

Statement of Claim  
Case No: 25 CV 674 WMC  
(Amended from August 12, 2025, filing)

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**Summary**

Rumble is a social media platform.

The main channels in question are "VictorHugoArt" and "VictorHugoArtNews".

Beginning February of 2025, Plaintiff terminated a Rumble content creator, Victor Hugo Vaca, Jr., from his show on Revolution Radio, prompting Vaca to retaliate by posting derogatory comments about Plaintiff and his former co-hosts on Rumble.

Not long after, Vaca launched a defamation campaign against Plaintiff in which he attempted to discredit, disparage, and demoralize Plaintiff over his research on the Sandy Hook shooting.

***Vaca misconduct***

Vaca has posted the defamatory content in subject headings, thumb nails, comments and in video content while rigging algorithms to maximum effect for the purpose of spreading and amplifying the defamation and the harm inflicted upon Plaintiff and supportive colleagues.

The cover art and captions of Vaca's posts are his primary means of attack as opposed to the content of the programs themselves, which often bear no relationship to the cover art, which could be characterized as "political pornography."

Plaintiff and his colleagues have flagged the content repeatedly.

With few exceptions, Rumble has failed to moderate the unlawful content and that which violates its terms of service.

As part of this politically-motivated defamation campaign, Vaca attempted to enlist Plaintiff's friends and colleagues – and prominent online hosts on the Rumble platform – to support his efforts. Anyone who supported or refused to disavow Plaintiff, particularly within the context of his research of Sandy Hook, has been similarly targeted in Vaca's defamation campaign.

***Vaca entanglements***

Plaintiff was principally targeted for defamation on the Rumble platform over his research on Sandy Hook.

Plaintiff is a nationally recognized authority on the Sandy Hook shooting whose research challenged official narratives.

Rumble's political interests are aligned with Sandy Hook Promise, an organization with a vested interest in suppressing Plaintiff's Sandy Hook research and discrediting him as a researcher.

Of note, Dan Bongino, Rumble's second largest individual shareholder, has a vested interest in the Sandy Hook narrative, given his connections to *InfoWars* host Alex Jones and Sandy Hook Promise.

Immediately after the Sandy Hook shooting in 2012, Bongino, who had worked for the Obama Administration as a Secret Service agent, offered his expertise on how to "recognize the signs" of a potential shooter to prevent another Sandy Hook.

Bongino's "recognize the signs" became the basis upon which Sandy Hook Promise was established.

*InfoWars* host Alex Jones reported the shooting to be a hoax, generating for him a massive following such that by, between 2016 and 2018, his platform was reportedly generating \$165 million revenue, reflecting that his influence and audience were substantial.

Jones has affirmed that his platform had become one of the most followed and influential independent sources of news on the Internet.

Bongino gained his national following as a media personality while appearing on *InfoWars* as a regular guest. In a number of those appearances, he had affirmed that Democrats had exploited falsehoods surrounding the Sandy Hook shooting for political gain.

Based upon the following he generated on *InfoWars*, Bongino launched *The Dan Bongino Show*, the

most followed show on Rumble.

Bongino has been actively working across social media platforms, as an investor and facilitator, to amplify messaging on behalf on the Trump Administration and in concert with Jones.

Plaintiff's Sandy Hook research was reported by Jones who subsequently was sued for defamation by the Sandy Hook families in which judgments were awarded against him, totaling around \$1.5 billion.

Jones retracted his statements on Sandy Hook and is appealing the judgments, which have imperiled the viability and profitability of *InfoWars*.

Jones is struggling to survive the defamation judgments with his reputation, credibility, and the viability of his *InfoWars* platform intact.

Jones acknowledged that his trials were "coordinated" by HBO, whose parent company is Discovery-Times Warner, a corporate partner of Sandy Hook Promise.

Jones frequently cites Bongino as a source for his information.

Bongino is now FBI Deputy Director, working for the Department of Justice which oversees the \$1 billion STOP School Violence, an initiative conceived by Sandy Hook Promise to "Know the Signs" to "prevent another Sandy Hook."

