
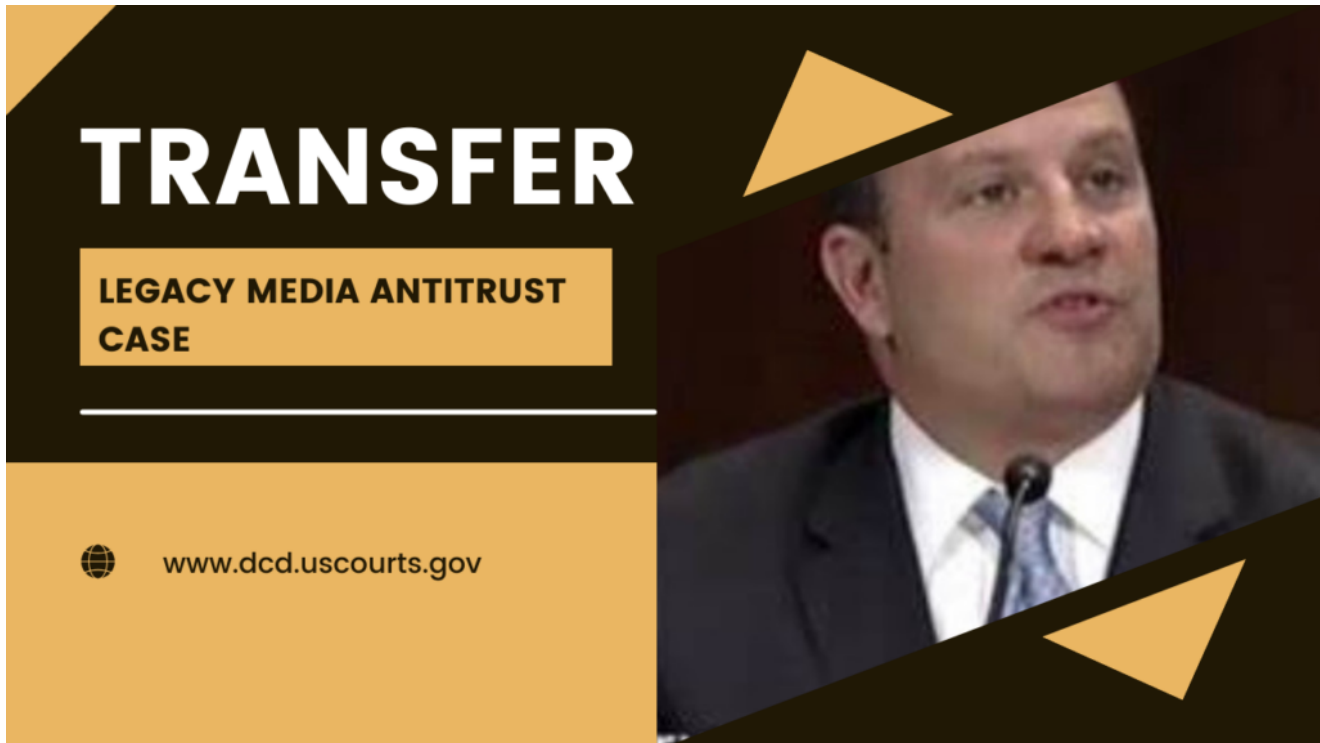


Children's Health Defense case transferred to DC court

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The case of *Children's Health Defense v. Washington Post Co. LLC* is now transferred to the U.S. District Court for the District of Columbia. The defendants in that case asked for the transfer (see the [docket page](#)). But the defendants turn out to have exchanged one Trump appointee for another to judge their case.

The Children's Health Defense case

Robert F. Kennedy, Jr. founded Children's Health Defense to dispute the safety and efficacy of many pediatric medical interventions. These began with the now breathtakingly long and crowded schedule of childhood immunizations. (And yes, that means they believe Dr. Andrew Wakefield, who linked the Measles-Mumps-Rubella combination vaccine to [Autism Spectrum disorders](#).)

On January 10, 2023, Children's Health Defense, along with Kennedy, TrialSite News, Creative Destruction Media, and several other individuals, [sued](#) the Washington Post Company, the British Broadcasting Corporation (BBC, or Beeb), the Associated Press, and Reuters. They first filed this action in the U.S. District Court for the Northern District of Texas (Amarillo Division). Then the defendants moved to transfer the case to the U.S. District Court for the Southern District of New York. When that happened, the plaintiffs dismissed their action on May 23. Then on May 31, Children's Health Defense and a slightly different set of

plaintiffs filed a new complaint in the U.S. District Court for the Western District of Louisiana (Monroe Division). Which is to say, Judge Terry A. Doughty's division – but before Judge Donald E. Walter. Judge Walter is a “senior judge,” whom Ronald Reagan originally appointed.

On June 1, the assignment judge *reassigned* the case to Judge Terry A. Doughty. This same Judge Doughty also is trying the *Missouri v. Biden* case. Why the reassignment happened, the docket does not make clear.

The case for a transfer

On July 11, the BBC filed a motion to dismiss for lack of (personal) jurisdiction. The same day, all four defendants filed a motion to dismiss for failure to state a claim. *Then, also* on the same day, the defendants filed a motion to transfer the case.

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They wanted Judge Doughty to transfer the cases to the Southern District of New York. Instead he transferred it to the District of Columbia District. He evidently has done so *without* specifically acting on the Motions to Dismiss.

In his twelve-page Memorandum Order, Judge Doughty found that the BBC could not adequately consent to standing trial in New York City, where the AP and Reuters have offices. (WaPo is a Delaware Corporation with all its offices in Washington, D.C.) Beyond that, the judge found that his division was a significantly more congested division than is the D.C. District.

Judge Kelly is a Trump appointee, and a recent one. He has actually tried some January 6 cases, and other cases involving President Trump. Exactly how he will likely regard this case or the plaintiffs is not clear.

The plaintiffs *must* bring the BBC to book, because the BBC invented and run the Trusted News Initiative. That initiative, and the membership of all four defendants in it, is at the heart of this case.