocide of Palestinians. Defendants’ Defamatory  
10 Video was incredibly successful. To date, it has received approximately 1.5 million views and is  
11 Defendants’ second most viewed video on YouTube.

12           2.       Ethan (and his wife Hila Klein (“Hila”)) are passionate advocates of the right of  
13 Palestinians to self-determination and the establishment of a Palestinian state. They are vehement  
14 critics of the Israeli government and Prime Minister Benjamin “Bibi” Netanyahu. Both before  
15 and after October 7th, Ethan and Hila condemned Israel’s oppression and violence towards the  
16 Palestinian people – including explicitly stating Israel’s actions constituted genocide.

17           3.       Ethan and Hila advocate for a two-state solution to resolve the conflict. Both Ethan  
18 and Hila are Israelis – Ethan by naturalization and Hila by birth. Nearly all of Hila’s family reside  
19 in Israel. Hila and her family are also Mizrahi Jews (*i.e.*, Jews from Arab and Muslim countries)  
20 who came to Israel as refugees escaping violence and oppression. Both Ethan and Hila know that,  
21 if Jews were to be expelled from Israel, the vast majority would have nowhere to go. This is the  
22 primary reason they advocate for a two-state solution instead of a one-state solution.

23           4.       Samsen makes his position on the Israel-Palestine conflict unequivocally clear:  
24 Israel must be wiped off the face of the Earth. He advocates that anyone who supports the  
25 existence of Israel is a valid target. He is an adamant believer of “there are no bad means only bad  
26 targets.” As such, he engages in the very behavior and rhetoric he purportedly condemns to paint  
27 his targets as evil.

28           5.       Samsen knows that Ethan has condemned Israel’s actions as a genocide. He simply

1 does not care about this fact. Samsen brands Ethan a genocide supporter because he does not  
2 advocate for the complete destruction of Israel and Israelis.

3 6. Defendants' Defamatory Video seeks to prove as a factual matter that Ethan  
4 advocates for the genocide of Palestinians. It achieves its objective by (1) misrepresenting source  
5 materials; (2) relying on clearly biased sources – some of which have also spread falsehoods  
6 about Ethan; and (3) through other defamatory statements about Ethan.

7 7. This lawsuit seeks to prove that advocacy for the Palestinian cause does not  
8 require falsely branding advocates of a two-state solution as sanctioning genocide. To the  
9 contrary, doing so impedes the Palestinian cause because it is engaging in the very behavior these  
10 so-called advocates purport to condemn. This is exactly what Samsen did and why Defendants  
11 must be held accountable for falsely asserting that Ethan advocates the genocide of Palestinians –  
12 despite knowing that this statement is false.

### 13 THE PARTIES

14 8. Plaintiff Ethan Klein is a citizen of the State of California who resides and is  
15 domiciled in Los Angeles County, California.

16 9. Defendant Samsen Creative LLC is a California limited liability company. Samsen  
17 Creative is the entity through which Noah Samsen publishes his videos on YouTube. According  
18 to the California Secretary of State's website, Samsen Creative has the same principal address and  
19 mailing address – which is in [REDACTED] in Orange County. The California Secretary  
20 of State's website also states that the designated agent of Samsen Creative is Noah Samsen. The  
21 address provided for Noah Samsen is identical to the principal address and mailing address of  
22 Samsen Creative.

23 10. Defendant Noah Samsen's principal place of business is Samsen Creative, which  
24 is located in Orange County, California. Upon information and belief, the address provided for  
25 Samsen Creative is also Samsen's primary residence and, therefore, he is domiciled in Orange  
26 County, California.

### 27 JURISDICTION AND VENUE

28 11. This Court has subject-matter jurisdiction over the case under Article VI, Sections

1 and 10 of the California Constitution.

12. This Court has personal jurisdiction over Defendants pursuant to the U.S. Constitution and California's long-arm statute, California Code of Civil Procedure § 410.10, which extends jurisdiction to the full extent permissible under the Due Process Clause of the U.S. Constitution, because Defendants: (1) reside and are domiciled or are incorporated in California, (2) do business in California, (3) published the defamatory statements giving rise to the action in California, and/or (4) caused, and continue to cause, harm to Ethan in California.

13. Venue is proper in Orange County, California pursuant to California Code of Civil Procedure § 396(a) because Defendants reside and/or have their principal place of business in Orange County and published the defamatory statements that injured Ethan from Orange County.

### **FACTUAL ALLEGATIONS**

#### **Background of Ethan Klein**

14. Ethan – along with his wife Hila – are amongst the most recognized YouTube content creators. Through their entity, Ted Entertainment, Inc. (“TEI”), they own various YouTube channels, including: (1) h3h3Productions with over 5.5 million subscribers; (2) the H3 Podcast with over 2.5 million subscribers; (3) Hila Klein f/k/a Ethan and Hila with over 1.7 million subscribers; and (4) H3 Podcast Highlights with nearly 1.5 million subscribers. They also own the streetwear fashion company, Teddy Fresh, Inc.

15. Ethan and Hila first met in Israel nearly 20 years ago. After meeting, Ethan decided to move to Israel to be with Hila. As a result, Ethan became a naturalized citizen of Israel. Hila was born in Israel and a large portion of her immediate and extended family live in Israel.

16. A few years after getting married, Ethan and Hila moved to the United States. They have been outspoken supporters of the cause for Palestinian self-determination and statehood. They are also vociferous critics of the State of Israel – even before October 7th. Noteworthy examples include:

a. On November 11, 2017, Ethan conducted an interview with Hila. During the interview, they engaged in a nuanced conversation about the Israel-Palestine conflict

1 and expressed strong criticism of the Israeli government and the Israel Defense Forces  
2 (“IDF”). Hila also discussed how much she detested serving in the IDF where she served  
3 as a secretary.<sup>1</sup>

4 b. On December 8, 2020, Ethan conducted a conversation with his co-host at  
5 the time, Trisha Paytas, about the Israel-Palestine conflict. He explained to Paytas why  
6 she should not be dismissive of the “Free Palestine” movement and understand the  
7 Palestinian perspective of the conflict – even referring to Israel’s actions against the  
8 Palestinian people as a “genocide” and “apartheid.”<sup>2</sup>

9 c. On May 15, 2021, Ethan made an Instagram post condemning Israel and  
10 Benjamin Netanyahu – which was liked by Hila because she agreed with it.<sup>3</sup> This  
11 occurred during the Unity Intifada that took place from May 10, 2021 through May 21,  
12 2021.<sup>4</sup> The post was made specifically in response to the IDF destroying the al-Jalaa  
13 building – which housed Al-Jazeera and the Associated Press.<sup>5</sup>

14 d. On October 9, 2023 (two days after October 7th), Ethan, Hila and the crew  
15 of the H3 Podcast discussed how innocent Palestinians would suffer from Israel’s reaction  
16 to October 7th because the “Israel government is barbaric, genocidal freaks” and  
17 “genocidal war criminals” amongst other criticisms.<sup>6</sup>

18 e. On October 12, 2023, Ethan conducted a near four-hour conversation about  
19 the conflict where he described Israel’s actions against the Palestinians as a “genocide,”  
20 openly wept recalling the image of a Palestinian father holding his dead infant child and  
21 called Benjamin Netanyahu a “war criminal” amongst many other statements showing  
22

23 <sup>1</sup> H3 Podcast, *H3 Podcast #38 – Hila Klein* (Nov. 11, 2017), available at:

24 [https://youtu.be/cTBnDJ77kr0?si=9e13E\\_Hap-2YIHwX&t=1117](https://youtu.be/cTBnDJ77kr0?si=9e13E_Hap-2YIHwX&t=1117) (from 18:37-29:15).

25 <sup>2</sup> H3 Podcast, *Trish Was Kidnapped at Gunpoint – Frenemies #12* (Dec. 8, 2020), available at:

26 [https://youtu.be/hBOsrbiA1XM?si=3Ghgvyon3D\\_jzE0oV](https://youtu.be/hBOsrbiA1XM?si=3Ghgvyon3D_jzE0oV) (from 19:05-23:55).

27 <sup>3</sup> <https://www.instagram.com/p/CO6TiJ9jVZG/?igsh=MWthMWI5OTF6OXNuNA==>

28 <sup>4</sup> Wikipedia, “2021 Israel-Palestine crisis,” available at:

[https://en.wikipedia.org/wiki/2021\\_Israel%E2%80%93Palestine\\_crisis](https://en.wikipedia.org/wiki/2021_Israel%E2%80%93Palestine_crisis)

<sup>5</sup> Wikipedia, “Destruction of the al-Jalaa building,” available at:

[https://en.wikipedia.org/wiki/Destruction\\_of\\_the\\_al-Jalaa\\_building](https://en.wikipedia.org/wiki/Destruction_of_the_al-Jalaa_building)

<sup>6</sup> H3 Podcast, *i made a mistake. i’m sorry. – H3TV #93* (October 9, 2023), at 2:03:40-2:03:58,  
2:05:14-2:05:20, 3:35:56-3:36:17, available at:

<https://www.youtube.com/live/ZNFerPMOu8g?si=4jE4j8SsuGKOuiPL>

1 support and empathy for the Palestinian people.<sup>7</sup>

2 f. On November 20, 2023, Ethan and the crew of the H3 Podcast discussed  
3 their hope of seeing a ceasefire and an end to the atrocities in Gaza.<sup>8</sup>

4 g. On March 2, 2024, Ethan reiterated that he considers Israel's treatment of  
5 the Palestinians to be an "apartheid" and "genocide."<sup>9</sup>

6 h. On November 25, 2024, Ethan had an hour and half conversation with the  
7 Arab online content creator, LonerBox, about the history of the Israeli Arab conflict.<sup>10</sup>

8 i. On May 23, 2025, Ethan had an hour-long conversation with the  
9 Palestinian activist and scholar Ahmed Fouad Alkhatib about pragmatic solutions to the  
10 conflict.<sup>11</sup>

11 17. Ethan and Hila have also made numerous donations to Palestinian focused  
12 charities:

13 a. On October 16, 2023, Ethan and Hila donated \$6,500 to a fundraiser for the  
14 charitable organizations called ANERA, Palestinian Children's Relief Fund,  
15 Palestine Red Crescent Society and Medical Aid for Palestinians.<sup>12</sup>

16 b. On May 17, 2025, Ethan and Hila donated \$1,250 to a fundraiser for the  
17 charitable organization called Palestine Children Relief Fund.<sup>13</sup>

18 <sup>7</sup> H3 Podcast, *Israel vs. Gaza – Leftovers #61* (Oct. 12, 2023), available at:  
19 [https://www.youtube.com/live/JFznOHunD\\_c?si=7SPyIerko96VfxwL](https://www.youtube.com/live/JFznOHunD_c?si=7SPyIerko96VfxwL)

20 <sup>8</sup> H3 Podcast, *Colleen Returns To YouTube, Pokimane Cookie Controversy – H3TV #99* (Nov. 20,  
21 2023), available at: <https://www.youtube.com/watch?v=npYrseiHUE&t=1700s> (from 28:20-  
22 37:10)

23 <sup>9</sup> H3 Podcast, *Jay Shetty Exposed By Ex-Girlfriend & He Lied About Being A Monk – After Dark*  
24 *#139* (March 2, 2024), at 2:24:16-2:24:31, available at:  
25 <https://www.youtube.com/live/5XrPXgcKwVc?si=893H-4SIKBG46jLD>

26 <sup>10</sup> H3 Podcast, *I Haven't Been Well – H3 Show #85* (Nov. 25, 2024), available at:  
27 <https://www.youtube.com/watch?v=Yg8EL-sNp68&t=8520s> (from 2:22:00-3:15:06).

