

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

DENNIS JOHN KUCINICH

c/o Counsel

Minc LLC

200 Park Avenue, Suite 200

Orange Village, Ohio 44122

Plaintiff,

v.

PLAIN DEALER PUBLISHING CO.,

dba THE PLAIN DEALER

4800 Tiedeman Rd.

Brooklyn, Ohio 44144

and

ADVANCE LOCAL MEDIA, LLC

1 World Trade Center, 39th Floor

New York, New York, 10007

and

ADVANCE OHIO, LLC

1801 Superior Ave. #100

Cleveland, OH 44114

and

CHRIS QUINN

4800 Tiedeman Rd.

Brooklyn, Ohio 44144

and

JOHN CANIGLIA

4800 Tiedeman Rd.

Brooklyn, Ohio 44144

and

) CASE NO.:

)

) JUDGE:

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) **COMPLAINT**

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) **JURY DEMAND ENDORSED**

) **HEREON**

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SETH RICHARDSON

4800 Tiedeman Rd.

Brooklyn, Ohio 44144

Defendants.

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Plaintiff, Dennis Kucinich, by and through counsel, for his Complaint against Defendants, Plain Dealer Publishing Co., dba The Plain Dealer, Advance Local Media, LLC, Advance Ohio, LLC, Chris Quinn, John Caniglia, and Seth Richardson (hereinafter the “Defendants”) states as follows:

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff Dennis Kucinich (“Plaintiff”) is a resident of Cuyahoga County and was a resident of Cuyahoga County at all times relevant to the instant dispute.

2. Defendant, Plain Dealer Publishing Co., dba The Plain Dealer, is a corporation organized under the laws of the state of Ohio.

3. Defendant Advance Local Media, LLC is a foreign limited liability company organized under the laws of the State of New York and, upon information and belief, is the owner of the Internet domain name, Cleveland.com.

4. Defendant Advance Ohio, LLC is a limited liability company organized under the laws of the State of Ohio. Upon information and belief, Defendant Advance Ohio, LLC is a wholly owned subsidiary of Advance Local Media, LLC.

5. Defendant Chris Quinn is the Editor of Cleveland.com and Vice President of Content at Advance Ohio, and upon information and belief, is a resident of Cuyahoga County.

6. Defendant John Caniglia is a general assignment reporter at Cleveland.com and, upon information and belief, is a resident of Cuyahoga County.

7. Defendant Seth Richardson is a political reporter at Cleveland.com and the Cleveland Plain Dealer, and upon information and belief, is a resident of Cuyahoga County.

8. At all times mentioned herein, Defendants Quinn, Caniglia, and Richardson were acting within the course and scope of their employment for Defendants Plain Dealer, Advance Local Media LLC, and Advance Ohio LLC.

9. At all times mentioned herein, Defendants acted knowingly, maliciously, and intentionally, pursuant to an agreed upon plan and purpose to request, procure, solicit, and to aid and abet the publication of false and defamatory accusations against Plaintiff.

10. This Court has jurisdiction over the subject matter and parties of this action as it is where the actions and injuries complained of herein have primarily occurred.

FACTUAL BACKGROUND

11. Plaintiff Dennis Kucinich is a former presidential candidate, a 16-year member of the United States Congress, Ohio State Senator, Mayor of the City of Cleveland, Clerk of the Cleveland Municipal Court, and member of the Cleveland City Council. He is also a television news analyst and author¹. He has spent over one-half of a century developing his good name, reputation, and brand to become known both nationally and internationally, as a highly respected and devoted public servant who served his city, state, and nation honorably.

12. Central to Plaintiff's reputation and legacy is the time he served as Mayor of Cleveland from 1977 to 1979, for which he is known for courageously putting his career on the line to save the city's municipal power system, The Cleveland Municipal Light System (which is now Cleveland Public Power), from a takeover by the utility monopoly The Cleveland Electric Illuminating Company (whose successor is now FirstEnergy Corp.).

13. Plaintiff's valiant efforts opposing the sale of The Cleveland Municipal Light System have been recognized multiple times over the years by the Cleveland City Council, which on October 21, 1996, awarded Plaintiff special recognition by recommending that all or part of Cleveland Public Power should be named after Plaintiff, and again on December 14, 1998, by passing a resolution which stated in part,

“....Today the City of Cleveland has one of the fastest growing municipal electric systems in America. Currently, Cleveland Public Power is expanding to provide low-cost electricity to more and more people, providing power for city facilities and streetlights, thereby helping to keep taxes low and encouraging economic development. None of this would have been possible had Mayor Kucinich not refused to sell the city's electric system on December 15, 1978: now, therefore, be it resolved that Cleveland City Council hereby extends its deep appreciation to Dennis J. Kucinich, for having the courage and foresight to refuse to sell the City's municipal electric system, which has saved the people of Cleveland over \$300 million since that time.”

14. In February of 2021, Plaintiff was actively exploring the possibility of running again for mayor of Cleveland. For purposes of this political exploration, his political campaign accepted lawful and appropriate financial contributions from Plaintiff's political backers, including a longtime friend of his for over 30 years, Tony George (“Mr. George”), who also donated to three other Mayoral candidates.

¹ Plaintiff's most recent book, The Division of Light and Power, published in June of 2021, is his 684-page documented story of his fight to save public power in Cleveland.

15. Defendants learned about Mr. George's contributions from public campaign disclosures required by Ohio Law. Defendants did not want Plaintiff to run for or become the Mayor of Cleveland again. So, Defendants tried to stop Plaintiff from successfully running by targeting and defaming Plaintiff's reputation. Primarily by tying and associating Plaintiff to FirstEnergy Corp. ("FirstEnergy"), which was at the time, and still is, embroiled in the largest alleged racketeering and bribery scandal in Ohio's history.

16. Significantly, Defendants' intentions and dislike of Plaintiff are not a secret. In the course of events, Defendants published articles "**passionate[ly]**" advocating to the public that "**[w]hatever you do, don't vote for Dennis Kucinich.**" They baselessly claimed that Plaintiff was "**remarkabl[y] ignorant of municipal finance**" and engaged in "**constant violence-mongering.**" Defendants also published a column with a headline that stated that the most "**narrow and clear path**" to successfully stop Plaintiff "**from returning as Cleveland's Mayor ... require[d] targeting his reputation.**" See Exhibits 1 and 2, attached. This evidence is only the tip of the iceberg.

17. On February 5, 2021, in furtherance of this plan, Defendants drafted, edited, published, and then broadcast on the homepage of Cleveland.com a story, which began: "Dennis Kucinich, who made his name saving Cleveland Public Power's predecessor, is exploring another run for Cleveland mayor **with the financial backing of CPP's adversary, the scandal-immersed FirstEnergy.**"

18. That same day, Defendants also stated in a live podcast broadcast from their website called "This Week in CLE," that according to "**campaign finance records.... Kucinich took a significant amount of money from FirstEnergy....**". Defendants mocked Plaintiff on the podcast while reporting that Plaintiff also said, "**No one buys my friendship.**" They laughed while stating how "**overwhelming[ly]**" ironic it was that other candidates could now use Plaintiff's "**ties to First Energy as a reason not to vote for him**" when his "**most famous moment was standing up to the precursors of these two utilities to protect CPP.**"

19. To be clear, any allegation that Plaintiff took money from FirstEnergy or consorted with FirstEnergy was completely erroneous. Defendants made these accusations intentionally and with knowledge of their falsity. Defendant Caniglia interviewed Plaintiff prior to publishing his allegations. He could have easily asked Plaintiff a determinative question to confirm the truth or falsity of the allegation. However, upon information and belief, Defendant Caniglia intentionally and recklessly failed to ask Plaintiff about his story's false and defamatory hook, i.e., whether the Plaintiff or his campaign did in fact receive financial backing for his mayoral campaign from First Energy.

