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Subject: Splinter GOP faction defends mockery as free speech, by Becky Johnson, The Mountaineer.

There are times when **Becky Johnson** crosses the threshold of idiocracy to the point of my having to respond to her dumb-as-a-brick articles. This one crossed the threshold. The following article was posted on the Mountaineer website:

https://www.themountaineer.com/news/splinter-gop-faction-defends-mockery-as-free-speech/article_f6aadaca-f9de-11e8-8425-7fccf5e51481.html

and appeared in the Mountaineer published street version with the following altered headline, at the top of the fold on the first page: “**Splinter GOP faction defends buttons as protected speech**”.

The on-line headline is idiotic. The Duke First Amendment Clinic attorneys are not defending mockery. The case is about “the invasion of privacy by appropriation of name or likeness”.

Someone at the editorial staff at the Mountaineer changed Becky Johnson’s on-line headline to represent what is actually happening in the print version.

I have copied the entire article here (in blue), and my comments will be inserted in **bold** throughout this piece of work, indicated by [**Editors Note: ...**].

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[Splinter GOP faction defends mockery as free speech](#)

[By Becky Johnson bjohanson@themountaineer.com Dec 10, 2018](#)



SATIRE? - The “Kebbie” buttons are central to a civil lawsuit by King claiming her likeness was misappropriated by the Haywood Republican Alliance. Monroe Miller

[**Editors Note: Why does SATIRE have a question mark? Of course this is SATIRE - political satire - parody - rhetorical hyperbole - etc., all First Amendment rights.**]

A civil lawsuit against a splinter faction of the Haywood Republican Party has taken a new turn.

Members of the Haywood Republican Alliance have been sued for making unflattering cartoonish buttons of Haywood GOP Vice Chair Debbie King. King claims her likeness was misappropriated, while the Alliance claims it was merely political satire.

[Editors Note: HRA was also sued for intentional infliction of emotional distress, which was dismissed. Rusty McLean’s lawsuit is falling apart piece by piece.]

The First Amendment Clinic of Duke Law School has joined the case as pro-bono legal representation for one of those being sued, Eddie Cabe.

Cabe had originally planned to defend himself, but a convoluted and voluminous trail of unorthodox motions and filings in the case led him to enlist the clinic in his defense.

[Editors Note: Eddie Cabe did not seek the Duke First Amendment Clinic, they sought him.]

King’s attorney is undaunted by the heavy-hitters with Duke’s First Amendment Clinic coming to Cabe’s defense.

[Editors Note: Ha! Right now, Rusty McLean may be seriously considering a hop-&-pop. In Skydiving parlance, that means getting ready to jump out of a burning airplane with a parachute, and popping open the chute before he crashes into the ground.]

“I am glad Eddie finally got an attorney,” Attorney Rusty McLean said. “It is very difficult to try a case without a lawyer on the other side. I am tickled to death they got in. It will make the suit go a lot smoother.”

The case is part of a long-running feud between the mainstream GOP and the Alliance, which have been locked in a power struggle for years.

The faction was ejected from the party, but didn’t go quietly. They formed their own group and continued to vex the mainstream party.

What’s the case about?

The case centers around a campaign-style button that ridicules mainline leaders of the Haywood GOP — namely party Chair Ken Henson and Vice Chair Debbie King.

The button portrays doctored images of King and Henson locking arms in 1960s flower children garb. Henson is not part of the suit.

[Editors Note: Why isn’t Henson part of this lawsuit?]

The suit named three individuals specifically, as well as the Haywood Republican Alliance at large.

- One of the men named, Richard West, was recently removed from the suit.

- Another, Jeremy Davis, passed away unexpectedly a few months ago.
- Meanwhile, the Haywood Republican Alliance closed its headquarters and has lost traction since the death of its main leader.

PLAYING THE PART OF ATTORNEY — Eddie Cabe, right, has filed upwards of 30 motions in his own defense in a civil lawsuit against a splinter faction of the Haywood GOP. He has now landed pro-bono legal representation from the Duke Law School First Amendment Clinic.

[Editors Note: PLAYING THE PART OF ATTORNEY? This is not a game, and every individual has the right to represent him/herself. Sounds derogatory on the part of Becky Johnson].

That leaves Cabe as the last man standing, at least for now. King included placeholders in the case for future “John Does” that could be added once she got to the bottom of who was responsible for the button.

[Editors Note: The button is only a secondary item. The problem Debbie King had were the Jib Jab video’s that were created. It was her vanity and vindictiveness that she somehow convinced Bottom Feeding lawyer Rusty McLean to take on this frivolous lawsuit.]

[Editors Note: The Jib Jab video’s were posted on the Mountaineer website at one point. I am wondering if the Mountaineer isn’t one of the John Doe’s named in Rusty McLean’s lawsuit. If so, the Mountaineer can again hire the services of Amanda Martin, who represented the Mountaineer before in a case against Rusty McLean, and won!]

At the time the case was filed, it was unclear who actually made the button or how many were sold. Cabe contends he wasn’t the one who made the so-called “Kebbie” buttons, a mash-up of Ken and Debbie’s names.