28 <sup>11</sup> H3 Podcast, *It's Time For Me To Listen... - H3 Show #151* (May 23, 2025), available at:  
<https://www.youtube.com/watch?v=cjPQCcbe-WI&t=8790s> (from 2:26:30-3:37:03)

<sup>12</sup> HasanAbi VODs, *HasanAbi October 16, 2023 – Israel Palestine Day 9* (October 17, 2023 –  
originally broadcast on October 16, 2023), available at:  
<https://www.youtube.com/watch?v=3u9QHCileOo&t=15364s> (beginning at 4:16:04); Tiltify,  
Palestinian Medical Assistance, available at: <https://tiltify.com/@hasanabi/palestinian-medical-assistance>

<sup>13</sup> Starkilla, *24 HOUR STREAM!~ Fundraising for Palestinian children's relief fund! (Part 1)*  
(May 17, 2025), available at:  
<https://www.youtube.com/live/sYAo2basV44?si=VzCpCipbUw2td6Rh&t=11393> (beginning at  
3:09:53)

1 c. On May 23, 2025, Ethan and Hila donated \$1,000 to The World Food  
2 Program's Gaza fund and \$1,000 to Realign for Palestine.<sup>14</sup>

3 d. On September 28, 2025, Ethan and Hila donated \$1,000 to a fundraiser for the  
4 Palestine Children Relief Fund.<sup>15</sup>

5 18. Critically, on January 31, 2025, Ethan and Hila – through their production  
6 company TEI – released a feature length documentary entitled *Content Nuke: Hasan Piker* (“*The*  
7 *Nuke*”). *The Nuke* documented how the prominent political streamer, Hasan Piker, repeatedly  
8 supported terrorist organizations, namely Ansar Allah a/k/a the Houthis, Hezbollah and Hamas.  
9 During *The Nuke*, Ethan repeated and emphasized his condemnation of Israel's treatment of the  
10 Palestinians.<sup>16</sup>

### 11 **Noah Samsen and Samsen Creative**

12 19. Samsen publishes videos on YouTube through his entity Samsen Creative.  
13 Throughout his career, he has produced video essays on various social topics. In these video  
14 essays, he frequently attempts to prove his thesis by citing various materials.

15 20. Prior to October 7th, Samsen never made a video about the Israel-Palestine  
16 conflict. Rather, he made videos about online drama – along with attacking conservatives and  
17 “anti-woke content.” After October 7th, Samsen suddenly became a self-styled expert in the  
18 Israel-Palestine conflict. Throughout his online career, Samsen has a notorious reputation for  
19 sloppy research, misrepresenting his sources and making false statements.<sup>17</sup>

20 21. Despite claiming to support women and people of color (including Palestinians),

21  
22 <sup>14</sup> H3 Podcast, *It's Time For Me To Listen... - H3 Show #151* (May 23, 2025), available at:  
<https://www.youtube.com/live/cjPOCcbbc-WI?t=13130s> (beginning at 3:38:51).

23 <sup>15</sup> Alex the Fiction, *H3 Fans For Palestine 12 HOUR FUNDRAISER STREAM* (September 28,  
2025), available at: <https://www.youtube.com/live/wqgNByS7bPc?t=21462s> (beginning from  
24 5:57:42)

25 <sup>16</sup> h3h3Productions, *Content Nuke – Hasan Piker* (Jan. 31, 2025), available at:  
[https://youtu.be/ZSUDHX-1\\_ww?si=aVDdZReXFZ9Ha8qp](https://youtu.be/ZSUDHX-1_ww?si=aVDdZReXFZ9Ha8qp) (from 17:06-18:01).

26 <sup>17</sup> Rob's Media, *Idiot Influencers – Noah Samsen* (December 4, 2023), available at:

<https://youtu.be/aetS8A2sC9c?si=9b7v1OAD-amKdPkA>; Rob's Media, *The Downfall of*  
27 *BreadTube* (November 8, 2025), available at:

<https://www.youtube.com/watch?v=ULnJ3bDtheM&t=3567s> (from 59:27 through 1:15:00);

28 Rob's Media, *Responding to Noah Samsen* (October 20, 2024), available at:

[https://youtu.be/27\\_JK8mM4IU?si=KmYXoIym0aSZBhYd](https://youtu.be/27_JK8mM4IU?si=KmYXoIym0aSZBhYd); Rob's Media, *Why I Hate*  
*BreadTubers* (August 30, 2024), available at: <https://youtu.be/l-Kiwc5ZTaI?si=qHpFJcnARPJTGatm>

1 the disingenuousness of Samsen’s “advocacy” comes through when he ruthlessly attacks women  
2 and people of color who do not share his opinions. Below are some notable examples:

- 3 a. Samsen is notorious for his attack on Patience Xina – a black, female creator  
4 who resides in the United Kingdom. She makes videos with nuanced  
5 commentary on various social topics, including race and gender issues. During  
6 the public controversy of Halle Bailey being cast as Ariel in *The Little*  
7 *Mermaid*, Patience Xina agreed with the criticism because she felt Hollywood  
8 was shoehorning people of color into Caucasian stories. Her solution was that  
9 Hollywood should focus on creating more content that focuses on stories  
10 directly involving people of color. Samsen attacked Patience Xina for her  
11 opinion and not rubber-stamping Halle Bailey’s casting. Patience Xina made a  
12 video exposing Samsen’s hypocrisy.<sup>18</sup>
- 13 b. Samsen has also attacked Palestinians who do not give full throated support to  
14 Hamas and the destruction of Israel. Ahmed Fouad Alkhatib (discussed above)  
15 is a Gazan refugee. He is senior fellow of the Atlantic Council where he leads  
16 the nonprofit organization called Realign For Palestine. He is an advocate of  
17 non-violence and of the two-state solution to resolve the conflict between  
18 Israel and Palestine.<sup>19</sup> Samsen attacked Alkhatib by calling him a “pro Israel  
19 genocide collaborator” that “lies for money to help Israel genocide his  
20 people.”<sup>20</sup>

### 21 **The Defamatory Video**

22 22. On March 11, 2025, Defendants published a video entitled *The YouTubers Who*  
23

24 <sup>18</sup> Patience Xina, *This Is Why I Don’t Trust ‘Allies’* (November 14, 2022), available at:  
[https://youtu.be/hlbgaciki9w?si=z0hFC-5BT\\_xDwjIP](https://youtu.be/hlbgaciki9w?si=z0hFC-5BT_xDwjIP)

25 <sup>19</sup> Wikipedia, “Ahmed Fouad Alkhatib” available at:  
[https://en.wikipedia.org/wiki/Ahmed\\_Fouad\\_Alkhatib](https://en.wikipedia.org/wiki/Ahmed_Fouad_Alkhatib); Realign For Palestine, Leadership  
26 “Ahmed Fouad Alkhatib” available at: <https://realignforpalestine.org/leadership/ahmed-fouad-alkhatib/>;  
Atlantic Council, “Ahmed F. Alkhatib” available at:  
27 <https://www.atlanticcouncil.org/expert/ahmed-alkhatib/>

28 <sup>20</sup> December 10, 2025 post by Samsen on X available at:  
<https://x.com/noahsamsen/status/1998899204954243515>; December 10, 2025 post by Samsen  
on X available at: <https://x.com/noahsamsen/status/1998896749516304401>

1 *Backed a Genocide* (i.e., the Defamatory Video).<sup>21</sup> The defamatory statements contained in the  
2 Defamatory Video are identified below.

### 3 **The Defamatory Statements**

4 23. The first defamatory statement is comprised of the thumbnail and title of the  
5 Defamatory Video (i.e., *The YouTubers Who Backed a Genocide*) (the “First Defamatory  
6 Statement”). The thumbnail for the Defamatory Video initially depicted four online content  
7 creators: (1) Ethan; (2) Mutahar Annas p/k/a SomeOrdinaryGamer (“Annas”); (3) Turkey Tom;  
8 and (4) Steven Bonnell Jr. p/k/a Destiny. The background of the thumbnail was the devastated  
9 landscape of the Gaza Strip with a photoshopped Israeli flag. The thumbnail depicted Ethan  
10 performing a Nazi salute to the Israeli flag. Sometime after its release, the content creator  
11 LonerBox (discussed above) heavily criticized Samsen’s poor research and misrepresentations in  
12 the Defamatory Video. Out of retaliation, Samsen changed the thumbnail of the Defamatory  
13 Video to include an image of LonerBox – despite LonerBox not appearing in the video at all. A  
14 true and correct screenshot of the thumbnail and title for the Defamatory Video is depicted below:



24 24. The second defamatory statement is Samsen’s false factual assertion that: “Ethan  
25 spreads atrocity propaganda. He shares the Hamas mass rapes hoax – the same hoax that was used  
26 by the Western media, the US government and the Israeli government to justify genocide.” (the  
27 “Second Defamatory Statement”). Defamatory Video at 43:15-43:32.