20. Shortly after the publication of the article, Plaintiff brought the falsity of these statements to Defendants' attention. In response, Defendants authored and published updates to their publications.

21. For example, on and around February 8, 2021, Defendants unpublished their podcast episode recording from appearing on Cleveland.com and replaced it with a version which removed the accusation and added a new twenty-second audio retraction that stated:

“Quick editor’s note, the original version of this podcast episode **incorrectly said that Dennis Kucinich took a significant amount of money from FirstEnergy.** Neither Kucinich nor his campaign received money from FirstEnergy. The incorrect statement has been edited out of the episode.”²

22. Defendants also revised and updated the language of their article, attached as Exhibit 3, to include the following Editor’s note from Defendant Chris Quinn, which stated that:

“...[T]he original version of this story **incorrectly stated Dennis Kucinich is exploring a run for Mayor with the financial backing of FirstEnergy Corp.** Kucinich’s campaign received no money from FirstEnergy Corp.”

23. However, even with these updates, Defendants’ podcast and article still states and purposely gives the false and defamatory impression that Plaintiff consorts with FirstEnergy. It also intentionally puts Plaintiff in a false light that he somehow consorts with FirstEnergy Corp. or is associated with its alleged bribery scandal, which makes him a corrupt politician.

24. On September 3, 2021, Defendants again authored, edited, and published a story, both on Cleveland.com and in the Plain Dealer, regarding Plaintiff receiving an additional campaign contribution from Mr. George. The article falsely claimed that Mr. George was directly “connected to the ongoing [FirstEnergy] scandal.” See Exhibit 4, attached. The stated inference being that Plaintiff is associated with Mr. George, who Defendants try to tie to the bribery scandal, putting him in a false light as consorting with FirstEnergy and being associated with its bribery scandal. Defendants made these inferences intentionally and with actual malice.

25. The statements contained in the February 5, 2021 and September 3, 2021 articles, as well as the statements made on the February 5, 2021 podcast, will hereinafter be referred to as the “False Statements”.

26. Upon good faith, information and belief, thousands of individuals and numerous media outlets and websites picked up on all of the articles and reports posted on Cleveland.com mentioned above and they republished and repeated their allegations against Plaintiff, thus exposing millions of people to Defendants’ falsehoods and erroneous narrative.

² *This week in CLE – Feb. 5, 2021 Why Donald Trump – not Gov. Mike DeWine – should get credit for Ohio nursing home vaccinations*, https://www.listennotes.com/podcasts/today-in-ohio/this-week-in-the-cle-feb-5-g6TC_ER5W7d/.

27. As a natural and foreseeable consequence of Defendants' action, Plaintiff having been portrayed by Defendants exactly the opposite as his history and career has demonstrated, has suffered, and continues to suffer severe mental and emotional distress in that Cleveland.com attacked the central life accomplishment of Plaintiff's career, his extraordinary advocacy of public power. Plaintiff's good will, credibility as a public power advocate and author, and his commercial value and brand have been substantially harmed as a result.

28. As a direct result of Defendants' False Statements to the public, Plaintiff has and continues to suffer actual harm and special damages to his reputation. Including, but not limited to, diminution in value to his brand and good will, decreases in expected book sales, and damage and negative financial effects to personal and professional relationships of long-time friends, allies, backers, and supporters, like David Kelley and Tristan Rader, and from Ohio environmental groups and/or their leaders. Longtime supporters of Plaintiff's campaigns and political career read the allegations in the article and the allegations negatively affected their opinion of Plaintiff, both personally and as a political candidate.

29. Plaintiff is informed and believes and alleges thereon that unless enjoined and restrained, the Defendants will continue to post, publish, distribute, disseminate and exploit such fictitious narratives and demands that the Defendants cease and desist. Such infringement and violation of Plaintiff's rights will continue to cause Plaintiff severe emotional distress and damage, for which there is no adequate remedy at law, as the false narrative continues to circulate. Such conduct and activity by the Defendants will continue to cause Plaintiff to suffer irreparable harm for which there is no adequate remedy at law.

COUNT ONE

Libel Per Se and Libel Per Quod

30. Plaintiff incorporates the allegations and averments previously set forth as if fully restated herein.

31. On or about February 5, 2021, Defendants published an article to Cleveland.com titled, "Dennis Kucinich fuels possible run for Cleveland mayor with money from longtime FirstEnergy supporter Tony George."

32. In the original version of the article, Defendants falsely and maliciously asserted: "Dennis Kucinich, who made his name saving Cleveland Public Power's predecessor, is exploring another run for Cleveland mayor with the financial backing of CPP's adversary, the scandal-immersed FirstEnergy."

33. The original version of the article was subsequently revised to read: "Dennis Kucinich, who made his name saving Cleveland Public Power's predecessor, is exploring another run for Cleveland mayor with the financial backing of a businessman closely aligned with CPP's adversary, the scandal-immersed FirstEnergy Corp."

34. At the time of the article's publication, and to this day, neither Plaintiff, nor Plaintiff's campaign, have ever received any mayoral campaign contributions from FirstEnergy. Plaintiff has never been connected to, in any way, the House Bill 6 scandal.

35. At the time of the original publication, the Defendants knew these statements were false, or demonstrated reckless disregard for the truth, as Defendants were well aware of Plaintiff's history with FirstEnergy and that Plaintiff had built his reputation and career around his actions which were averse to FirstEnergy and its predecessor The Cleveland Electric Illuminating Company. Neither Plaintiff, nor his campaign, had received any campaign contributions from FirstEnergy, despite the Defendants' false assertion otherwise.

36. Defendants' conduct in publishing the false statements in the articles and podcast was far below acceptable journalistic and newspaper industry standards and Defendants committed these actions intentionally and with malice.

37. As a direct and proximate result Defendants' libel, Plaintiff has suffered special damages, including several instances where long-time supporters of Plaintiff and his political campaigns had their view of Plaintiff negatively affected, and chose not to further support Plaintiff and his campaign.

38. As a direct and proximate result of Defendants' libel, Plaintiff has suffered and sustained damages, including but not limited to expenses incurred, significant reputational harm, emotional distress, mental anguish, special damages, and a decrease in the commercial value of Plaintiff's reputation.

COUNT TWO

Slander and Slander Per Se

39. Plaintiff incorporates the allegations and averments previously set forth as if fully restated herein.

40. On or about February 5, 2021, Defendants published an episode of the "This Week in the CLE" podcast on Cleveland.com in which Defendants doubled-down on the written defamation against Plaintiff by stating that campaign finance records required to be filed with the Cuyahoga County Board of Elections were released which showed that the Plaintiff had taken "a significant amount of money from FirstEnergy...."

41. Defendants intentionally and maliciously made these false statements on the podcast in an effort to lend credibility to the written version of the story.

42. The campaign finance records referenced by the Defendants do not show that Plaintiff or his campaign had taken "a significant amount of money from FirstEnergy. . . ." Neither Plaintiff nor his mayoral campaign had taken any campaign contributions at all from FirstEnergy.

43. The segment of the podcast containing the spoken defamatory statements remained active on Cleveland.com and available to the public for several days before it was ultimately deleted by Defendants with the following explanation: “The original version of this podcast episode incorrectly said that Dennis Kucinich took a significant amount of money from FirstEnergy. Neither Kucinich nor his mayoral campaign received money from FirstEnergy. The incorrect statement has been edited out of the episode.”

44. At the time of the publication of the podcast, the Defendants knew these statements were false, or demonstrated reckless disregard for the truth, as Defendants were well aware of Plaintiff’s history with FirstEnergy and that Plaintiff had built his reputation and career around his actions which were averse to FirstEnergy. Neither Plaintiff, nor his campaign, have received any campaign contributions from FirstEnergy, despite the Defendants’ false assertion otherwise.

45. Defendants’ conduct in publishing the false statements in the articles and podcast was far below acceptable journalistic and newspaper industry standards and Defendants committed these actions intentionally and with malicious intent.