President Donald Trump signed the initiative into law.

Vaca has admitted to targeting Plaintiff for political reasons, stating his belief that Plaintiff "committed treason" by colluding with President Barack Obama to "throw (his) Sandy Hook" defamation law suit to suppress "free speech."

Reflecting alignment in messaging, Jones claimed that Obama is behind a "treasonous" agenda to suppress free speech.

Within the context of targeting Plaintiff, Vaca has stated that Jones "knows about me" and that Plaintiff is a "gnat who is in the way of what we are trying to do" for Jones.

Among the guests Vaca has featured on his show to support his targeting of Plaintiff is attorney Todd Callender, a contributor to *InfoWars*.

### ***Rumble complicity***

Regardless of the political motivation, Rumble materially contributed to the defamation and abuse by failing to enforce its own user agreement or moderate its content. Had Rumble acted responsibly, in good faith, and in accordance with the law, Plaintiff would not have been harmed.

On April 25, 2025, Plaintiff mailed a cease-and-desist order to Rumble legal department. Rumble did not respond to the notice nor moderate or remove the defamatory content after receiving the notice on April 30, 2025.

On July 1, 2025, Plaintiff filed an Affidavit against Rumble with the Western District Court of Wisconsin to which a response was requested within 30 days. (See Case No: 3:25-mc-00005.) An uncontested affidavit, properly served, fact-based, and relevant to the relief request, with no response or denial, establishes truth in commerce. No response or denial was given.

Reference: [https://www.pacermonitor.com/public/case/58808601/No\\_Case\\_Title](https://www.pacermonitor.com/public/case/58808601/No_Case_Title)

Rumble received the Affidavit on July 5. (USPS reference: 9410811899560071110663)

As of August 12, 2025, Rumble had neither responded to the Affidavit nor moved to moderate its content. Therefore, Rumble has accepted the claims and damages therein as stated.

Vaca's defamation continues to this day and has become more egregious. This month Vaca posted the head of one of Plaintiff's colleagues on a naked body – and falsely accused Plaintiff of murdering his own mother, who had committed suicide.

Upon being notified, Rumble could have suppressed Vaca's content, pushed it down in search results, and/or given Plaintiff's original content priority. The content could have been moderated, deleted, shadow banned, etc. to have prevented harm.

Vaca's channels could have been suspended or terminated, upon repeated violations, to have prevented harm.

Vaca's content served no public interest or constructive purpose.

Vaca's defamatory content has remained, spread, and metastasized on Rumble among audiences who are consumers and followers of Plaintiff's work.

The content appears in search engines, inflicting tremendous long-term professional and reputational harm upon Plaintiff who relies upon the public's trust and good will to support his work, purchase his books, and attend his classes.

Plaintiff posts his own content on Rumble, including interviews, guest appearances, group discussions, research, commentary, and promotions for his conferences and courses.

In fact, Rumble is a platform from which Plaintiff derives publicity to support his livelihood.

Due to the defamation, search engines overwhelmingly produce hundreds of videos defaming Plaintiff and casting him in a false light.

### *Specific claims*

#### **1. Rumble violated Section 230 of the Communications Decency Act (CDA).**

Section 230 of the Communications Decency Act ("CDA") codified, 47 U.S.C. § 230, provides broad immunity to providers and users of "interactive computer services" from liability for content created by third parties, with the following exceptions:

- a.) breach of federal criminal law;
- b.) instances in which the platform materially contributed to the creation or development of the illegal content; and
- c.) breach of contract or promissory estoppel – that is, instances in which the platform allegedly violated its own terms of service or made specific promises to users which were broken.

As outlined herein within this complaint, Rumble has violated these provisions.

#### **2. a. Rumble aided and abetted Elder Abuse.**

##### **b. Rumble aided and abetted Intentional Infliction of Emotional Distress (IIED).**

As of August 8, 2025, Vaca has posted hundreds of videos on Rumble, a platform whose subscribers follow Plaintiff's work.