28 <sup>21</sup> Noah Samsen, *The YouTubers Who Backed a Genocide* (March 11, 2025), available at:  
<https://youtu.be/SsPCxoln6fQ?si=r33VCzMlgsQOBGX> .

1           25.     The third defamatory statement is Samsen’s false factual assertion that: “Ethan  
2 spreads overt misinformation. Just straight up lies about Hezbollah and Ansar Allah (or the  
3 Houthis) in order to delegitimize their struggle against Israel’s genocide. He cites baseless claims  
4 from Saudi state propaganda outlets to attack the Houthis. He also cites a documentary about  
5 Ansar Allah, which he uses as proof of the claim that they brought back slavery when the  
6 documentary wasn’t even about the Houthis; it was about the Yemeni government before the  
7 Houthi takeover.” (the “Third Defamatory Statement”). Defamatory Video at 43:56-44:23.

8           26.     The fourth defamatory statement is Samsen’s false factual assertion that: “He [*i.e.*,  
9 Ethan] spreads long debunked Nakba denialist talking points. Talking points that have been used  
10 for decades to legitimize Israeli colonization of Palestine.” (the “Fourth Defamatory Statement”).  
11 Defamatory Video at 44:22-44:29.

12           27.     The fifth defamatory statement is Samsen’s false factual assertions that: “Ethan  
13 cites sources that contradict his own claims directly, such as the UN report he claims proves the  
14 Hamas mass rapes allegation – which the report itself denies.” (the “Fifth Defamatory  
15 Statement”). Defamatory Video at 44:30-44:41.

16           28.     The sixth defamatory statement is Samsen’s false factual assertion that “He [*i.e.*,  
17 Ethan] spends 20 minutes in the video smearing a 19-year-old survivor of the US-backed Saudi  
18 genocide in Yemen as a terrorist with zero credible evidence.” (the “Sixth Defamatory  
19 Statement”). Defamatory Video 44:41-44:50.

20           29.     Samsen intended for his statements to be assertions of fact. First, Samsen holds  
21 himself out as an expert in the Israel-Palestine conflict. Second, to buttress his imprimatur of  
22 authority on the subject, Samsen will inundate his audience with a kaleidoscope of citations –  
23 most of which he misrepresents or are wholly unreliable. This is done intentionally so Samsen  
24 can exploit his audience’s low level of knowledge on the subject matter because he knows they  
25 will not research his citations on their own. Third, Samsen’s tone is serious and earnest – which is  
26 reflected in the language he employs. These are some of the reasons why Samsen intended (and  
27 his audience perceived) the defamatory statements as assertions of fact.

28     ///

1           **The First Defamatory Statement**

2           30.     As mentioned, the First Defamatory Statement is comprised of the thumbnail of  
3 the Defamatory Video and its title.

4           31.     The First Defamatory Statement is subject to being proven true or false:

- 5           a.     Merriam-Webster Dictionary defines the verb “to back” as “to support by  
6               material or moral assistance”;<sup>22</sup>
- 7           b.     The term genocide is crime that is defined under the Convention on the  
8               Prevention and Punishment, Article III as “any of the following acts committed  
9               with intent to destroy, in whole or in part, a national, ethnic, racial or religious  
10              group, as such: (a) killing members of the group; (b) causing serious bodily or  
11              mental harm to members of the group; (c) deliberately inflicting on the group  
12              conditions of life calculated to bring about its physical destruction in whole or  
13              in part; (d) imposing measures intended to prevent births within the group; or  
14              (e) forcibly transferring children of the group to another group.”
- 15           c.     Whether Ethan provided material or moral support to genocidal acts by Israel  
16               is subject to being proven true or false.

17           32.     As demonstrated in Paragraphs 16-18, Ethan does not and has not supported  
18 Israel’s genocide of the Palestinian people whatsoever. To the contrary, he has expressly stated  
19 the opposite and supported numerous charities dedicated to helping Palestinians.

20           33.     Samsen knew the First Defamatory Statement was false. Samsen cites *The Nuke* in  
21 the Defamatory Video and includes clips from it. In *The Nuke*, Ethan expresses his repeated  
22 condemnation of Israel’s treatment of the Palestinians. *See* Fn. 16.

23           34.     Samsen engaged in similar conduct (*i.e.*, expressly misrepresenting the contents of  
24 videos) to falsely assert that Annas and Turkey Tom supported Israel’s genocide of the  
25 Palestinian people as explained below.

- 26           a.     The Defamatory Video shows two brief clips of Annas’ October 21, 2024  
27

28 \_\_\_\_\_  
<sup>22</sup> Merriam-Webster, “Back,” available at: <https://www.merriam-webster.com/dictionary/back>

1 video entitled *Twitch Is A Disgustingly Evil Platform* (the “Annas Video”).<sup>23</sup> Defamatory  
2 Video at 48:08-48:21 & 49:30. In the Annas Video, Annas expressly states: “I’m not  
3 somebody that is afraid to say that genocide is wrong. I think there is an actual case of,  
4 you know, genocide and there’s an actual case of attack that goes towards the Palestinian  
5 people.” Annas Video at 29:41-30:01. Annas made similar statements throughout the  
6 Annas Video (*id.* at 3:09-3:34, 9:01-9:17) and in other videos.<sup>24</sup> Despite expressly calling  
7 Israel’s actions against the Palestinian people in Gaza a genocide and condemning those  
8 actions, Samsen labeled Annas – who is Muslim – a supporter of Israel’s genocide of the  
9 Palestinian people.

10 b. The Defamatory Video shows a brief clip of Turkey Tom’s October 19,  
11 2024 video entitled *Hasan Has Hit a New Low...* (the “Turkey Tom Video”).<sup>25</sup>  
12 Defamatory Video 47:59-48:03. In the video, Turkey Tom expressly states: “Obviously,  
13 the Israeli Palestine conflict is very complicated and I’m not trying to say, like, Israel  
14 good or Palestine good or Palestine bad or Israel bad. Like, that’s not my take here. I just  
15 think that, like, you know, civilians dying is, like, sad and unfortunate and I don’t like  
16 that. You know, civilians aren’t the government. They’re not militants. They’re not  
17 soldiers. They’re just living somewhere where they were born and grew up. So, obviously,  
18 you know, I’m going to feel bad for them if they die.” Turkey Tom Video at 11:23-11:48.  
19 Despite expressly stating his sympathy for Palestinian civilians losing their lives, Samsen  
20 labeled Turkey Tom a supporter of Israel’s genocide of the Palestinian people.

21 35. The First Defamatory Statement also falsely portrayed LonerBox – who is  
22 Lebanese – as supporting Israel’s genocide of the Palestinian people. After LonerBox criticized  
23 Samsen’s sloppy research, repeated misrepresentations of sources and overt misinformation in the  
24 Defamatory Video, Samsen retaliated by including LonerBox in the thumbnail for the

25 \_\_\_\_\_  
26 <sup>23</sup> SomeOrdinaryGamer, *Twitch Is A Disturbingly Evil Platform...* (Oct. 21, 2024), available at:  
<https://youtu.be/Arf3onMjCEE?si=kIqsUUyfu49ZfDiu>

27 <sup>24</sup> Some Ordinary Clips, *SomeOrdinaryGamer – Muta talks about the Asmongold controversy*  
(Oct. 18, 2024), available at: <https://youtu.be/2iyig7mjY6w?si=MyhM5wNIWYyPX4Y4> (from  
0:41-3:00).

28 <sup>25</sup> TomDark, *Hasan Has Hit a New Low...* (Oct. 19, 2024), available at:  
[https://youtu.be/H0OLi0u6eqg?si=PtSAXU5\\_B7Rdbz-y](https://youtu.be/H0OLi0u6eqg?si=PtSAXU5_B7Rdbz-y)

1 Defamatory Video.

2 36. Samsen also expressed his desire to falsely paint Ethan as supporting the genocide  
3 of Palestinians for clout and financial reasons. In the Defamatory Video, Samsen states: “I think  
4 many of you can probably also help out with that [because] most of you have smartphones and  
5 cameras and TikTok. So, go ahead, start posting about it. Spread the word. Aside from being a  
6 morally good thing to do, it’s also becoming sustainable, you know. It’s algorithmically viable.  
7 The Ethan Klein crash out industrial complex is booming.” Defamatory Video 1:00:36-1:00:56.

8 37. Samsen’s statement that it was “algorithmically viable” to falsely state that Ethan  
9 supported the genocide of Palestinians was correct. To date, the Defamatory Video is Samsen’s  
10 second most viewed video with nearly 1.5 million views. In contrast, the video he made after the  
11 Defamatory Video entitled *Manufacturing Consent for Genocide* received approximately 154,000  
12 views (*i.e.*, 10% of what the Defamatory Video received).<sup>26</sup>

13 38. In a video Defendants published on May 15, 2025, Samsen admitted that he  
14 included Ethan in the thumbnail so the Defamatory Video would garner more views.<sup>27</sup>

15 39. Further, Samsen used the Second through Sixth Defamatory Statement to support  
16 his false factual assertion that Ethan supported a genocide – each of which are discussed below.

### 17 **The Second and Fifth Defamatory Statements**

18 40. Both the Second and Fifth Defamatory Statements falsely assert that Ethan spread  
19 the “ Hamas mass rapes hoax” or “ Hamas mass rapes allegation.”

20 41. To support these assertions, Samsen falsely asserts that Ethan misrepresented the  
21 contents of the March 4, 2024 report from the United Nations’ Office of the Special  
22 Representative of the Secretary-General on Sexual Violence in Conflict entitled “Mission Report:  
23 Official visit of the Office of the SRSG-SVC to Israel and the occupied West Bank 29 January –  
24 14 February 2024.” (the “UN Report”).<sup>28</sup> Paragraphs 84 through 86 of the UN Report refute

25 <sup>26</sup> Noah Samsen, *Manufacturing Consent for Genocide* (March 17, 2025), available at:  
<https://www.youtube.com/watch?v=HB5axZSauBM>

26 <sup>27</sup> Noah Samsen, *Ethan Klein Lawsuit Response* (May 15, 2025), available at:  
<https://youtu.be/YWSHZouzaIM?si=s1AM6CIEKbNrIhAC> (from 15:45-16:23).