46. As a direct and proximate result of the Defendants’ libel, Plaintiff has suffered special damages, including several instances where long-time supporters of Plaintiff and his political campaigns had their view of Plaintiff negatively affected, and chose not to further support Plaintiff and his campaign.

47. As a direct and proximate result of the Defendants’ slander, Plaintiff has suffered and sustained damages, including but not limited to expenses incurred, significant reputational harm, emotional distress, mental anguish, special damages, and a decrease in the commercial value of Plaintiff’s reputation.

COUNT THREE **Libel and Slander by Implication**

48. Plaintiff incorporates the allegations and averments previously set forth as if fully restated herein.

49. The False Statements authored and published by Defendants constitute defamation by implication as they intentionally make the inference that Plaintiff had material ties to, and political financial backing from, FirstEnergy, a corporation who Plaintiff built his career and reputation on fighting.

50. The False Statements authored and published by Defendants further constitute defamation by implication as they intentionally mislead readers, and voters in Cuyahoga County, to believe that Plaintiff consorted with FirstEnergy and their misdeeds, and is therefore a corrupt politician, and was involved in the largest bribery scandal in Ohio history.

51. The False Statements were read, and listened to, by visitors to the Cleveland.com website, readers of the Plain Dealer, and numerous residents and registered voters of the City of Cleveland and Cuyahoga County.

52. Plaintiff is informed and believes, and upon that basis, asserts that the False Statements were written and published with malice in that those publications were made with knowledge of the false impression they would create, or with reckless disregard as to the same.

53. Defendants conduct in publishing the False Statements was far below acceptable journalistic and newspaper industry standards and Defendants committed these actions intentionally and with malicious intent.

54. As a direct and proximate result Defendants' libel, Plaintiff has suffered special damages, including several instances where long-time supporters of Plaintiff and his political campaigns had their view of Plaintiff negatively affected, and chose not to further support Plaintiff and his campaign.

55. As a direct and proximate result of Defendants' slander, Plaintiff has suffered and sustained damages, including but not limited to expenses incurred, significant reputational harm, emotional distress, mental anguish, special damages, and a decrease in the commercial value of Plaintiff's reputation.

COUNT FOUR **False Light**

56. Plaintiff incorporates the allegations and averments previously set forth as if fully restated herein

57. In addition to the other statements authored and published by Defendants, on September 3, 2021, Defendants published another article in the Plain Dealer and to Cleveland.com which insinuated that Plaintiff had taken money from entities directly connected to the House Bill 6 scandal. The Richardson article was published within eight (8) days before the primary election on the mayoral race.

58. Defendants published the False Statements intentionally and maliciously to place Plaintiff in a false light, as Mr. George, cited in the article has never been connected to the House Bill 6 scandal, and had donated to several other candidates in the mayoral race. In the referenced articles and podcast, Defendants did not attempt to connect any other mayoral candidate who received political contributions from Tony George to the House Bill 6 scandal.

59. The Defendants intentionally gave publicity to the False Statements by publishing them in written form on Cleveland.com and the Plain Dealer and by further promoting and advancing the defamatory statements in a podcast published on Cleveland.com.

60. All of Defendants' False Statements placed Plaintiff in a false light, i.e., that he and/or his campaign ever sought to receive or did, in fact, receive political campaign funds from FirstEnergy and/or in connection with the House Bill 6 scandal.

61. The implication created by Defendants' articles is that Plaintiff consorted with FirstEnergy and their misdeeds, is therefore a corrupt politician, and was involved in the largest bribery scandal in Ohio history.

62. Defendants had knowledge, or acted in reckless disregard, as to the false light in which Plaintiff would be placed by the defamatory statements contained in the article and podcast.

63. Defendants' conduct in publishing the false statements in the articles and podcast was far below acceptable journalistic and newspaper industry standards and Defendants committed these actions intentionally and with malicious intent.

64. As a direct and proximate result of Defendants' actions, Plaintiff has suffered and sustained damages, including but not limited to expenses incurred, significant reputational harm, emotional distress, mental anguish, special damages, and a decrease in the commercial value of Plaintiff's reputation.

WHEREFORE, Plaintiff Dennis Kucinich demands judgment against Defendants, jointly and severally, as follows:

- (a) Actual and/or compensatory damages, and punitive damages where available, in an amount exceeding \$25,000.00 with the exact amount to be proven at trial;
- (b) Costs of this action, reasonable attorney fees, and pre- and post-litigation interest at the maximum rate provided by law;
- (c) Issuance by this Court of an Order decreeing that the Statements are false, defamatory, and place Defendant in a false light;
- (d) For any and all other relief to which the Court determines Plaintiffs are entitled.

Respectfully submitted,

/s/ Aaron M. Minc

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JURY DEMAND

Plaintiff Dennis Kucinich hereby demands a trial by jury pursuant to Civil Rule 38.

/s/ Aaron M. Minc

Aaron M. Minc (0086718)

Andrew C. Stebbins (0086387)

Attorney for Plaintiff

Document title:	We endorse Justin Bibb for mayor of Cleveland: Editorial board, cleveland.com and The Plain Dealer - cleveland.com
Capture URL:	https://www.cleveland.com/opinion/2021/08/we-endorse-justin-bibb-for-mayor-of-cleveland-editorial-board.html
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Exhibit 1

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Opinion

We endorse Justin Bibb for mayor of Cleveland: Editorial board, cleveland.com and The Plain Dealer

Published: Aug. 08, 2021, 5:25 a.m.



In this pivotal moment for Cleveland, the first mayoral election in 20 years without an incumbent, Justin Bibb is the candidate with the vision for the successful city we wish to be: Editorial board, cleveland.com and The Plain Dealer.



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Promise. Vision. Hope. Elections for mayor in major cities are about so much more than choosing leaders. They are those rare moments when we envision the great communities we wish to be, when we define ourselves through the people we select to serve.

In this pivotal moment for Cleveland, the first mayoral election in 20 years without an incumbent, we believe the candidate with the vision for the successful city we wish to be is Justin Bibb.

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FEEDBACK

We feel so strongly about this endorsement that we're taking the rare step of publishing it on the front page of The Plain Dealer.


We endorse Bibb because of his ideas for fighting crime, with more efficient deployment of safety forces and better training for them before and after they are hired. We endorse Bibb because of his collaborative approach to building the Cleveland economy. We endorse Bibb because no candidate has worked harder to understand the challenges of the city or study solutions across the country.

Bibb is young and inexperienced, no doubt. He's 34 and never held elective office. But talk to the leaders of non-profit agencies in this town, or business leaders, or neighborhood leaders. They all know him. He's been talking to them for years. More important: He's been listening as they discuss their challenges.

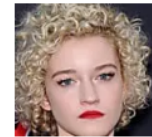
Challenges are the heart of this election. Reducing violent crime. Recovering from the pandemic. Reimagining a downtown core with fewer workers. Speeding up the transformation of the schools. Eradicating lead paint and lead in water pipes. Reducing infant mortality. Cutting into multigeneration poverty.

And giving people hope. We need hope.

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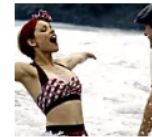
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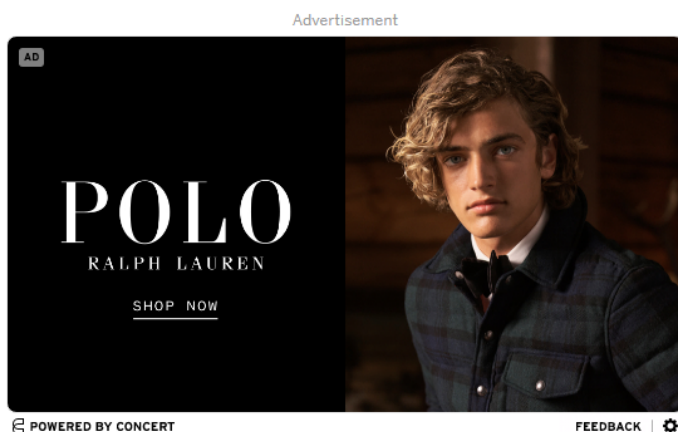
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transformation of the schools. Eradicating lead paint and lead in water pipes. Reducing infant mortality. Cutting into multigeneration poverty.

