

# HUESTON HENNIGAN LLP

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November 6, 2017

## **VIA E-MAIL**

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Derrick Jensen  
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Lierre Keith  
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cc: Forrest Palmer  
Luke Osborne

Re: Defamatory Statements Regarding Guy McPherson The

To the Parties Above:

We represent Guy McPherson in connection with the false and misleading statements contained in your blog post entitled “Statement,” published on “The Wrong Kind of Green” on August 26, 2017. Each of you has have signed and endorsed this post, which remains available online to this day. The malicious, distorted, and sensationalized descriptions of Mr. McPherson in that posting are defamatory and must immediately cease.

**Through this letter we hereby demand that by **October 5, 2017**** you (1) remove the offending post; (2) issue a clearly-posted and labeled retraction and apology, as described below, visible on the front page of your site, The Wrong Kind of Green; (3) remove any comments or posts under your control (e.g., on the “Comments” section of the blog, or Facebook) that repeat or embellish the false accusations, and (4) cease and desist repeating and perpetuating these false and misleading statements. **If you fail to comply with this demand**, Mr. McPherson intends to pursue all legal options, including filing a lawsuit seeking, among other things, monetary damages and injunctive relief from a court of law to remove the offending statements.

## **False Statements and Defamatory Innuendo**

Your August 27, 2017 “Statement” posted on The Wrong Kind of Green falsely accuses Mr. McPherson and implies that he has engaged in abusive and non-consensual sexual misconduct. Based on undisclosed facts allegedly in the possession of the authors, the Statement claims that among other things:

- Mr. McPherson has a “repeated and lengthy record of attempting and succeeding in taking advantage of women in a vulnerable position emotionally.”
- Mr. McPherson’s “predatory nature . . . makes him a threat to both those who may be accepting of his advances and, most importantly, those who are not.”

- Mr. McPherson's behavior is "stunningly vile," will "justifiably elicit revulsion," and "threatens both group integrity and potentially the safety of its members."
- Mr. McPherson "has engaged in fantasies of rape and sexual enslavement."
- Mr. McPherson "used [the activist community's] trust for nefarious sexual ends repeatedly."

Your post acknowledges the gravity of your allegations, stating that the "revelations . . . should be taken with utmost seriousness" and that your "conscience would not allow [you] to conceal this information from the public." It then states that "to be silent in this regard is criminal, if not legally, then definitely morally." You end the "Statement" with a nearly 400-word quote from a book entitled "Trauma and Recovery: The Aftermath of **Violence**—From **Domestic Abuse** to Political Terror," located in a chapter devoted to the "[p]rolonged, repeated trauma [that] occurs **only in circumstances of captivity**." (Bold emphasis added.)

This innuendo, which you claim is based on information that you "didn't go out seeking," that "was brought to [you]," and that you decided "to use [] for the greater good of stopping any further occurrences," leaves a clear impression on the reader that Mr. McPherson is guilty of sexual conduct that is non-consensual, violent, and abusive, as well as physically, emotionally, and mentally controlling. Indeed, your post has been construed in just this manner by third parties, who have followed up with comments such as "[h]eard that [G]uy was a rapist," and "Is Guy McPherson creating a pedophile ring?"

These sweeping false statements and defamatory innuendo are apparently based on nothing more than the following: Mr. McPherson had a nearly year-long online relationship with Serena Marie Raphael McPherson. They never met in person. Mr. McPherson's partner, Pauline Schneider, was at all times aware and supportive of his relationship with Serena. Serena regularly professed her love for Mr. McPherson, and he expressed the same towards her. The relationship was founded on this emotional connection, and both Serena and Mr. McPherson sent messages of a sexual nature to one other. At no point did Serena express any discomfort regarding the sexual nature of the conversations. Indeed, she sometimes initiated them. After nearly a year of these consensual communications, Serena abruptly told Mr. McPherson she was engaged to another man. She then released via Facebook a limited screenshot of one consensual conversation, strategically selected and cropped to focus on a single message with no context. The full context shows that immediately after the screenshot portion, Mr. McPherson's tells Serena: "I was kidding, as usual," and Serena responds by telling Mr. McPherson that she loves him. She then asks if she could join his upcoming tour.

This is apparently not the first time this has happened. Indeed, Mr. McPherson later learned that Serena has previously shared in a misleading way the contents of sexual conversations with other partners.

**Demand**

Once again, by **October 5, 2017**, we demand that you take the following steps:

- Remove the August 26, 2017 “Statement” from the Wrong Kind of Green website.
- Issue a retraction of the August 26, 2017 “Statement.” The retraction must contain an apology for the false statements and innuendo created, and must be prominently and conspicuously displayed on the Wrong Kind of Green website (*i.e.*, at or near the top of the web-page) and remain posted for at least 30 days. The apology itself must be phrased in good faith and subject to our review and approval.
- Remove any comments or posts under your control that repeat or embellish the false accusations.
- Cease and desist from further false and misleading statements about Mr. McPherson.

Please let us know immediately if you do not intend to cooperate. While we will not unnecessarily initiate litigation in this matter, Mr. McPherson will not hesitate to pursue his legal rights if you continue your defamatory actions. All rights are reserved.

Regards,

Steven N. Feldman

SF:mt

cc: Forrest Palmer  
Luke Orsborne