27 <sup>28</sup> United Nations’ Office of the Special Representative of the Secretary-General on Sexual  
28 Violence in Conflict, “Mission Report: Official visit of the Office of the SRSG-SVC to Israel and  
the occupied West Bank 29 January – 14 February 2024” (March 4, 2024), available at:  
(continued).

1 Samsen's false assertion and are set forth below:

- 2 a. Paragraph 84 of the UN Report states: "Overall, based on the totality of  
3 information gathered from multiple and independent sources at the different  
4 locations, there are reasonable grounds to believe that conflict related sexual  
5 violence occurred at several locations across the Gaza periphery, including in  
6 the form of rape and gang rape, during the 7 October 2023 attacks. Credible  
7 circumstantial information, which may be indicative of some forms of sexual  
8 violence, including genital mutilation, sexualized torture, or cruel, inhuman  
9 and degrading treatment, was also gathered."
- 10 b. Paragraph 85 of the UN Report states: "With regard to the hostages, the  
11 mission team found clear and convincing information that some hostages taken  
12 to Gaza have been subjected to various forms of conflict-related violence and  
13 has reasonable grounds to believe that such violence is ongoing."
- 14 c. Paragraph 86 of the UN Report states: "The mission team was unable to  
15 establish the prevalence of sexual violence and concludes the overall  
16 magnitude, scope, and specific attribution of these violations would require a  
17 fully-fledged investigation. A comprehensive investigation would enable the  
18 information base to be expanded in locations which the mission team was not  
19 able to visit and to build the required trust with survivors/victims of conflict-  
20 related sexual violence who may be reluctant to come forward at this point."

21 42. The aforementioned paragraphs make clear that there were numerous instances of  
22 sexual violence perpetrated by Hamas against Israelis at several locations on October 7th. This is  
23 not in dispute. Rather, further investigation was necessary to determine the "overall magnitude,  
24 scope and specific attribution" of these numerous acts of sexual violence.

25 43. Samsen expressly misrepresented the contents of the UN Report to knowingly and  
26 intentionally paint Ethan as lying about Hamas engaging in numerous acts of sexual violence on  
27 October 7th.

28 [https://news.un.org/en/sites/news.un.org/en/files/atoms/files/Mission\\_report\\_of\\_SRSG\\_SVC\\_to\\_I  
srael-oWB\\_29Jan\\_14\\_feb\\_2024.pdf](https://news.un.org/en/sites/news.un.org/en/files/atoms/files/Mission_report_of_SRSG_SVC_to_Israel-oWB_29Jan_14_feb_2024.pdf)

1           44.       Samsen knew he had to misrepresent the UN Report because of his repeated  
2       lionization of Hamas as a “heroic resistance.” To acknowledge their sexual violence would  
3       contradict his narrative and demonstrate he supports sexual assault.

4           45.       Indeed, immediately after the Second Defamatory Statement, Samsen cites  
5       materials he claims supports his assertion that the “Hamas mass rapes hoax” was “used by the  
6       Western media, the US government and the Israeli government to justify genocide.” The  
7       materials he cited, however, only discuss conflict related sexual violence in general (and not just  
8       October 7th) and did not discuss Israel’s actions in Gaza whatsoever.<sup>29</sup>

### 9           **The Third Defamatory Statement**

10          46.       The Third Defamatory Statement falsely asserts that Ethan spread “overt  
11       misinformation” and “straight up lies” about Hezbollah and Ansar Allah a/k/a the Houthis in *The*  
12       *Nuke*.

13          47.       In *The Nuke*, Ethan pointed out the following facts about Hezbollah: (1) it engaged  
14       in terrorism resulting in the deaths of thousands of civilians; (2) it orchestrated the assassination  
15       of Lebanese Prime Minister Rafik Al-Hariri; (3) it hijacked airplanes; (4) it fired 15,000 rockets  
16       in civilian areas; (5) it intervened in the Syrian Civil War to aid the dictator Bashar Al-Assad,  
17       which resulted in the deaths of hundreds of thousands of civilians; (6) its former leader, Hassan  
18       Nasrallah, made numerous antisemitic and genocidal statements against Jews; and (7) it initiated  
19       the most recent round of fighting on October 8th, not Israel, which resulted in 100 Israelis killed  
20       and over 200,000 displaced. *The Nuke* at 55:44-1:01:43.

21          48.       Despite asserting that Ethan spread “overt misinformation” and “straight up lies”  
22       about Hezbollah, Samsen failed to identify – let alone prove – any statement Ethan made in *The*  
23       *Nuke* about Hezbollah that was false. Samsen failed to do so because he knew that Ethan’s  
24       statements were true.

25          49.       In *The Nuke*, Ethan pointed out the following facts about the Houthis: (1) they

26       <sup>29</sup> See The White House, “FACT SHEET: The Biden-Harris Administration’s Actions to Address  
27       Conflict-Related Sexual Violence” (June 17, 2024), available at:  
28       <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2024/06/17/fact-sheet-the-biden-harris-administrations-actions-to-address-conflict-related-sexual-violence/>; Screams  
      Before Silence, *Screams Before Silence – White House Screening* (June 20, 2024), available at:  
      <https://youtu.be/Sr0KoYCYCI0?si=WC9FMj4N8ZNqfMIX>

1 recruit child soldiers; (2) they shell civilians; (3) they block aid to civilians; (4) they ruin  
2 agricultural land with mines; (5) they oppress women and members of the LGBTQ community;  
3 (6) they torture and kill women; (7) they perform Nazi salutes; (8) their flag states “Death to  
4 Israel” and “Curse Upon the Jews”; (9) they captured the ship *Galaxy Leader* in international  
5 waters, not Yemeni waters and the ship was not destined to or traveling from Israel; and (10) they  
6 took the crew of the *Galaxy Leader* (who were not Israeli) hostage. *The Nuke* at 30:40-55:33.

7 50. Despite asserting that Ethan spread “overt misinformation” and “straight up lies”  
8 about the Houthis, Samsen fails to address – let alone refute – any of the aforementioned  
9 statements Ethan made about the Houthis. Samsen failed to do so because he knew that Ethan’s  
10 statements were true and had no evidence to contradict those statements because none exists.

11 51. Instead, Samsen solely focused on Ethan’s assertion that the Houthis engaged in  
12 slavery. Samsen does not provide evidence refuting Ethan’s assertion. Rather, Samsen tries to  
13 attack the two sources cited in *The Nuke* to support the assertion the Houthis engaged in slavery:  
14 (1) an article entitled “Exclusive – Houthis Restore Slavery in Yemen” from *Asharq Al-Awsat*  
15 English version (the “*Asharq Al-Awsat* Article”);<sup>30</sup> and (2) the documentary by *Al-Jazeera World*  
16 entitled *Slavery in Yemen* (“*Al-Jazeera* Documentary”).

17 52. Samsen makes the assertion that the *Asharq Al-Awsat* Article contains “baseless  
18 claims” from “Saudi state propaganda outlets” without any supporting evidence. Samsen’s  
19 conclusory assertions are false. The *Asharq Al-Awsat* Article cited receiving information from:  
20 (1) sources close to the Houthis; (2) several local reports; (3) Yemeni activists; (4) lawyers in  
21 Yemen; and (5) a civilian who worked for a pro-Houthi tribal leader. Further, the United States’  
22 State Department cited the *Asharq Al-Awsat* Article in its *2022 Country Reports on Human*  
23 *Rights Practices: Yemen* for the proposition that “The newspaper *Asharq al-Awsat* reported in  
24 2019 that prominent Houthis held more than 1,800 citizens as slaves and servants who worked in  
25 their residences and places of work.”<sup>31</sup>

26  
27 <sup>30</sup> Asharq Al-Awsat, “Exclusive – Houthis Restore Slavery in Yemen” (July 13, 2019), available  
at: <https://english.aawsat.com/home/article/1810456/exclusive-houthis-restore-slavery-yemen>.

28 <sup>31</sup> U.S. Department of State, “2022 Country Reports on Human Rights Practices: Yemen,” p. 47  
available at: [https://www.state.gov/wp-content/uploads/2023/03/415610\\_YEMEN-2022-  
HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2023/03/415610_YEMEN-2022-HUMAN-RIGHTS-REPORT.pdf)

1           53.     Samsen intentionally misrepresented the contents of the *Asharq Al-Awsat* Article  
2 because he knew it ran counter to his narrative of the Houthis being the “heroic resistance” and  
3 exploited the fact that he knew his audience would not read the *Asharq Al-Awsat* Article.

4           54.     Samsen makes the assertion that Ethan misrepresented the *Al-Jazeera*  
5 Documentary because it was released before the Houthi takeover of Yemen. This is false. The *Al-*  
6 *Jazeera* Documentary was released on September 10, 2014.<sup>32</sup> The Houthis controlled parts of  
7 Yemen as early as March 2011 with the Battle of Saada.<sup>33</sup> Additionally, the Battle of Sanaa –  
8 which cemented Houthi control over northern Yemen – began prior to the release of the *Al-*  
9 *Jazeera* Documentary.<sup>34</sup> Moreover, the *Al-Jazeera* Documentary focused on Yemen’s overall  
10 culture of slavery – not merely of the deposed government.

11          55.     Indeed, the Houthi’s engagement in human trafficking is well documented. In  
12 2023, an independent Yemeni human rights organization, Mwatana, found that the Houthis  
13 forcibly recruited African migrants and deployed them to the front lines of conflict zones then  
14 refused to pay them.<sup>35</sup> Further, *The Independent* published an article reporting on the Houthis  
15 engaging in sex trafficking, supported by statements from Yemeni victims, lawyers and human  
16 rights activists.<sup>36</sup>

17          56.     Samsen intentionally misrepresented the timeline because he knew that the  
18 Houthis engaging in slavery contradicted his assertion that they were the “heroic resistance” and  
19 he knew his audience would not take the time to watch the *Al-Jazeera* Documentary on their own.