And giving people hope. We need hope.



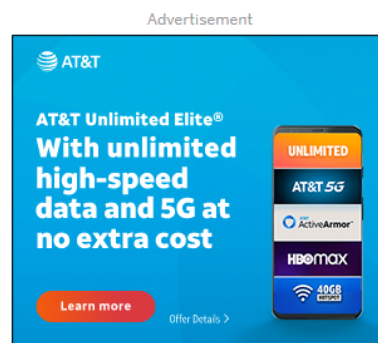
Based on the connections Bibb has made across many sectors of the community, we think he is in the best position of all the candidates to attract the powerhouse cabinet needed to guide the city forward, the kind of cabinet Michael R. White attracted when he was the underdog candidate Clevelanders elected to renew their hopes, way back in 1989. We think Bibb would sweep into office with the same vigor and innovative thinking that White displayed. It's no surprise that Bibb has had conversations with White.

Related coverage: [Read the opening statements that Cleveland mayoral candidates submitted during the endorsement process.](#)

We are passionate about this endorsement, but we are equally passionate – if not more so -- in what we say next: Whatever you do, don't vote for Dennis Kucinich. As much as we believe Bibb offers a grand hope for the future, we believe Kucinich is not relevant to our future challenges.

Kucinich is the youngest person ever to serve as mayor – 42 years ago – and is campaigning as if it were still the 1970s. He has repeatedly pandered, seizing on the news of the day to make reckless promises and grandstand. He has shown a remarkable level of ignorance of municipal finance and baited residents with constant violence-mongering.

Most frightening, though, is that Kucinich says he would have squandered the entirety of the city's reserves and rainy day fund last year – more than \$70 million – to hire 400 additional police officers. Mayor Frank Jackson has deftly guided Cleveland through challenging financial times these last 16 years, leaving the city with the cash it needs to fend off crises. Kucinich would deplete it in an instant, leaving the city vulnerable.



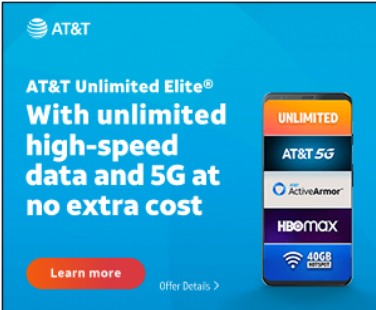
fund last year – more than \$70 million – to hire 400 additional police officers. Mayor Frank Jackson has deftly guided Cleveland through challenging financial times these last 16 years, leaving the city with the cash it needs to fend off crises. Kucinich would deplete it in an instant, leaving the city vulnerable.

And hiring 400 additional police officers is not the solution for the city's violence problem. Nor is that hiring sustainable. Public safety is the biggest cost in a city budget that always is tight. Adding tens of millions in extra costs to that budget is ridiculous.

Aside from Kucinich, we are heartened by the quality of most of the candidates vying for mayor. They have rich backgrounds and offer clearly differing visions and strategies, meaning voters have genuine choices to make.

If Bibb were not in this race, our endorsement would go to City Council President Kevin Kelley, who has the greatest knowledge of how the city works. He has demonstrated visionary thinking with his work to provide lawyers to impoverished families facing eviction and to combat the city's inexcusable infant mortality rate. A decade ago, Kelley worked to provide free broadband in his ward, putting him way ahead of the curve on what is now seen as a vital public service. Kelley is a true public servant, and he offers plenty of ideas for tackling Cleveland's challenges. The knock on him is that he has been council president for eight years, so why didn't he use that powerful position to tackle Cleveland's challenges the last eight years? It's a question that causes doubts about his leadership skills.

Advertisement

An advertisement for AT&T Unlimited Elite. The background is blue. On the left, the AT&T logo is at the top, followed by the text "AT&T Unlimited Elite®" and "With unlimited high-speed data and 5G at no extra cost". Below this is a red button that says "Learn more" and a link "Offer Details >". On the right is a graphic of a smartphone with a vertical stack of service logos: "UNLIMITED", "AT&T 5G", "ActiveArmor", "HBO MAX", and "5G".

Advertisement

An advertisement for Ralph Lauren. It features a woman with dark hair and large hoop earrings, wearing a brown and white patterned sweater, sitting in the back of a car. The background is dark. On the left, the text "RALPH LAUREN" is displayed in white, with "SHOP NOW" below it. At the bottom left, it says "POWERED BY CONCERT" with a small icon. At the bottom right, it says "FEEDBACK" with a gear icon.

State Senator Sandra Williams is another strong candidate. Early in her career she worked as a parole and probation officer for juvenile offenders, giving her unique perspective on the violent crime that has become the top issue in the mayor's race. Since 2007, she has served in the Ohio Statehouse, as a representative and senator, immersed in discussions on many issues affecting the city. Like Bibb and Kelley, she fully understands the city's challenges and deficiencies. Williams,

for juvenile offenders, giving her unique perspective on the violent crime that has become the top issue in the mayor's race. Since 2007, she has served in the Ohio Statehouse, as a representative and senator, immersed in discussions on many issues affecting the city. Like Bibb and Kelley, she fully understands the city's challenges and deficiencies. Williams, however, is that rare candidate for whom we rescinded an endorsement. In 2014, we endorsed her run for the state Senate but rescinded our recommendation after she misled the editorial board about the nature and seriousness of campaign filing violations for which she was being investigated. Integrity matters. We also are troubled by her role as one of the few Democrats to support the corrupt House Bill 6.

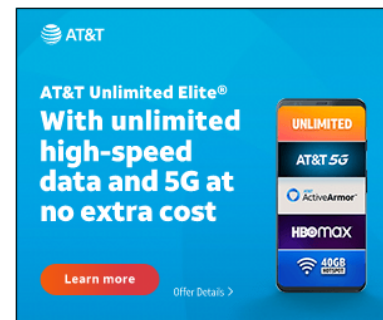
We find less to like in City Councilman Basheer Jones, who has parlayed his popularity as a former deejay to be a top contender. He's a charismatic communicator who wins people over with the power of his words. The more he talks, though, the clearer it becomes that he has not done the work needed to be mayor. He does not offer many concrete ideas for governing, and he has not been a force in his first term as a City Council member. He missed many of the council's meetings, even though they were virtual, depriving himself of the chance to learn more about the city he wishes to govern. We're also concerned by a speech he once made, long available on YouTube, in which described the role of women as inferior to men. Jones, unlike Bibb, has not built the relationships needed to fortify City Hall with the strong cabinet he would need to help govern.

Former longtime City Councilman Zack Reed has focused his campaign on public safety, repeating the strategy he used four years ago to emerge from the field as the general election challenger to Frank Jackson, who beat Reed handily. Reed has fully considered ideas about using violence counselors to work with the community, a strategy that has had success in other cities. But we don't believe Reed has what it takes to lead. In his years at the City Council, he was a fire thrower, always ready with a criticism about city services and functions, but he didn't roll up his sleeves to collaborate with his colleagues on solutions. This city needs a collaborative leader.

Finally, we have West Park attorney Ross DiBello, whose biggest obstacle is his obscurity, which he helped preserve by being the only candidate to decline participation in an endorsement interview with our Editorial Board. We see nothing in DiBello's background or his campaign to offer voters confidence that he would be a competent mayor.