Plaintiff had suffered a heart attack and had undergone heart surgery. Vaca was aware of Plaintiff's status as a vulnerable at-risk individual.

Vaca was aware of that fact that Plaintiff, an 84-year-old at-risk individual, would see the see his content and be distressed by it.

He was also aware that Plaintiff's colleagues and those who followed or otherwise searched for his content would see it.

Vaca exploited this knowledge, with malicious intent, to inflict distress upon Plaintiff with the apparent purpose of inducing a heart attack, reflecting in gleeful comments in comment sections and in video content characterizing Plaintiff as a "dying dog" who was on "borrowed time" and "about to die any day now."

Comments supporting Vaca's content expressed hope that Plaintiff would succumb to a heart attack.

In one video referencing Plaintiff, Vaca's thumbnail was that of a tombstone.

In another, he posted a video of a man dying of a heart attack while referencing Plaintiff. "I paid this person to die," he said. "You've now witnessed the death of someone.... One minute you could be laughing and enjoying yourself; the next minute, you're dead."

In a separate incident, Vaca taunted Plaintiff by juxtaposing his face with an image of a penis. Upon discovering Plaintiff's mother had committed suicide, Vaca accused Plaintiff of having murdered her to distress his target.

Vaca posted hundreds of abusive, defamatory, sadistic videos against Plaintiff.

He further attempted to isolate Plaintiff by defaming any host or colleague who supported, defended, or offered a platform to him, stating that Plaintiff was "discredited" and that anyone who hosted or defended Plaintiff was "discredited" by association.

Supportive individuals, including those who refused to disavow Plaintiff or join Vaca's campaign, became targets of Vaca's defamation and were ridiculed, humiliated, and defamed in thumbnails, video content, and commentary over and over and over again, as Vaca marketed the smears against them to ensure that his false light characterizations were associated with Plaintiff and everyone who supported him.



The content was flagged but Rumble determined that these abuses did not violate its community guidelines.

3.
  - a. Rumble aided and abetted defamation.
  - b. Rumble aided and abetted defamation per se.
  - c. Rumble aided and abetted false light publicity.

From February 2025 to the present, Vaca has lodged false accusations against Plaintiff to impugn Plaintiff's character with particular focus on Plaintiff's research on Sandy Hook in which he falsely accused his target of being a "liar," "treasonous," and having purposely "thrown" his Sandy Hook defamation case as part of a secret, treasonous plot with President Barack Obama to silence free speech.

The claim was absurd on its face, Plaintiff having carried his case to the U.S. Supreme Court and currently having four appeals before the Wisconsin Court of Appeals (IV).

Vaca's attacks are, as in this case, by-and-large "fact free." Vaca didn't merely offer an opinion – he marketed falsehoods, repeating and marketing them in thumbnails, videos, and comments while attempting to enlist other content creators to join him in his campaign against Plaintiff.

Within this context, he falsely accused Plaintiff of being a homosexual, having committed incest with a cousin, and of being a pathological liar and "a co-intel pro disinfo agent."

He further falsely accused Plaintiff, who had received four traffic tickets, on that basis of having been arrested four times to "discredit" and convince others to disavow his target.

Plaintiff flagged the content, but the platform (again) neglected to moderate the content.

A Cease-and-Desist Demand was similarly ignored.

Vaca's statements were not merely made in passing. but relentlessly marketed, posted in thumbnails, comment sections, repeated in commentary across BitChute and Rumble platforms in which he enlisted or attempted to enlist others, particularly high-profile hosts, to join him in his campaign to "discredit" and "disavow" Plaintiff.

Vaca marketed anyone who provided Plaintiff a platform, supported him, or still deemed him credible after Vaca's smears as discredited by association. Vaca encouraged other hosts and viewers to lobby platforms executives to defend his "right to free speech," stating that if he were censored, everyone else could be censored too, for merely voicing an opinion.

#### **4. Rumble aided and abetted defamation by implication.**

By defaming Plaintiff's colleagues and supporters, Vaca ensured that the reputation and public perception of them were cast in a false light, thereby defaming Plaintiff as being associated with individuals Vaca had branded disreputable.