#### 20           **The Fourth Defamatory Statement**

21          57.     The Fourth Defamatory Statement falsely asserts that Ethan denied the Nakba to  
22 legitimize Israeli’s colonization. Nowhere does Samsen identify: (1) what Ethan said that denied

23 \_\_\_\_\_  
24 <sup>32</sup> Ashraf Mashharawi, Al-Jazeera World, *Slavery in Yemen* (Sept. 10, 2014), available at:  
<https://www.aljazeera.com/program/al-jazeera-world/2014/9/10/slavery-in-yemen/>

25 <sup>33</sup> Wikipedia, “Battle of Saada” available at: [https://en.wikipedia.org/wiki/Battle\\_of\\_Saada](https://en.wikipedia.org/wiki/Battle_of_Saada)

26 <sup>34</sup> Wikipedia, “Houthi Insurgency: 2011 Yemeni Revolution”), available at:  
[https://en.wikipedia.org/wiki/Houthi\\_insurgency#2011\\_Yemeni\\_Revolution](https://en.wikipedia.org/wiki/Houthi_insurgency#2011_Yemeni_Revolution).

27 <sup>35</sup> Mwatana for Human Rights, *Transit from Hell* (December 2023), available at:  
[65a7c50c0bd846bbcd91e5b7 Transit in Hell - En .pdf](https://www.mwatana.org/en/65a7c50c0bd846bbcd91e5b7_Transit_in_Hell_-_En_.pdf).

28 <sup>36</sup> Charlene Rodrigues, *The Independent*, “‘It’s for the service of the homeland’: The Houthis’  
sexual violence and prostitution rings in Yemen” (July 12, 2021), available at:

<https://www.independent.co.uk/independentpremium/houthis-yemen-prostitution-violence-rape-b1878927.html>

1 the Nakba; (2) how those points were debunked; and (3) how these talking points legitimize  
2 Israeli colonization. Instead, Samsen shows a screenshot from a video by George Ganitis p/k/a  
3 Bad Empanada (“Bad Empanada”) entitled *Nakba Denier, Expulsion Liar: ‘Content Nuke’*  
4 *Destroyed #6*<sup>37</sup> (the “Bad Empanada Video”) with the text “debunked here by BadEmpanada.”

5 58. Bad Empanada has a notorious reputation for his full-throated support of violence  
6 and terrorism against Israel and Israelis, particularly October 7th.<sup>38</sup> He spreads intentional  
7 falsehoods and misinformation about his enemies, including harassing and doxxing them. At the  
8 top of Bad Empanada’s hit list are Ethan and Hila.<sup>39</sup> Samsen is well aware of Bad Empanada’s  
9 extreme antagonism towards Ethan, Israel and Israelis due to Samsen’s close friendship with Bad  
10 Empanada. Indeed, it is highly likely that Bad Empanada played a substantial role in the creation  
11 of the Defamatory Video.

12 59. Like Bad Empanada’s other videos, the Bad Empanada Video cited by Samsen is  
13 replete with misinformation. In the Bad Empanada Video, Bad Empanada asserts that “Ethan  
14 Klein attempts to justify the Israeli settler-colonial state by glossing over The Nakba.” Bad  
15 Empanada Video at 0:00:06-13. Not only is this false, but Bad Empanada also fails to show any  
16 clip of Ethan doing so. Rather, Bad Empanada shows Ethan discussing: (1) that Jews would not

17 <sup>37</sup> BadEmpanada Live, *Ethan Klein DENIES Nakba, LIES About Jewish Expulsions – ‘Content*  
18 *Nuke Destroyed #6* (Feb. 12, 2025), available at:

19 <https://youtu.be/T4EIQqvSmuo?si=PodQarYG1Gg5-Orf>

20 <sup>38</sup> See e.g., Archived Tweets of BadEmpanada, available at: <https://archive.ph/2cB0T>;

21 <https://archive.ph/6nf3F>; <https://archive.ph/YLTUs>; <https://archive.ph/IrFle>;

22 <https://imgur.com/a/c2chXQQ>; [https://imgur.com/a/https-web-archive-org-web-](https://imgur.com/a/https-web-archive-org-web-20240426155813-https-twitter-com-nukedfirstworld-2zSGmYo)

23 <https://imgur.com/a/saGA4ip>;

24 <https://x.com/BoxLoner/status/1627605370284789760>; <https://imgur.com/a/VN8Hyoq>;

25 BadEmpanada Live, *Crocodile Tears for the Hostages* (February 23, 2025), available at:

26 <https://www.youtube.com/watch?v=3ltdmuVAtIc>.

27 <sup>39</sup> See e.g., BadEmpanada Live, *Ethan Klein Denounces IDFophobia Against Wife Hila*  
28 (September 24, 2024), available at: [https://youtu.be/ujTU0E2RbKM?si=C34BI0g9\\_k7wCczV](https://youtu.be/ujTU0E2RbKM?si=C34BI0g9_k7wCczV);

BadEmpanada Live, *Hila Klein’s IDF Crimes: Way Worse Than She & Ethan Now Admit*

(September 29, 2024), available at: [https://youtu.be/mol6Bx9hyk8?si=jbBnqBJ\\_C7cvPmQ](https://youtu.be/mol6Bx9hyk8?si=jbBnqBJ_C7cvPmQ) ;

BadEmpanada, *Hila Klein is a Terrorist* (October 24, 2024), available at:

29 <https://youtu.be/ETR4cb1aMhA?si=3LaItDpCOMgleDP>; BadEmpanada, *Content Tsar Bomba –*  
30 *Ethan Klein* (February 4, 2025), available at:

31 [https://youtu.be/3rM76vkIQNg?si=TJzANsAOw3K\\_oKVf](https://youtu.be/3rM76vkIQNg?si=TJzANsAOw3K_oKVf) ; BadEmpanada, *Ethan Klein and*

32 *Jewish Exceptionalism – The Ideology That Enables Isreal* (October 25, 2024), available at:

33 <https://youtu.be/PpzFw5VZWBEB?si=h2Ks1qYT5IVK5bO4>; BadEmpanada, *Ethan and Hila*

34 *Responded With Lies & Stupidity* (October 26, 2024), available at: [https://youtu.be/1Z1REKH-](https://youtu.be/1Z1REKH-bs8?si=xpkCeh_RwOWCZp_S)

35 [bs8?si=xpkCeh\\_RwOWCZp\\_S](https://youtu.be/1Z1REKH-bs8?si=xpkCeh_RwOWCZp_S); BadEmpanada Live, “Ethan Klein Hasan Content Nuke Playlist”  
36 (10 videos), available at: [https://www.youtube.com/playlist?list=PLYiKDJOJoO1S1Go-](https://www.youtube.com/playlist?list=PLYiKDJOJoO1S1Go-kPQcGXzV7wI5Q3U9K)

37 [kPQcGXzV7wI5Q3U9K](https://www.youtube.com/playlist?list=PLYiKDJOJoO1S1Go-kPQcGXzV7wI5Q3U9K)

1 feel safe as an ethnic minority; (2) Israel is comprised of refugees from Europe and Arab  
2 countries; (3) following the 1948 War, there were more Jews displaced than Palestinians during  
3 The Nakba; and (4) there are hardly any Jews left in Arab countries. *Id.* at 0:31-1:40.

4 60. None of these statements deny the Nakba or downplay it. Rather, it is a fact that  
5 “approximately 900,000 Jews migrated, fled, or were expelled from Muslim-majority countries  
6 throughout Africa and Asia, primarily as a consequence of the establishment of the State of  
7 Israel”<sup>40</sup> and the Nakba “turned 700,000 Palestinians into refugees” – which was “mainly caused  
8 by Israeli arms.”<sup>41</sup>

9 61. Even, worse, the Bad Empanada Video advances an ahistorical narrative about the  
10 exodus of Jews from Morocco, Algeria and Iraq.

11 62. As to Morocco, Bad Empanada grossly misrepresents the historical record by  
12 claiming the Jewish Agency struck an agreement with the French governor to force Moroccan  
13 Jews to immigrate. Bad Empanada Video at 1:41-2:44. As explained below, this is false.

14 a. In June 1948, antisemitic riots broke out in the cities of Oujda and Jerada. A  
15 significant portion of the Jewish population of both cities were slaughtered or  
16 severely injured by the local Arabs. As a direct result of the riots, 28,000  
17 Moroccan Jews left for Israel.<sup>42</sup>

18 b. Immediately before and during Moroccan independence in 1956, 70,000

19 <sup>40</sup> Wikipedia, “Jewish exodus from the Muslim world,” *available at:*  
20 [https://en.wikipedia.org/wiki/Jewish\\_exodus\\_from\\_the\\_Muslim\\_world](https://en.wikipedia.org/wiki/Jewish_exodus_from_the_Muslim_world); *see also* Maurice  
21 Roumani, *The Case of the Jews from Arab Countries: A Neglected Issue* (“Roumani”), pp. 15-16,  
22 (Following the 1948 Arab-Israeli war, over 800,000 Jews in the Arab and Muslim world fled their  
23 homes after a dramatic rise in antisemitic violence and persecution); Malka Hille Schulewitz, *The*  
24 *Forgotten Millions*, p. 133 (“Some 600,000 Jews fled Arab countries for Israel, while a further  
25 260,000 found refuge in Europe and the Americas.”).

23 <sup>41</sup> United Nations, “UN marks 75 years since displacement of 700,000 Palestinians” (May 15,  
2023), *available at:* <https://news.un.org/en/story/2023/05/1136662>; Benny Morris, *Righteous*  
24 *Victims*, p. 685.

24 <sup>42</sup> Wikipedia, “Migration of Moroccan Jews to Israel” *available at:*  
25 [https://en.wikipedia.org/wiki/Migration\\_of\\_Moroccan\\_Jews\\_to\\_Israel](https://en.wikipedia.org/wiki/Migration_of_Moroccan_Jews_to_Israel); Wikipedia, “Operation  
26 Yachin” *available at:* [https://en.wikipedia.org/wiki/Operation\\_Yachin](https://en.wikipedia.org/wiki/Operation_Yachin); Roumani, p. 19; Lyn  
27 Julius, *Uprooted* (“Julius”), p. 60; Israel Central Bureau of Statistics, “Immigrants, by Period of  
28 Immigration, Country of Birth and Last Country of Residence” (“Israel CBS Report”) (2009), p.  
237, *available at:*  
[https://web.archive.org/web/20110811092357/http://www1.cbs.gov.il/shnaton60/st04\\_04.pdf](https://web.archive.org/web/20110811092357/http://www1.cbs.gov.il/shnaton60/st04_04.pdf);  
MoroccanJews.org, “Data on Immigration to Israel from Morocco,” *available at:*  
[https://moroccanjews.org/home/jewish-emigration-from-morocco/data-on-immigration-to-israel-](https://moroccanjews.org/home/jewish-emigration-from-morocco/data-on-immigration-to-israel-from-morocco/)  
[from-morocco/](https://moroccanjews.org/home/jewish-emigration-from-morocco/data-on-immigration-to-israel-from-morocco/).

