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Top-ranking Biden administration officials – including Dr. Anthony Fauci – and five social media giants have 30 days to respond to subpoenas and discovery requests in a lawsuit alleging the government colluded with social media companies to suppress freedom of speech “under the guise of combatting misinformation.”

by [Megan Redshaw](#), [The Defender](#)

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Top-ranking Biden administration officials – including [Dr. Anthony Fauci](#) – and five social media giants have 30 days to respond to subpoenas and discovery requests in a lawsuit alleging the government colluded with social media companies to suppress freedom of speech “[under the guise](#) of combatting misinformation.”

Missouri Attorney General Eric Schmitt and Louisiana Attorney General Jeff Landry on Wednesday [served third-party subpoenas](#) on Twitter, [Meta](#) (Facebook’s parent company), Youtube, [Instagram](#) and LinkedIn.

Schmitt and Landry on Tuesday filed [discovery requests](#) seeking documents and information from the National Institute of Allergies and Infectious Diseases (NIAID) and Fauci, its director; White House Press Secretary [Karine Jean-Pierre](#); Surgeon General [Dr. Vivek Murthy](#); and former [Disinformation Governance Board](#) executive director [Nina Jankowicz](#).

Discovery requests also were sent to the [Centers for Disease Control and Prevention](#) (CDC); the [Cybersecurity and Infrastructure Security Agency](#) and its director, [Jen Easterly](#); the [U.S. Department of Homeland Security](#) (DHS); and the [U.S. Department of Health and Human Services](#) (HHS).

“In May, Missouri and Louisiana filed a landmark lawsuit against top-ranking Biden Administration officials for allegedly colluding with social media giants to suppress free speech on topics like [COVID-19](#) and election security,” Schmitt said in Tuesday’s [press release](#).

Schmitt added:

“Earlier this month, a federal court granted our motion for expedited discovery, allowing us to collect important documents from Biden Administration officials. Yesterday, we served discovery requests and today served third-party subpoenas to do exactly that.

“We will fight to get to the bottom of this alleged collusion and expose the suppression of freedom of speech by social media giants at the behest of top-ranking government officials.”

Schmitt [announced in a July 12 statement](#) that Terry Doughty, a judge in the U.S. District Court for the Western District of Louisiana, [ruled in favor](#) of a June 17 motion for expedited preliminary injunction-related discovery and set a timetable with specific deadlines for depositions.

According to Schmitt, government officials “both [pressured and](#)

[colluded](#) with social media giants Meta, Twitter and Youtube to censor free speech in the name of combating so-called 'disinformation' and 'misinformation,' which led to the [suppression and censorship](#) of truthful information on several topics, including COVID-19."

"The Court's decision cleared the way for Missouri and Louisiana to gather discovery and documents from Biden Administration officials and social media companies," Schmitt said in a [press release](#) on Tuesday.

"The [order](#) states, 'The First Amendment obviously applies to the citizens of Missouri and Louisiana, so Missouri and Louisiana have the authority to assert those rights,'" he said.

In a [statement on Twitter](#) announcing the court's decision to grant the attorneys general's request, Schmitt said, "No one has had the chance to look under the hood before – now we do."



BREAKING: A federal court granted our request for discovery & documents from top ranking Biden officials & social media companies to get to the bottom of their collusion to suppress & censor free speech.

No one has had the chance to look under the hood before – now we do. pic.twitter.com/TzrxtC3piN

– Eric Schmitt (@Eric_Schmitt) [July 12, 2022](#)

[Children's Health Defense](#) (CHD) President Mary Holland, who also serves as CHD general counsel, praised the ruling:

"CHD welcomes this groundbreaking ruling from Judge Doughty of the Western District of Louisiana to discover whether the Biden administration has violated the First Amendment through censorship.

“For two years, CHD and many other media outlets have not been able to comprehend the mechanisms whereby our major media platforms have ruthlessly censored, suppressed and distorted our information.

“Now, through the discovery process that the judge has allowed, we’ll find out how Meta, Instagram, Twitter and YouTube have been colluding with the federal government to curb so-called ‘disinformation’ and ‘misinformation.’ This is a new day.”

Fauci, CDC, White House press secretary and more must turn over documents

According to the [press release](#), Fauci, chief medical advisor to President Biden and director of the NIAID, was [asked to turn over](#) any communications with social media platforms related to content modulation and/or misinformation, and to disclose all meetings with any social media platform related to the subject and to provide all communications with [Mark Zuckerberg](#) from Jan. 1, 2020, to the present.