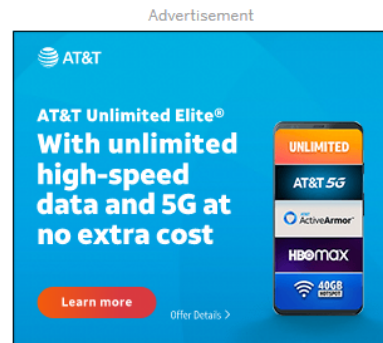
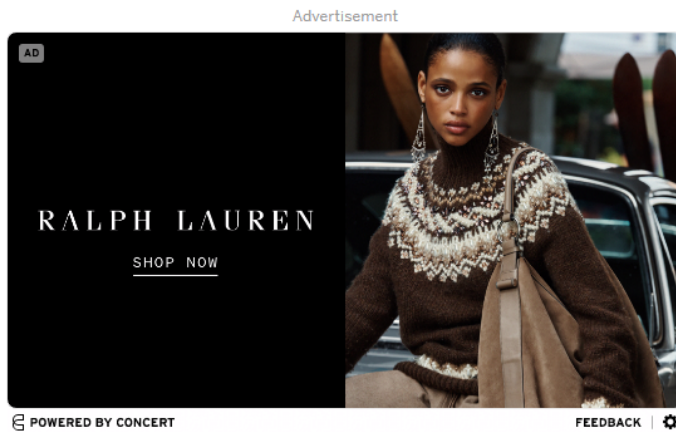
Our choice is Bibb. The energy he would bring to a City Hall in need of a jolt and the work he has done to strategize for that jolt are exciting. Bibb is the embodiment of the hope, vision and promise that this election is about, and we strongly urge voters

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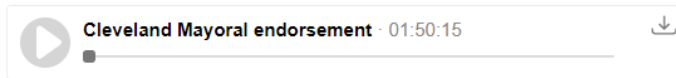
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Six of the seven candidates contending in the Sept. 14 Cleveland nonpartisan mayoral primary were interviewed by the editorial board of The Plain Dealer and [cleveland.com](https://www.cleveland.com) June 14 as part of its endorsement process.

[Listen to that endorsement interview here](#) or via the player below:



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* Email general questions about our editorial board or comments or corrections on this endorsement editorial to Elizabeth Sullivan, director of opinion, at esullivan@cleveland.com.

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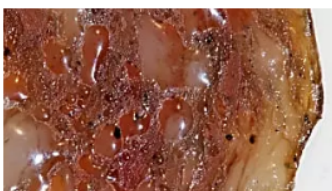
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Exhibit 2

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Stopping Dennis Kucinich from returning as Cleveland's mayor will require targeting his reputation: Brent Larkin

Updated: Aug. 16, 2021, 2:18 p.m. | Published: Aug. 15, 2021, 5:45 a.m.



Dennis Kucinich, a former Cleveland mayor and longtime member of Congress, seen here in June with his wife, Elizabeth, and supporters announces his candidacy to reclaim Cleveland's top office.



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seen here in June with his wife, Elizabeth, and supporters announces his candidacy to reclaim Cleveland's top office.



By [Brent Larkin, cleveland.com](#)

CLEVELAND, Ohio -- For those who do not want Dennis Kucinich to win back the job he had and lost 42 years ago, the path to success is both narrow and clear.

They must do to Kucinich in the Cleveland mayoral election what Shontel Brown and her supporters did to Nina Turner in the Aug. 3 special election for Congress.

With early voting about to begin, the task of taking down Kucinich, the clear frontrunner in every known poll gauging voter sentiment prior to the Sept. 14 primary, falls largely to Council President Kevin Kelley and his supporters. Unless Kelley can erode support for Kucinich, it puts at risk his chance of being one of the top two vote-getters who advance to the Nov. 2 runoff election.

Towards that end, there are rumblings of a planned independent expenditure seeking to use mailings and perhaps television ads aimed at wrecking Kucinich's reputation. It's easy to imagine what those attacks would say: "Kucinich almost ruined the city when he was mayor the first time. Don't let him finish the job."

It is a low-risk strategy, with no guarantee of success. Denying Kucinich a spot in the mayoral runoff election is a more difficult task than defeating him in a runoff election.



Brent Larkin was The Plain Dealer's editorial director from 1991 until his retirement in 2009. The Plain Dealer

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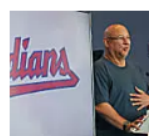
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To advance, Kucinich needs about 8,000 votes, maybe less. That is 85,000 fewer than he received when elected mayor in 1977, an interesting but meaningless morsel that speaks to the city's enormous population loss and voter interest that has dropped off a cliff.

Far more relevant is Kucinich's 2018 candidacy for governor. Kucinich never had a prayer of winning his [Democratic Party primary race against former Ohio Attorney General Richard Cordray](#). This year, Kucinich has significant support from organized labor. In 2018, he had none, with his two most notable endorsements coming from The Plain Dealer and Our Revolution, Bernie Sanders' political organization.

Statewide, Cordray annihilated Kucinich, and beat him badly in Cuyahoga County. But in Cleveland, Kucinich received 15,064 votes to Cordray's 13,643.

Kucinich's base in the city among working class whites was once borderline impenetrable. Parts of that base still exist, but it is doubtful they are impenetrable.

It took about \$4 million in advertising to convince voters in the 11th Congressional District that Nina Turner's past criticisms of President Biden and Hillary Clinton made her unworthy of the Democratic nomination for the congressional seat vacated by Marcia Fudge. The investment in taking down Kucinich will likely be only a tiny fraction of the amount spent against Turner. And it will be made to an electorate that essentially cares about only one issue – personal safety.

Ideastream, the City Club and the Northeast Ohio Journalism Solutions Collaborative are performing a commendable public service by sponsoring [two mayoral debates](#). But it is difficult to impact an election outcome when the targeted audience is not paying attention.

As a wise veteran of Cleveland mayoral elections notes this not a persuasion election, one where voters weigh candidate qualifications and various issues. It is an election that elevates the importance of the ground game, of painstakingly identifying supporters and doing whatever is necessary to get them to vote.



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The candidate with the best organized campaign is probably Justin Bibb, the smart, young, unproven newcomer [endorsed by The Plain Dealer and cleveland.com](#). Bibb has breakout potential, but comparisons to Mike White's upset win in 1989 are way off base.

Heading into the 1989 mayoral primary election, few gave White a chance. But he was hardly an unknown. White had a decade-long record in City Council and the Ohio Senate and a loyal political base in Glenville. Bibb has neither.

Kelley, now the recipient of [Mayor Frank Jackson's endorsement](#), is the safest choice in a year where some argue safe is not the best option. He is smart, decent, and knowledgeable, with an inspiring life story. But Kelley's name recognition is startlingly low for someone in his eighth year of the second most important office in city government.

As the candidate with the [biggest campaign bankroll](#), Kelley last week began a month-long television advertising campaign designed to improve that lagging name recognition.

With primary election day about a month out, the most important thing to know is no one really knows where this race is headed. Six candidates have a chance of advancing -- Bibb, Kelley, Kucinich, State Sen. Sandra Williams, Councilman Basheer Jones, and former Councilman Zack Reed.

Only Jones is unelectable in a general election. The first term councilman from the Hough area seems smart and polished, the field's best communicator. But the widely circulated video clip of Jones making disparaging comments about women would lead to a landslide loss.

Of course, 50 years ago "unelectable" was a word most of us used in describing the mayoral candidacy of County Auditor Ralph Perk.

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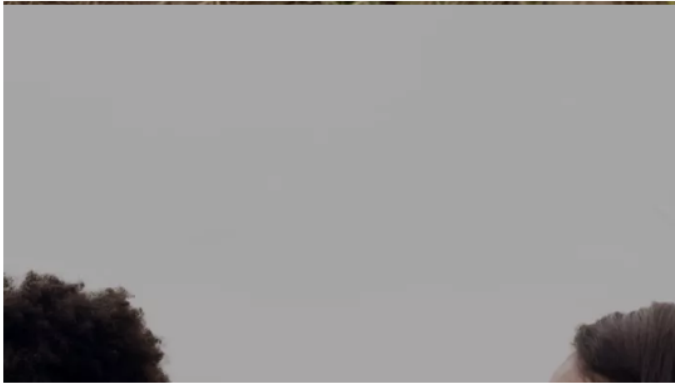
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Mayor Perk served three terms.