1 Moroccan Jews left due to hostility from Arab nationalism.<sup>43</sup>

- 2 c. Following Moroccan independence, an additional 130,000 Moroccan Jews  
3 left.<sup>44</sup>
- 4 d. Bad Empanada even misrepresents the article he cites and its citing source. In  
5 the article, it claims that the Jewish Agency had to strike an agreement with the  
6 French governor of Morocco to bring about the emigration of Moroccan  
7 Jews.<sup>45</sup> The source cited in the article *1949: The First Israelis* by Tom Segev  
8 does not support this assertion. Rather, the book discussed the observations of  
9 the emissary from the Jewish Agency on Moroccan Jews in Marseilles, France  
10 in July 1949 and their reluctance to leave Marseilles because of the hardship in  
11 settling in Israel and the housing situation.<sup>46</sup>

12 63. As to Algeria, Bad Empanada falsely claims: (1) the Crémieux Degree granted  
13 Algerian Jews French citizenship and Algerian Jews oppressed Algerian Christians and Muslims  
14 as a result; and (2) once Algeria achieved independence, it gave an ultimatum to all French  
15 citizens (not just the Jews) to renounce their citizenship and become Algerian citizens or leave the  
16 country. Bad Empanada Video at 2:45-4:02. The statements are false and highly misleading as  
17 explained below.

- 18 a. Algeria never offered Jews citizenship after independence. The Algerian  
19 National Code of 1963 only afforded citizenship to inhabitants who had at least  
20 two Algerian-born ascendants on their father's side that were Muslim. Rather,  
21 after independence, Algerian Jews were harassed and deprived of their  
22 economic rights.<sup>47</sup>

23 <sup>43</sup> Roumani, p. 19.

24 <sup>44</sup> Israel CBS Report, p. 237.

25 <sup>45</sup> Joseph Massad, *MiddleEastEye*, "The Truth behind Israeli propaganda on the 'expulsion' of Arab Jews" (Dec. 15, 2020), available at: <https://www.middleeasteye.net/big-story/truth-behind-israeli-propaganda-expulsion-arab-jews>

26 <sup>46</sup> Tom Segev, *1949: The First Israelis* ("Segev"), pp. 167, 328 fn. 63; Roumani, pp. 51-52.

27 <sup>47</sup> Jewish Virtual Library, "Jews of Algeria," available at:

28 <https://www.jewishvirtuallibrary.org/jews-of-algeria>; The Asylumist: Asylum and its Discontents in the United States, "Remembering Algeria's Jewish Refugees – 50 Years Later"; Wikipedia, "National Liberation Front (Algeria): Relationship with Jewish Algerians," available at: [https://en.wikipedia.org/wiki/National\\_Liberation\\_Front\\_\(Algeria\)#Relationship\\_with\\_Jewish\\_A](https://en.wikipedia.org/wiki/National_Liberation_Front_(Algeria)#Relationship_with_Jewish_A) (continued).

- 1                   b. The 1870 Cremieux Degree offered all Algerians (irrespective of religion)  
2                   French citizenship. Algerian Muslims rejected the offer because they would be  
3                   subject to French civil law.<sup>48</sup> Algerian Jews accepted citizenship due – in large  
4                   part – to the massacre of Jews in Algiers in 1805, 1815 and 1830.<sup>49</sup> Nor were  
5                   Jews a favored class amongst the French. To the contrary, there was rampant  
6                   antisemitism in mainland France as demonstrated by: (1) the Dreyfus Affair;  
7                   (2) French authorities failing to prevent the 1934 Pogrom of Constantine; and  
8                   (3) stripping Jews of citizenship in 1940 and barring them from any form of  
9                   public service.<sup>50</sup>
- 10                  c. Bad Empanada also ignores other factors that led to Algerian Jews leaving  
11                  Algeria, namely: (1) from 1956-1958, the FLN targeted Jews and Jewish  
12                  institutions on approximately ninety separate occasions during the Algerian  
13                  War of Independence (despite some Jews joining and supporting the FLN and  
14                  Algerian independence); and (2) after the Six-Day War in 1967, the numerous  
15                  antisemitic riots occurring throughout Algeria.<sup>51</sup>

16                  64. As to Iraq, Bad Empanada falsely and misleadingly asserts that: (1) Iraq  
17                  desperately tried to keep its Jews and passed laws preventing them from leaving; and (2) the  
18                  Zionists committed terrorist attacks to poison the relationship between Iraqi Arabs and Jews to  
19                  motivate Iraqi Jews to leave and pressure the Iraqi government to rescind the emigration ban. Bad  
20                  Empanada Video at 4:03-5:00. These claims are debunked below.

- 21                  a. The bombing campaign referred to in the Bad Empanada Video occurred from  
22                  April 1950 through June 1951. In March 1950 (*i.e.*, before the bombings), the  
23                  Iraqi government authorized the emigration of Iraqi Jews to Israel on condition

24                  Algerians; Ya'akov Meron, *The Forgotten Millions*, p. 93; UNHCR, *Algeria: Nationality Code*  
25                  (2005), available at: <https://www.refworld.org/legal/legislation/natlegbod/2005/fr/121663>.

25                  <sup>48</sup> Anver Ofrath, "We Shall Become French": *Reconsidering Algerian Jews' Citizenship*,  
26                  available at: <https://academic.oup.com/fh/article/35/2/243/6299901>

26                  <sup>49</sup> Roumani, p. 45.

27                  <sup>50</sup> Julius, p. 68; Roumani, p. 50; Wikipedia, "History of Algerian Jews: After WWII" available at:  
27                  [https://en.wikipedia.org/wiki/History\\_of\\_the\\_Jews\\_in\\_Algeria#After\\_WWII](https://en.wikipedia.org/wiki/History_of_the_Jews_in_Algeria#After_WWII); Wikipedia, "1934  
28                  Constantine riots," available at: [https://en.wikipedia.org/wiki/1934\\_Constantine\\_riots](https://en.wikipedia.org/wiki/1934_Constantine_riots).

28                  <sup>51</sup> Johannes Heuman, *The silent disappearance of Jews from Algeria*, available at  
28                  <https://www.tandfonline.com/doi/full/10.1080/14725886.2022.2027211>; Roumani, pp. 20, 53.

1 they relinquish their Iraqi citizenship and forfeit their property to the state.

2 Therefore, the bombings could not have put pressure on the Iraqi government  
3 removing the emigration ban because it preceded the bombings.<sup>52</sup>

4 b. Responsibility for the bombings is hotly contested. While two Zionist activists  
5 were convicted of the bombings, the sole evidence used to convict them was a  
6 confession from one of the activists that was extracted under torture.<sup>53</sup>

7 c. The majority of the bombings also occurred after 125,000 Iraqi Jews already  
8 left (and only 5,000 Iraqi Jews remained). Therefore, they could not have been  
9 the motivating factor for Iraqi Jews to leave Iraq.<sup>54</sup>

10 d. Bad Empanada also ignores the severe prevalence of antisemitism in Iraq  
11 before the bombing campaign began in April 1950. Beginning in the 1930s, the  
12 situation for Iraqi Jews deteriorated because of the ongoing conflict in the  
13 Palestinian Mandate and the introduction of Nazi propaganda into the Arab  
14 world – which led to the following events.

15 i. In 1934, Jews were fired from positions in the Iraqi Ministries of  
16 Economics and Communications. Additionally, quotas were imposed  
17 on Jews to limit their numbers in civil service positions, secondary  
18 schools and colleges.<sup>55</sup>

19 ii. Beginning in 1936, physical attacks on Baghdadi Jews became  
20 increasingly frequent.<sup>56</sup>

21 iii. In 1938, Iraq made “Zionist activity” a crime. The testimony of two  
22 Muslims was sufficient to convict. This resulted in arbitrary and  
23 extortionary enforcement of the law against Iraq’s most prominent Jews

24 <sup>52</sup> Wikipedia, “History of Jews in Iraq: Modern Iraq,”  
25 [https://en.wikipedia.org/wiki/History\\_of\\_the\\_Jews\\_in\\_Iraq#Modern\\_Iraq](https://en.wikipedia.org/wiki/History_of_the_Jews_in_Iraq#Modern_Iraq); Wikipedia, “1950-  
1951 Baghdad bombings,” available at:

26 [https://en.wikipedia.org/wiki/1950%E2%80%931951\\_Baghdad\\_bombings](https://en.wikipedia.org/wiki/1950%E2%80%931951_Baghdad_bombings)

27 <sup>53</sup> Moshe Gat, *The Jewish Exodus from Iraq, 1948-1951* (“Gat”), pp. 173, 178-180, 184-185 (PDF  
Version).

28 <sup>54</sup> *Id.*

<sup>55</sup> Roumani, p. 49.

<sup>56</sup> *Id.*

1 – like Shafiq Ades – who was hanged based on baseless charges of  
2 sending military equipment to Jews in the Palestine Mandate.<sup>57</sup>

- 3 iv. On April 1, 1941, the pro-Nazi fascist politician, Rashid Ali al-Quilani,  
4 led a successful coup that was encouraged by the Palestinian leader and  
5 Nazi propagandist, The Grand Mufti Hajj Amin al-Husseini. Despite  
6 the coup being short-lived, it was extremely successful in spreading  
7 Nazi ideology and directly led to the *Farhud* in June 1941 – a pogrom  
8 that resulted in more than 180 Jews killed, looting of Jewish businesses  
9 and destruction of Jewish homes. Due to the *Farhud* being an  
10 outgrowth of Nazi ideology, it is considered a part of the Holocaust.<sup>58</sup>
- 11 v. Prior to partition in November 1947, Iraqi Jews were being lynched,  
12 their homes ransacked, they were forced to pay extortion money and  
13 ethnically cleansed from Falluja.<sup>59</sup>
- 14 vi. After partition, Iraqi Jews were stripped of due process, prohibited  
15 from using banks, trains, the post office, telegraphs, securing import  
16 and export licenses and all Jewish workers in the government were  
17

18 <sup>57</sup> Roumani, p. 52; Gat, pp. 27-28.