Fauci also must turn over all communications with any social media platform related to the [Great Barrington Declaration](#); the authors and original signers of the Great Barrington Declaration; Dr. Jay Bhattacharya; Martin Kulldorff, Ph.D.; Dr. Aaron Kheriaty, Sunetra Gupta, Ph.D.; Dr. Scott Atlas; Alex Berenson; [Peter Daszak](#), Ph.D.; Shi Zhengli, Ph.D.; the Wuhan Institute of Virology; [EcoHealth Alliance](#); and/or any member of the so-called “Disinformation Dozen,” including CHD chairman and chief legal counsel Robert F. Kennedy, Jr.

White House Press Secretary Karine Jean-Pierre is [required to identify](#) every officer, official, employee, staff member, personnel, contractor or any other person associated with the White House communications team who communicated or is communicating with any social media platform related to content modulation and/or misinformation – and to turn over those communications.

Jean-Pierre also must identify all persons who “engage[s] regularly with all social media platforms about steps that can be taken” to address misinformation on social media, which engagement “has continued, and ... will continue,” as stated during an April 25 White House press briefing – and turn over all communications with any social media platform involved in such engagement.

Defendant Nina Jankowicz, who was tasked with heading up the Biden administration’s “[Disinformation Governance Board](#)” must [provide all documents](#) related to communications with social media platforms and content modulation and/or misinformation.

Jankowicz is required to identify the nature, purpose, participants, topics to be discussed and topics actually discussed at the meeting between DHS personnel and Twitter executives Nick Pickles and Yoel Roth scheduled on or around April 28.

The CDC is [required to provide](#) the names of every officer, official, employee, staff member, personnel, contractor or agent of CDC or any other federal official or agency who communicated or is communicating with any social media platform regarding content modulation and/or misinformation.

The CDC must disclose communications with any social media platform related to content modulation or misinformation, any meetings that took place with social media platforms related to content modulation and/or misinformation, and must identify all “members of our senior staff” and/or “members of our COVID-19 team” who are “in regular touch with ... social media platforms,” as “Jennifer Psaki [former White House press secretary] stated at a White House press briefing on or around July 15, 2021.”

The agency must also disclose all “government experts” who are federal officers, officials, agents, employees or contractors,

who have “partnered with” Facebook or any other social media platform to address misinformation and/or content modulation, including all communications relating to such partnerships.

Like Fauci, the CDC must [turn over information and communications](#) on the “so-called disinformation dozen,” Great Barrington Declaration, alternative news outlets and key experts and scientists who have spoken out against the [government’s approach](#) to treating COVID-19 or mandating face masks and lockdowns.

Meta (Facebook) was “commanded” to [produce all communications](#) with any federal official relating to misinformation and/or content modulation, to produce all documents and communications-related actions taken based in whole or in part on information received, directly or indirectly, from any federal official and to produce all communications and documents related to a list of search terms that include Kennedy’s name and/or the names of prominent doctors and physicians who were censored for their views on COVID-19.

Facebook [also must disclose](#) meetings, communications and documents related to remarks made by Psaki, who said the White House is “in regular touch with these social media platforms, and those engagements typically happen through members of our senior staff, but also members of our COVID-19 team,” and regarding the White House’s efforts to flag “problematic posts for Facebook that spread disinformation.”

Similar requests were made to other government officials and social media platforms, including [Twitter](#), [YouTube](#), [Instagram](#) and [LinkedIn](#).

Lawsuit alleges collusion to suppress disfavored speakers and viewpoints

Attorneys general of Louisiana and Missouri in May filed a [lawsuit](#) alleging government defendants “colluded with and/or

coerced social media companies to suppress disfavored speakers, viewpoints, and content on social media platforms by labeling the content 'disinformation,' 'misinformation' and 'malinformation.'”

The count lawsuit [alleges](#) social media companies falsely labeled truthful content “disinformation” and “misinformation” and contends the suppression constitutes government action, violating free speech protected by the U.S. constitution.

The [complaint also alleges](#) that DHS’ Disinformation Governance Board was created “to induce, label, and pressure the censorship of disfavored content, viewpoints and speakers on social-media platforms,” and that HHS and DHS violated the [Administrative Procedure Act](#) to “hold unlawful and set aside final agency actions” that are deemed to be an abuse of power and arbitrary and capricious.

[The lawsuit](#) provides [several examples](#) of truthful information that was censored by social media companies who later admitted the content was truthful or credible.

[According to The Epoch Times](#), the lawsuit could help bring to light the Biden administration’s “behind-the-scenes efforts” to discourage the [dissemination of information](#) related to the [lab-leak theory](#) of COVID-19’s origins and the efficiency of masks and lockdowns.

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