Brent Larkin was The Plain Dealer's editorial director from 1991 until his retirement in 2009.

To reach Brent Larkin: blarkin@cleveland.com

Editor's note: This column was updated Aug. 16 to correct the date of the Sept. 14 primary.

Have something to say about this topic?

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* Email general questions, comments or corrections on this opinion column to Elizabeth Sullivan, director of opinion, at esullivan@cleveland.com.

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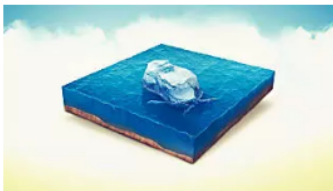
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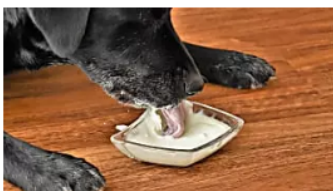
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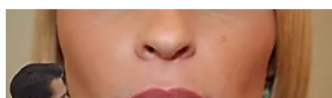
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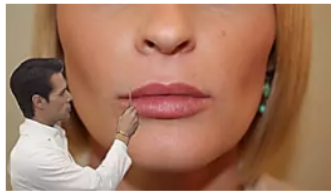
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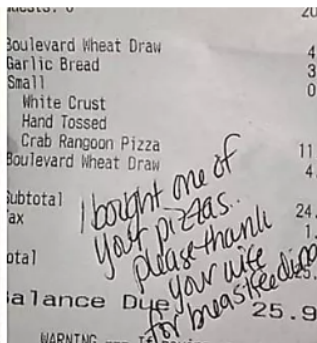
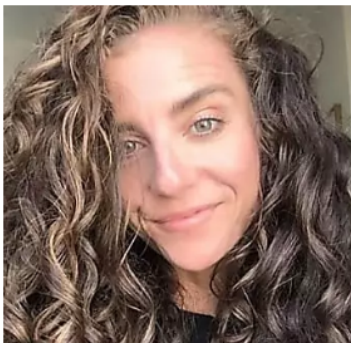
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Exhibit 3



SUBSCRIBER EXCLUSIVE

Dennis Kucinich fuels possible run for Cleveland mayor with money from longtime FirstEnergy supporter Tony George

Updated: Feb. 08, 2021, 12:25 p.m. | Published: Feb. 05, 2021, 6:00 a.m.



Dennis Kucinich (AP Photo/John Minchillo) AP

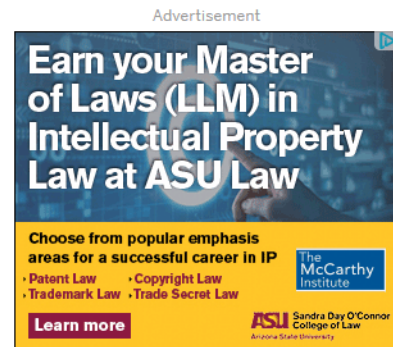


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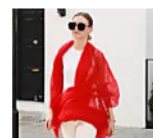
By [John Caniglia, cleveland.com](#)

Editor's note: For several hours Friday, the original version of this story incorrectly stated Dennis Kucinich is exploring a run for mayor with the financial backing of FirstEnergy Corp. Kucinich's campaign received no money from FirstEnergy.

CLEVELAND, Ohio -- Dennis Kucinich, who made his name saving Cleveland Public Power's predecessor, is exploring another run for Cleveland mayor with the financial backing of a



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for mayor with the financial backing of FirstEnergy Corp.
Kucinich's campaign received no money from FirstEnergy.

CLEVELAND, Ohio -- Dennis Kucinich, who made his name saving Cleveland Public Power's predecessor, is exploring another run for Cleveland mayor with the financial backing of a businessman closely aligned with CPP's adversary, the scandal-immersed FirstEnergy Corp.

Westlake restaurant owner Tony George and his family contributed \$28,000 in the last days of December as seed money for Kucinich's possible campaign. Kucinich, who said he has not decided about seeking the office, has received a total of \$51,000, according to campaign finance records filed late last month.


George, whose family owns the Barley House and the Harry Buffalo, has sided with FirstEnergy for years. He is a close friend of Charles Jones, the Akron utility's former chief executive officer, and former Ohio House Speaker Larry Householder, who is at the center of the Statehouse bribery scandal, according to interviews and finance reports.

The fact that Kucinich would accept contributions from a supporter of FirstEnergy, which is CPP's chief competitor, appears at odds with the former mayor. In 1978, Kucinich fought to save Cleveland Municipal Light, which later became CPP. The city went into default after Kucinich refused to sell the utility, and he lost the mayor's office a year later.

Kucinich said the campaign contributions from George are rooted in a longstanding friendship that began when the two men met at a fund-raiser for Bill Clinton, then an aspiring candidate for the White House.

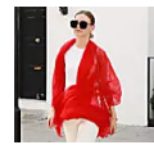
"I have friends who may be close to FirstEnergy, but that is their cross to bear," Kucinich said. "This is not a nodding acquaintance. Tony George has been a friend of mine for 30 years. No one buys my friendship, and no one buys my opinion. And no one has ever bought my vote."

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Advertisement for Captain Morgan Ready to Share Cocktails. The image shows a glass of yellow cocktail with a pineapple wedge and two cherry tomatoes on a skewer. A bottle of Captain Morgan Mai Tai is visible. The text reads: "Captain Morgan", "READY TO SHARE COCKTAILS", "JUST POUR OVER ICE". At the bottom, it says "POWERED BY CONCERT" and "FEEDBACK | ⚙️".

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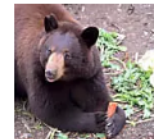
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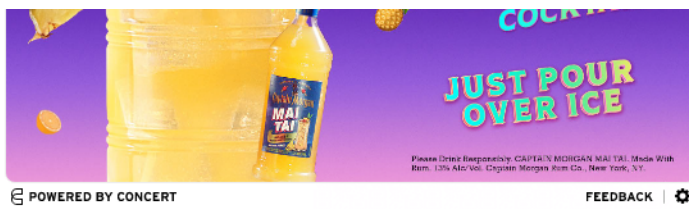
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George said he has given contributions to plenty of candidates, including others considering a possible mayoral run. They include Basheer Jones and Kevin Kelley, members of Cleveland City Council, and Sandra Williams, the Democratic state senator from Cleveland. He also has contributed to former Councilman Zack Reed, whose name has come up as a possible candidate for the race.

Kucinich, he said, stands out.

"Dennis and I have been friends forever," George said. "He is not just a friend. He is a family friend. My family and I have been very generous to a lot of candidates. I don't have an agenda, except for good government."

The contributions from George and his family come amid an FBI investigation and increased scrutiny for candidates with ties to FirstEnergy.

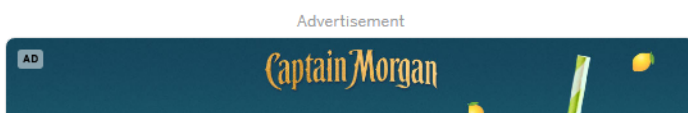
In spring 2019, Householder, as speaker, helped craft House Bill 6, a \$1.3 billion bailout for two nuclear plants. FirstEnergy had sought the help when its subsidiary, FirstEnergy Solutions, owned the plants. The subsidiary went into bankruptcy in 2018, and the plants are now owned by Energy Harbor.

In exchange for Householder's support, the company and its affiliates funneled more than \$60 million to a nonprofit that Householder and his allies controlled, according to federal court documents. Householder and four others have been indicted on federal racketeering charges. The company has not been charged, though it has severed ties with Jones and other top executives.

George and his family contributed nearly \$120,000 to Householder from 2016 to 2019, records show.