19 <sup>58</sup> Wikipedia, “1941 Iraqi coup d’etat,” available at:

20 [https://en.wikipedia.org/wiki/1941\\_Iraqi\\_coup\\_d%27%C3%A9tat](https://en.wikipedia.org/wiki/1941_Iraqi_coup_d%27%C3%A9tat); Wikipedia, “Rashid Ali al-  
21 Gaylani,” available at: [https://en.wikipedia.org/wiki/Rashid\\_Ali\\_al-Gaylani](https://en.wikipedia.org/wiki/Rashid_Ali_al-Gaylani); World War Two,  
22 *The Nazi-Islam Alliance? – Amin al-Husseini – WW2 Biography Special* (Dec. 21, 2021),  
23 available at: <https://youtu.be/K07j-wuL8sw?si=en3seNLjS0JRmxHj>; The World History  
24 Channel, *Why Did The Grand Mufti Of Palestine Collaborate With Nazi Germany?* (Jan. 30,  
25 2025), available at: <https://youtu.be/aVeXPfY7shI?si=ZT4GYoa27xKF6-kG>; Casual Historian,  
26 *How the Zionists responded to World War Two and the Holocaust* (Feb. 8, 2025), available at:  
27 <https://youtu.be/w6NrUiUhYiA?si=EswHI27G-9MW8OH4>; Casual Historian, *The Palestine*  
28 *Mandate: The Origins of the Israeli-Palestinian Conflict (Supercut)* (Dec. 28, 2023), available at:  
<https://youtu.be/vUuR-3tw9p8?si=EzAVrpG5IZHUKa8Y>; United States Holocaust Memorial  
Museum, Holocaust Encyclopedia, “Hajj Amin al-Husayni: Wartime Propagandist,” available at:  
[https://encyclopedia.ushmm.org/content/en/article/hajj-amin-al-husayni-wartime-  
propagandist?parent=en%2F11094](https://encyclopedia.ushmm.org/content/en/article/hajj-amin-al-husayni-wartime-propagandist?parent=en%2F11094); United States Holocaust Memorial Museum, Holocaust  
Encyclopedia, “Hajj Amin Al-Husayni: Arab nationalist and Muslim Leader,” available at:  
[https://encyclopedia.ushmm.org/content/en/article/hajj-amin-al-husayni-arab-nationalist-and-  
muslim-leader?parent=en%2F11104](https://encyclopedia.ushmm.org/content/en/article/hajj-amin-al-husayni-arab-nationalist-and-muslim-leader?parent=en%2F11104); Wikipedia, “Amin al-Husseini,” available at:  
[https://en.wikipedia.org/wiki/Amin\\_al-Husseini](https://en.wikipedia.org/wiki/Amin_al-Husseini); Gat, pp. 10-11; Wikipedia, “Farhud,” available  
at: <https://en.wikipedia.org/wiki/Farhud>.

<sup>59</sup> Wikipedia, “History of Jews in Iraq: Modern Iraq,”  
[https://en.wikipedia.org/wiki/History\\_of\\_the\\_Jews\\_in\\_Iraq#Modern\\_Iraq](https://en.wikipedia.org/wiki/History_of_the_Jews_in_Iraq#Modern_Iraq);

1 fired.<sup>60</sup>

2 vii. In 1950, members of the anti-Jewish Istiqlal party attacked locations  
3 where Jewish goods were sold.<sup>61</sup>

4 e. Bad Empanada also misrepresents the condition of Iraqi Jews after the  
5 bombing campaign. The few Iraqi Jews that remained after 1951 were treated  
6 as a fifth column and made scapegoats for Arab military defeats against Israel.  
7 For example, after the Six Day War in 1967, nine Iraqi Jews were hanged in  
8 Baghdad and one in Basra on false charges of being Israeli spies and convicted  
9 by a three-man Ba'athist tribunal.<sup>62</sup>

10 f. Bad Empanada also misrepresents the motivation for the ban on Iraqi Jews  
11 emigrating to Israel and Iraq rescinding the ban.

12 i. The ban was imposed shortly after partition in November 1947. The  
13 reason for the ban was Iraq's concern that the population transfer would  
14 only strengthen Israel (*i.e.*, the same reason Morocco prohibited Jews  
15 emigrating to Israel).<sup>63</sup>

16 ii. In early 1949, British officials learned that Iraqi Prime Minister Nuri  
17 al-Said intended to expel the Jews to solve Iraq's "Jewish Problem."  
18 British officials negotiated a population exchange of 100,000 Iraqi  
19 Jews for an equivalent number of Palestinian refugees. For the Iraqi  
20 Jews remaining after 1951, al-Said threatened to forcibly expel them  
21 across the border or imprison them in concentration camps.<sup>64</sup>

22 65. Samsen made the Fourth Defamatory Statement with knowledge of falsity or  
23 reckless disregard for the truth because, amongst other things: (1) he knew that Bad Empanada –

24 <sup>60</sup> *Id.*

<sup>61</sup> Gat, pp. 192-193.

25 <sup>62</sup> Foreign Relations of the United States, 1969-1976, Volume E-4, Documents on Iran and Iraq,  
26 1969-1972, Document 251. Accessed: <https://history.state.gov/historicaldocuments/frus1969-76ve04/d251#:~:text=On%20January%2027%2C%201969%2C%20fourteen,in%20Baghdad%20as%20Israeli%20spies>; Gourji C. Bekhor, *Fascinating Live and Sensational Death*, pp. 183-209.

27 <sup>63</sup> Gat, pp. 26, 127-128; Wikipedia, "History of Jews in Iraq: Modern Iraq,"  
[https://en.wikipedia.org/wiki/History\\_of\\_the\\_Jews\\_in\\_Iraq#Modern\\_Iraq](https://en.wikipedia.org/wiki/History_of_the_Jews_in_Iraq#Modern_Iraq);

28 <sup>64</sup> Gat, pp. 35-36, 127-128; Wikipedia, "History of Jews in Iraq: Modern Iraq,"  
[https://en.wikipedia.org/wiki/History\\_of\\_the\\_Jews\\_in\\_Iraq#Modern\\_Iraq](https://en.wikipedia.org/wiki/History_of_the_Jews_in_Iraq#Modern_Iraq);

1 like Samsen himself – was an unreliable source of information with an extreme bias against  
2 Ethan, Israel and Israelis; (2) the Bad Empanada Video did not identify a single statement by  
3 Ethan that supported his assertion of Nakba denial; and (3) Samsen was more concerned with  
4 promulgating his false narrative about denying atrocities made against Arab Jews to advance his  
5 genocidal rhetoric.

### 6 **The Sixth Defamatory Statement**

7 66. The Sixth Defamatory Statement falsely asserts that Ethan labeled Rasheed Al-  
8 Hadad (“Al-Hadad”) as a terrorist with “zero credible evidence.” *The Nuke* shows various social  
9 media posts of Al-Hadad admitting to being a Houthi terrorist, expressing support for the Houthis  
10 and echoing their genocidal rhetoric. *The Nuke* also shows clips of Al-Hadad discussing visiting  
11 the *Galaxy Leader* – *i.e.*, the ship hijacked by the Houthis – and interacting with the hostage taken  
12 crew. *The Nuke* at 47:43-49:05.

13 67. Despite claiming to have seen *The Nuke*, Samsen failed to disclose – let alone  
14 explain – why the social media posts and interview cited by Ethan in *The Nuke* failed to support  
15 Ethan’s claim that Al-Hadad was a member of the Houthis. Samsen failed to do so because he  
16 knew he could not do so.

### 17 **The Retraction Demand and Samsen’s Response**

18 68. On March 31, 2025, Ethan sent Samsen a demand for retraction out of an  
19 abundance of caution (the “Retraction Demand”). The Retraction Demand was sent to the email  
20 address Samsen provided on his YouTube page: Noah@SparkMedia.la. A physical copy was sent  
21 to Spark Media, Inc. The Retraction Demand was 16 pages long. It explained in exacting detail  
22 why the Defamatory Statements were false and supported the assertions with numerous citations.

23 69. Samsen refused to comply with the Retraction Demand. Furthermore, he began to  
24 flaunt his refusal to comply with the Retraction Demand and continued to attack Ethan – along  
25 with Hila – as detailed below.

- 26 a. On May 15, 2025, Samsen released a video stating he would not comply with  
27 the Retraction Demand (even though the deadline to comply had long passed)  
28

1 and called it a “joke.”<sup>65</sup>

- 2 b. Samsen would go on to make a number of videos and social media posts that  
3 doubled down on his claims against Ethan, attack Hila as a war criminal and  
4 attack their Arab employees as race traitors.<sup>66</sup>
- 5 c. On December 14, 2025, Samsen was interviewed where he continued to taunt  
6 Ethan into suing him.<sup>67</sup>

7 **FIRST CAUSE OF ACTION**

8 **Defamation**

9 70. Ethan repeats and realleges each of the foregoing paragraphs as if set forth fully  
10 herein.

11 71. Defendants published false and defamatory statements about Ethan to a worldwide  
12 Internet audience by posting the Defamatory Video on Samsen’s YouTube channel on March 11,  
13 2025.

14 72. The Defamatory Video contained numerous defamatory statements about Ethan  
15 that are set forth below.

- 16 a. The First Defamatory Statement is the title of the Defamatory Video – *i.e.*,  
17 *These YouTubers Backed a Genocide* – and the thumbnail of Defamatory  
18 Video which is depicted below.