“I have never made, bought or sold a Kebbie political button,” Cabe said. “I am being sued for tens of thousand of dollars for something I had absolutely nothing to do with.”

Nonetheless, his two-pronged defense is covering all the bases.

“He didn’t make the buttons, but even if he did this is core political speech that’s protected by the First Amendment,” said Nicole Ligon, supervising attorney with the clinic.

Cabe is a perfect fit for the Duke First Amendment Law Clinic, Ligon said.

“Eddie doesn’t have the means to go out and hire a top-rate First Amendment lawyer in D.C. to represent him,” Ligon said.

Ligon said the freedom to express political views is part and parcel to the nation’s founding.

“Criticism of a political figure and engaging in expression about a political figure is clearly protected by the First Amendment. That’s exactly what’s at issue here,” Ligon said.

However, King’s suit claims otherwise. Cabe and the Haywood Republican Alliance went beyond the bounds

of free speech with a clear intent to harass, embarrass and ridicule King, the suit claims.

McLean said the buttons were just one example of the continued humiliation King was subjected to.

“It is amazing what these people called this woman on these web sites. She should not be ridiculed like this,” McLean said in a court hearing on the case this summer.

[Editors Note: Becky Johnson forgot to mention that the majority of stuff came out on social media, not web sites.]

Courthouse conflict

Cabe has filed around 30 motions in the case to date while acting as his own attorney. During a hearing on Cabe’s prolific motions this summer, the presiding judge questioned Cabe’s scatter-gun defense.

A LONG DAY — Judge Greg Horne sifts through the voluminous motions in a civil suit against members of a splinter faction of the Haywood GOP. Eddie Cabe (left) attempted to served was his own attorney after being sued by Haywood GOP Vice Chair Debbie King (right), seated by her attorney Rusty McLean.

“Several of these motions in fact are the same positions over in over. It is not necessary to keep making the same argument over and over,” Judge Greg Horne said.

“Yes sir, I apologize for being redundant,” Cabe said.

However, Cabe argued against the judge’s decision to not dismiss the case.

“I am disappointed any judge would let a case like this go through that was obviously, from every standpoint, a political satire and political hyperbole and protected under the First Amendment,” Cabe said last week.

In several of his motions, Cabe argued that the case isn’t really about the buttons at all, but is merely political retribution against the splinter faction.

“You need to first understand why Haywood County has two distinct Republican groups,” Cabe told the judge. “This lawsuit is all about shutting down the Haywood Republican Alliance.”

But Horne said dissecting the feud isn’t his job.

“I don’t know anything about that. I don’t live anywhere close to here,” Horne said. “In a divorce case, we may never find out what the real cause is for animosity. A jury is not going to say ‘Well, we have decided what started all this.’”

A CASE UNLIKE ANY OTHER — Attorney Rusty McLean shoots a look at courtroom spectators who came out in moral supporter of Eddie Cabe (left) who is being sued by Debbie King (right) in a long-running feud between the mainline Haywood GOP and a splinter faction.

McLean made similar arguments, however. McLean claimed that the buttons were part of a concerted strategy to harass King until she was driven out of party leadership.

“You can’t treat people this way and make libelous statements to this woman’s character and then suggest it will all go away if she will just not be the vice chair of the Republican Party in Haywood County,” McLean said.

King’s suit initially sought damages under two claims: emotional distress and misappropriation of her likeness. The judge dismissed the claims of emotional distress.

One of Cabe’s motions sought a court-order allowing him to enter King’s home and inspect her personal computer for all correspondence with state GOP insiders. Another one demanded King undergo a court-ordered psychiatric evaluation.

During the hearing, McLean repeatedly referred to a member of the audience as being Cabe’s co-conspirator — namely Monroe Miller, a ringleader of the Republican Alliance. Miller routinely blasts King on his political blog and posts all of Cabe’s court motions online accompanied by snide commentary.

[Editors Note: Rusty McLean went off the rails during his summation at Eddie Cabe’s hearing. Rusty threatened both Eddie Cabe and me multiple times, and attempted to intimidate me, a potential witness in this case. That is clearly cause for a new grievance to be filed against Rusty McLean with the North Carolina Bar Association.]

[Editors Note: I have a “website”, not a “blog”. No matter how many times I tell this woman, Becky Johnson, it simply goes in one ear and shooting right out the other ear.]

WEARING THE BUTTON — Monroe Miller, a ringleader of the Republican Alliance, wore the Kebbie button to a court hearing over the button. Miller is not named in the suit, but sat in the audience to show of solidarity with those being sued for it.

“Every time something gets filed in this case, it goes out all over the world wide web by Mr. Monroe Miller back there,” McLean said, pointing to Miller in the audience. “They post this so that everybody in the county sees it. I’m trying to protect this woman from harassment.”

While Miller is not named in the case, he came to the court hearing as a spectator donning one of the infamous Kebbie buttons on his lapel.

[Editors Note: There are only twelve Kebbie Buttons in the whole world. I have one of them.]

“Your honor, I have never ever seen the kind of situation that has occurred between this defendant and Mr. Monroe Miller and these other people,” McLean said.

That seems to be one point that both sides in the case agree on.

“This case is unlike any in North Carolina or the entire United States,” Cabe said in court.