Kucinich stressed that George has never tried to dissuade him over the former mayor's support of CPP.

"I have lived with my advocacy for Public Power for more than a half century, so political contributions have zero influence on my work," Kucinich said. "If the test of my friendship was agreeing with someone, I would have a smaller circle of friends."



agrees with someone, I would have a smaller circle of friends."



George said he is not opposed to CPP, though he has fought often with city leaders.

"I support good energy policy," he said. "I'm a businessman who wants affordable rates."

Kucinich must decide before June 16, the deadline for candidates to file for the race. The nonpartisan primary is Sept. 14, with the top two finishers squaring off in the Nov. 2 general election.

Besides the possible candidacies of Kelley, Jones, Reed and Williams, nonprofit leader Justin Bibb has announced that he also will seek the mayor's job. Incumbent Frank Jackson has not said whether he will seek a fifth term.

Kelley has more than \$530,000 in campaign contributions for the possible run. Kucinich has a small fraction of that.

"In every election that I have won, I've been outspent," said Kucinich, 74, who served in the Ohio Senate for two years and in the U.S. Congress for 16. "Once I'm in the race, it will be easier to raise money. But I haven't made that announcement."

Besides the George family, Cleveland real estate investor James Kassouf, who was pardoned in December by former President Trump involving a 1989 tax case, also served as a major contributor to Kucinich. He and his family gave \$20,000 in the last days of December.

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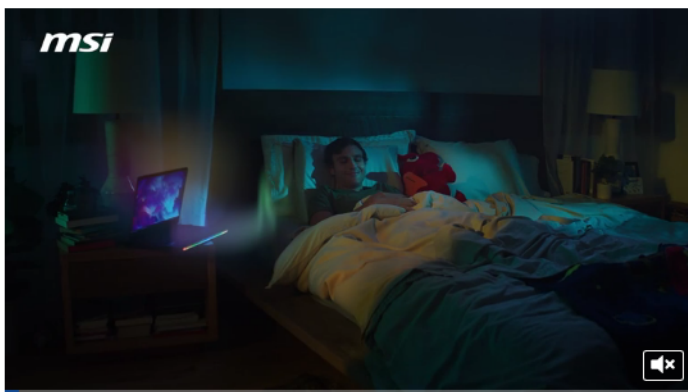
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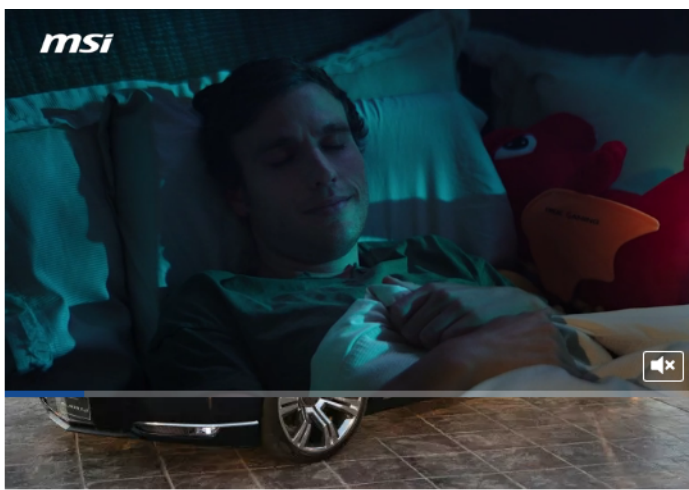
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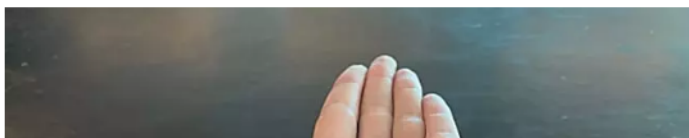
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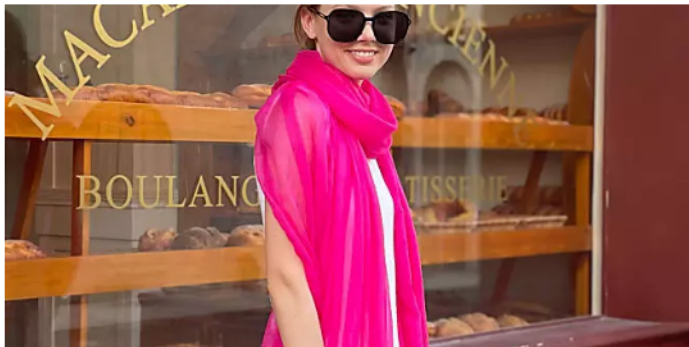
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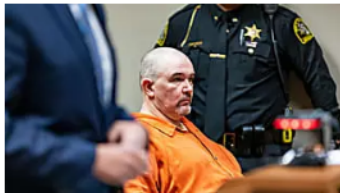
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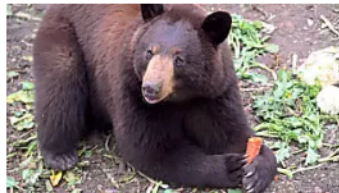
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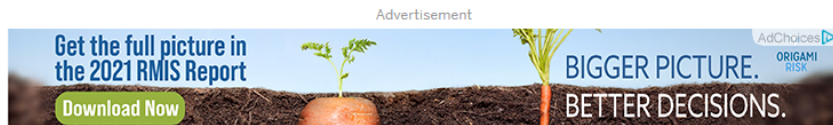
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Exhibit 4



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Updated: Sep. 03, 2021, 4:05 p.m. | Published: Sep. 03, 2021, 11:47 a.m.



Cleveland City Hall

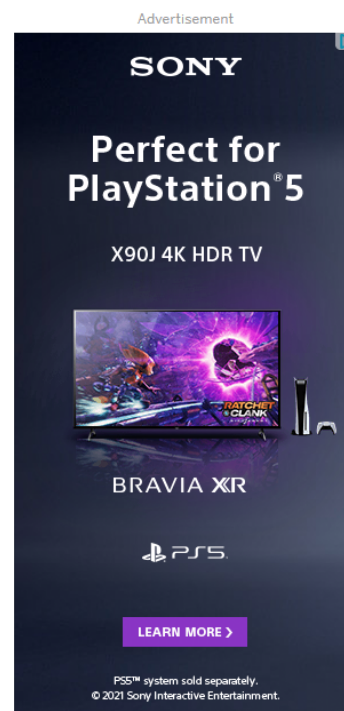
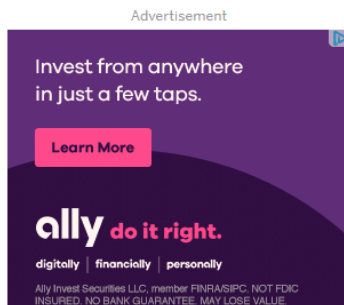


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By [Seth A. Richardson, cleveland.com](#)

CLEVELAND, Ohio – Two Republicans – a convicted and pardoned fraudster and a figure tied to the House Bill 6 bribery scandal – are betting big on Democratic former Mayor Dennis Kucinich in the race to succeed Mayor Frank Jackson.

According to unaudited financial disclosure forms filed with the Cuyahoga County Board of Elections on Thursday, James Kassouf, Tony George and their family members donated maximum contributions of \$5,000 adding up to \$65,000 for Kucinich from July through August. Kucinich reported more than \$235,000 in contributions, more than four times what he raised in the 18 months prior.



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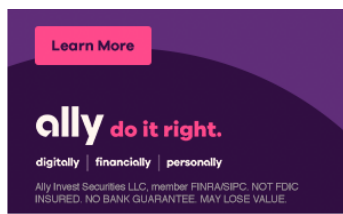
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Kucinich led the field of seven mayoral candidates, barely edging out nonprofit executive Justin Bibb, who raised more than \$218,000.