19  
20  
21 <sup>65</sup> Noah Samsen, *Ethan Klein Lawsuit Response* (May 15, 2025), available at:  
<https://youtu.be/YWSHZouzaIM?si=s1AM6CIEKbNrIhAC>

22 <sup>66</sup> Noah Samsen, *How to Girlboss a Genocide* (June 20, 2025), available at:  
23 <https://youtu.be/FdO05o1S79k?si=zsCqwcX8OVOMOD6W>; August 13, 2025 post by Samsen  
24 on X, available at: <https://x.com/noahsamsen/status/1955763595427684766>; August 14, 2025  
25 post by Samsen on X available at: <https://x.com/noahsamsen/status/1956104001084383664>;  
26 August 25, 2025 post by Samsen on X available at:  
<https://x.com/noahsamsen/status/1960024613406360050>; September 11, 2025 post by Samsen  
27 on X available at: <https://x.com/noahsamsen/status/1966290594965443016>; September 11,  
28 2025 post by Samsen on X available at:  
<https://x.com/noahsamsen/status/1966255915893760427>; September 15, 2025 post by Samsen  
on X available at: <https://x.com/noahsamsen/status/1966036989859479652>; December 10, 2025  
post by Samsen on X available at: <https://x.com/noahsamsen/status/1998899204954243515>

<sup>67</sup> Chris Kunzler, *Noah Samsen Breaks Silence on Ethan Klein Lawsuit, Talks About Liberal  
Zionism & More (NPH! Ep. 3)* (December 14, 2025), available at  
<https://www.youtube.com/watch?v=gbrV7AV65zg>



- b. The Second Defamatory Statement is: "Ethan spreads atrocity propaganda. He shares the Hamas mass rapes hoax – the same hoax that used by the Western media, the US government and the Israeli government to justify genocide." Defamatory Video at 43:15-43:32.
- c. The Third Defamatory Statement is "Ethan spreads overt misinformation. Just straight up lies about Hezbollah and Ansar Allah (or the Houthis) in order to delegitimize their struggle against Israel's genocide. He cites baseless claims from Saudi state propaganda outlets to attack the Houthis. He also cites a documentary about Ansar Allah, which he uses as proof of the claim that they brought back slavery when the documentary wasn't even about the Houthis; it was about the Yemeni government before the Houthi takeover." Defamatory Video at 43:56-44:23.
- d. The Fourth Defamatory Statement is: "He [*i.e.*, Ethan] spreads long debunked Nakba denialist talking points. Talking points that have been used for decades to legitimize Israeli colonization of Palestine." Defamatory Video at 44:22-44:29.
- e. The Fifth Defamatory Statement is "Ethan cites sources that contradict his own

1 claims directly, such as the UN report he claims proves the Hamas mass rapes  
2 allegation – which the report itself denies.” Defamatory Video at 44:30-44:41.

- 3 f. The Sixth Defamatory Statement is: “He [*i.e.*, Ethan] spends 20 minutes in the  
4 video smearing a 19-year-old survivor of the US-backed Saudi genocide in  
5 Yemen as a terrorist with zero credible evidence.” Defamatory Video 44:41-  
6 44:50.

7 73. Samsen’s defamatory statements were intended and did falsely convey the  
8 following:

- 9 a. The First Defamatory Statement falsely conveyed that Ethan materially and/or  
10 morally supported Israel’s genocide of the Palestinian people in Gaza.  
11 b. The Second and Fifth Defamatory Statements falsely conveyed that Ethan lied  
12 about Hamas engaging in sexual violence and misrepresented the UN Report to  
13 justify Israel’s actions in Gaza.  
14 c. The Third Defamatory Statement falsely conveys that Ethan made false factual  
15 statements about Hezbollah and the Houthis, including misrepresenting the  
16 contents of his source material, to justify Israel’s actions against Palestinians.  
17 d. The Fourth Defamatory Statement falsely conveys that Ethan denied The  
18 Nakba to justify Israel’s existence.  
19 e. The Sixth Defamatory Statement falsely conveys that Ethan branded Al-  
20 Haddad a terrorist with no factual support to advance a pro-Israel narrative.

21 74. Samsen’s statements, which refer to Ethan by name or likeness, are reasonably  
22 understood to be statements of fact about Ethan and were understood by people who read them to  
23 be statements of fact about Ethan.

24 75. Samsen’s statements are false as discussed below:

- 25 a. The First Defamatory Statement is false because Ethan has not morally or  
26 materially supported Israel’s genocide of the Palestinian people. To the  
27 contrary, Ethan has condemned Israel’s actions as a genocide and apartheid  
28 both before and after October 7th.

- 1                   b. The Second and Fifth Defamatory Statements are false because Ethan  
2                   accurately represented the contents of the UN Report that Hamas engaged in  
3                   numerous acts of sexual violence on October 7th – nor does Ethan use this fact  
4                   to justify Israel’s genocide of the Palestinian people.
- 5                   c. The Third Defamatory Statement is false because Ethan did not spread false  
6                   statements about Hezbollah or the Houthis – let alone to legitimize Israel’s  
7                   genocide of the Palestinian people.
- 8                   d. The Fourth Defamatory Statement is false because Ethan did not deny The  
9                   Nakba or engage in Nakba denialist talking points to legitimize Israel’s  
10                  existence.
- 11                  e. The Sixth Defamatory Statement is false because Ethan provided substantial  
12                  evidence of Al-Haddad’s connection and support for the Houthis.

13                  76. Samsen’s statements are defamatory and libelous *per se*. Their defamatory  
14                  meaning is apparent on their face, without the necessity of explanatory matter because they  
15                  accuse Ethan of materially or morally supporting Israel’s genocide of the Palestinian people by  
16                  spreading factually and demonstrably false statements. Samsen’s statements have exposed Ethan  
17                  to hatred and contempt and have injured him in his occupation as an online content creator and  
18                  owner of a streetwear company. Samsen’s statements were calculated to – and did in fact –  
19                  provoke outrage and cause Ethan reputational and financial damage to Defendants’ benefit (both  
20                  financially and reputationally).

21                  77. Defendants have no applicable privilege or legal authorization to publish these  
22                  false and defamatory statements or, if they did, they abused it.

23                  78. As set forth above in detail and summarized below, Defendants published the  
24                  defamatory statements with actual malice:

- 25                  a. As to the First Defamatory Statement, it was made with actual malice because,  
26                  amongst other things, Defendants: (1) knew that Ethan did not support Israel’s  
27                  genocide by having reviewed *The Nuke*; (2) engaged in identical behavior by  
28                  citing the Annas Video and the Turkey Tom Video to claim they support

1 Israel's genocide – despite Annas and Turkey Tom expressly stating the  
2 opposite; (3) admitted to including Ethan in the thumbnail because it would  
3 garner more views for the Defamatory Video; (4) admitted that targeting Ethan  
4 was “algorithmically” viable; (5) expressly disregarding the Retraction  
5 Demand which provided evidence demonstrating falsity; and (6) doubling  
6 down on the First Defamatory Statement by repeating it.

7 b. As to the Second and Fifth Defamatory Statements, they were made with  
8 actual malice because, amongst other things, Defendants: (1) knew that the UN  
9 Report expressly found that numerous acts of sexual violence occurred to  
10 Israelis on October 7th and they expressly misrepresented the UN Report's  
11 findings; (2) they misrepresented the contents of the information cited in the  
12 Defamatory Video immediately after the Second Defamatory Statement –  
13 emphasizing they were not interested in the truth but in advancing a false  
14 narrative; (3) they wanted to portray Hamas as a “heroic resistance” and  
15 acknowledging the truth would contradict that narrative; (4) expressly  
16 disregarding the Retraction Demand which provided evidence of falsity; and  
17 (5) doubling down on the Second and Fifth Defamatory Statements.

18 c. As to the Third Defamatory Statement, it was made with actual malice  
19 because, amongst other things, Defendants: (1) knew that the *Asharq Al-Awsat*  
20 Article was supported by numerous sources; (2) knew that the *Al-Jazeera*  
21 Documentary concerned Yemen's overall culture of slavery and that it was  
22 released after the Houthis took control of large parts of Yemen; (3) knew that  
23 the facts Ethan pointed out about Hezbollah and the Houthis were true – which  
24 is why he did not address them; (4) they wanted to portray Hezbollah and the  
25 Houthis as a “heroic resistance” and acknowledging the truth would contradict  
26 that narrative; (5) expressly disregarding the Retraction Demand which  
27 provided evidence of falsity; and (6) doubling down on the Third Defamatory  
28 Statement.

1 d. As to the Fourth Defamatory Statement, it was made with actual malice  
2 because, amongst other things, Defendants: (1) knew that Bad Empanada was  
3 an unreliable source of information and highly biased against Ethan, Israel and  
4 Israelis; (2) knew the Bad Empanada Video failed to identify any statement  
5 made by Ethan that denied the Nakba; (3) knew that Ethan did not say  
6 anything that denied the Nakba – even though Samsen watched *The Nuke*; (4)  
7 failed to identify a single statement by Ethan in the Defamatory Video where  
8 he denied the Nakba; (5) expressly disregarded the Retraction Demand which  
9 provided extensive evidence of falsity; and (6) doubling down the Fourth  
10 Defamatory Statement.

11 e. As to the Sixth Defamatory Statement, it was made with actual malice because,  
12 amongst other things, Defendants: (1) knew of the various social media posts  
13 by Al-Hadad admitting he was a Houthi and expressing support for the Houthis  
14 when Defendants saw *The Nuke*; (2) failed to explain why Al-Hadad’s social  
15 media posts did not show he was a Houthi or that he supported their cause  
16 because Samsen knew they showed the opposite; (3) expressly disregarded the  
17 Retraction Demand which provided evidence of falsity; and (4) doubling down  
18 on the Sixth Defamatory Statement.

19 79. Samsen made these false and defamatory statements intentionally, willfully,  
20 maliciously, and in conscious disregard for Ethan’s rights and reputation and of the truth.

21 80. Samsen’s defamatory falsehoods have been repeated and republished by numerous  
22 people, which was reasonably foreseeable to – and specifically intended and expected by –  
23 Defendants.

24 81. As a direct and foreseeable result of Samsen’s false and defamatory accusations,  
25 Ethan has suffered financial and reputational harm.

26 82. As a result of Samsen’s false and defamatory accusations, Ethan’s relationships  
27 with members of his community, his current and prospective business partners, and other  
28 individuals with whom Ethan has known and interacted have been irreparably damaged.