Because Cleveland campaign limits run by calendar year instead of election cycle, the Georges and Kassoufs have been able to donate beyond the \$5,000 limit. Both families [gave Kucinich \\$48,000 between Dec. 22 and Dec. 31](#), allowing them to give another \$5,000 each this year.

All told, the Georges have given Kucinich's campaign \$63,000 while the Kassoufs gave \$50,000, accounting for \$113,000 of the \$324,000 Kucinich has raised – around 35% total.

George has been connected to the ongoing House Bill 6 scandal, in which Akron-based utility company FirstEnergy admitted to engaging in a \$60 million bribery scheme to pass a ratepayer funded bailout for two formerly owned nuclear facilities. Republican former Ohio House Speaker Larry Householder and four others were charged with racketeering by federal authorities.

Cleveland City Council President Kevin Kelley, who is also running for mayor, is investigating whether FirstEnergy worked to undermine municipally owned Cleveland Public Power through the political group Consumers Against Deceptive Fees.

George was heavily tied to FirstEnergy following an audit released by the Public Utilities Commission of Ohio that showed the company gave George's businesses millions of dollars for various services. George also worked on behalf of the company to try to secure rights to power aggregation for TPI Efficiency. When that failed, he launched an unsuccessful bid to cut the number of council members from 17 to 9.

TPI Efficiency Founder Roger Zona also contributed \$5,000 to Kucinich's campaign.

Kassouf is a real estate owner and parking lot operator who pleaded guilty to filing a false tax return. As part of the plea agreement, Kassouf was ordered to serve four months of home detention and pay a \$10,000 fine. Republican President Donald Trump pardoned him in December.

Both George and Kassouf are heavy Republican donors and huge backers of Trump. Both held fundraisers for Trump's presidential campaigns.

The Georges and Kassoufs have given to other candidates as well, though not nearly to the degree Kucinich has benefitted. Kassouf gave \$5,000 to former Cleveland City Councilman Zack Reed this reporting period as well as \$2,500 last year. George has spread money to Reed as well as Cleveland City



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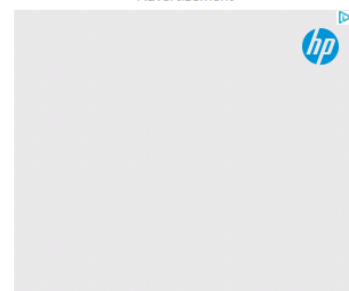


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A spokesman for Kucinich did not respond to requests for comment.

Late fundraising

Bibb raised the second biggest pot of money during the filing period, not including a vendor refund of \$59,000.

Among Bibb's donors is Ben Newhouse, a member of the Newhouse family that owns Advance Publications, the parent company of [cleveland.com](https://www.cleveland.com) and The Plain Dealer. Newhouse gave Bibb \$1,000. Newhouse is not a member of the [cleveland.com](https://www.cleveland.com) and Plain Dealer editorial board, which endorsed Bibb in the primary and is separate from news coverage.

After spending nearly \$396,000, Bibb ended the reporting period with more than \$90,000 cash on hand. Kucinich spent more than \$226,000 and ended the period with more than \$45,000.

Kelley, [who has raised the most money in the race so far](#), pulled in more than \$185,000 for the reporting period. He spent by far the most at about \$641,000, ending this reporting period with more than \$80,000 cash on hand.

There was a steep drop-off in fundraising after the top three, with Williams coming in fourth after pulling in more than \$77,000. Williams spent nearly \$135,000, ending the reporting period with around \$37,000 cash on hand.

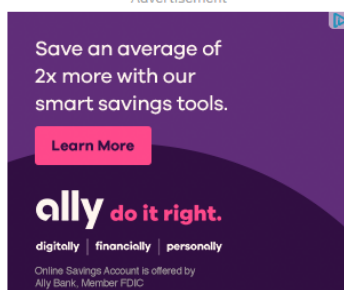
Reed reported raising nearly \$70,000 and spent more than \$82,000, ending the period with more than \$22,000 cash on hand.

After reporting raising the most money in his July 31 filing, Jones had a steep decline relative to the other candidates. Jones raised just more than \$38,000 in contributions. He reported another \$10,000 in income through a vendor refund. However, after spending more than \$247,000, Jones ended the reporting period with more than \$103,000 cash on hand, the most of any of the candidates.

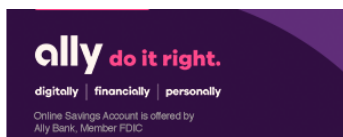
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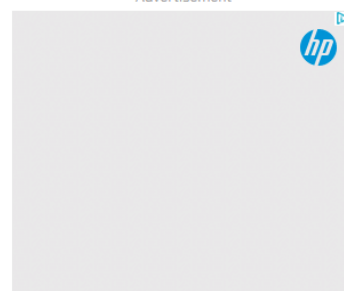
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Attorney Ross DiBello reported raising around \$1,800 in



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Attorney Ross DiBello reported raising around \$1,800 in contributions and spent more than \$2,200, ending the period with around \$4,200 cash on hand.

Totals

Dennis Kucinich:

Amount from last report - \$36,544.24

Amount raised - \$235,411

Amount spent - \$226,323.30

Cash on hand - \$45,631.95

Justin Bibb:

Amount from last report - \$208,265.35

Amount raised - \$218,664.90 (not including \$59,445 vendor refund)

Amount spent - \$395,985.05

Cash on hand - \$90,400.20

Kevin Kelley:

Amount from last report - \$537,136.16

Amount raised - \$185,415 (not including \$1,823.70 in-kind contribution)

Amount spent - \$641,974.24

Cash on hand - \$80,756.92

Sandra Williams:

Amount from last report - \$93,667.87

Amount raised - \$77,732.97 (not including \$27.92 vendor refund)

Amount spent - \$134,808.84

Cash on hand - \$36,619.92

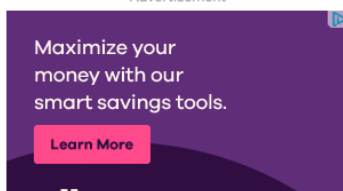
Zack Reed:

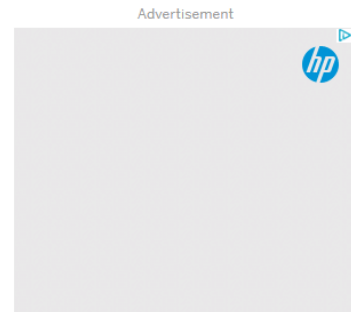
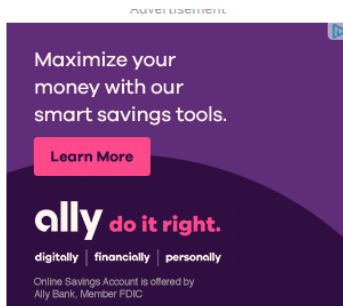
Amount from last report - \$35,710.12

Amount raised - \$69,564.97

Amount spent - \$82,332.95

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Cash on hand - \$22,402.14

Basheer Jones:

Amount from last report - \$302,687.50

Amount raised - \$38,145 (not including \$10,000 vendor refund)

Amount spent - \$247,535.40

Cash on hand - \$103,297.10

Ross DiBello:

Amount from last report - \$5,586

Amount raised - \$1,816.69 (not including \$9.65 vendor refund)

Amount spent - \$2,225.99

Cash on hand - \$4,186.35

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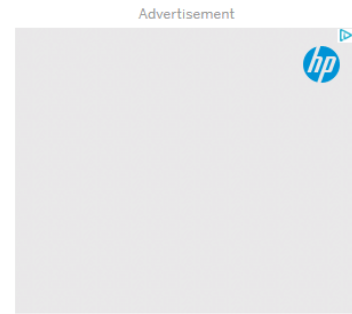
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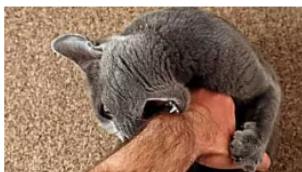
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