Vaca characterized Plaintiff, his colleagues, and anyone who defended or hosted Plaintiff on their shows with such terms as "discredited," "coo coo," "a liar," "disinfo," "treasonous," "sad basket case," "bitch," "goat fucker," "pedophile," "herpes," "bipolar," "liar," "backstabber," "shill," "disinformation agent," "cointelpro," "psychotic," "misogynist," etc. to inspire the public's disgust, distrust, and rejection of Plaintiff, his colleagues, and their work.

Upon learning that one of Plaintiff's colleagues, Russ Winter, had herpes, Vaca marketed the colleague as a venereal disease and depicted him as having "herpes flareups" and having transmitted herpes to his granddaughter, implying that he had committed incest and was a pedophile.

Vaca falsely accused another colleague, Joachim Hagopian, perhaps the world's leading expert on politics and pedophilia (having published a 5-volume book about it, *Pedophilia & Empire: Satan, Sodomy, and the Deep State*), a leading expert on the Jeffrey Epstein pedophile scandal, of being, alternatively, a "pedophile" and "alleged pedophile" while depicting him as a pedophile in thumbnails, comments, and commentary.

Vaca infringed upon the copyright and privacy of another colleague, Susan Bradford, a leading investigative journalist in the Abramoff investigation (having published the definitive investigative book, *Lynched*, on federal investigation with the cooperation of Republican superlobbyist Jack Abramoff who had granted her the exclusive), who had intervened on Plaintiff's behalf to stop the abuse and restore peace.

Vaca responded by posting her face on an image of an elderly woman's naked woman's body in violation



of her privacy and as part of a campaign to degrade and humiliate her as a woman and to inflict emotional harm and professional damage upon her.

Vaca took emails Bradford had written confidentially and posted them on the Rumble platform against her wishes and in violation of her privacy, in thumbnails, content, and commentary.

He took Bradford's statements out of context, at times rewriting or mischaracterizing them, and then weaponized them against her and Plaintiff to create the false impression that she had accused Plaintiff of "viciously attacking" people who disagreed with him over Sandy Hook.

He also falsely credited Bradford with characterizing Plaintiff as a disinfo agent, "as acknowledged by Susan Bradford."

In response to her appeals that he cease defaming her, Vaca responded that she had made herself "fair game" by defending Plaintiff and that he would do as he pleased and destroy her reputation.

The images Vaca used included professional pictures for which she held the copyright and which were associated with her online professional identity.

Even though Bradford disavowed the statements Vaca attributed to her, Vaca continued to use them.

While characterizing her in demeaning sexist terms and images in thumbnails, comments, and content, Vaca sexually harassed her, telling her she "needed a man to love."

He also contacted her through her website, appealing to her to meet him, presumably as part of an effort to enlist her in a campaign against Plaintiff – and then upon being rebuffed and told to cease and desist, increased the intensity and frequency of his attacks against her in which he defamed and degraded her in comments, commentary, and in thumbnails to cast her in a false light, thereby undermining her professional reputation.

From February 2025 to the present, Vaca produced hundreds of videos that portrayed Plaintiff and colleagues in a false light in which they were characterized as unsavory, depicted in pornographic images, associated with crimes and venereal diseases, and falsely accused of sexual deviancy.

For the latest count, see "Victor Hugo, Jim Fetzer", on Rumble.

Their emails and other private information were posted, in violation of their privacy rights, and at times, rewritten, and mischaracterized to harass them and undermine the public's support of Plaintiff's work.

The vicious characterizations were often followed by "drip drip drip" taunts in which Vaca and his co-conspirators rejoiced and delighted in destroying the reputations of his target(s) by 1,000 malicious, defamatory cuts.

The content was shared widely throughout the Rumble platform and then distributed through emails, in comment sections reposted over and over, day after day, for months on end in which Vaca acted with reckless disregard for the privacy or impact on the reputation, career, and business of his targets and with indifference to the emotional distress inflicted upon them.

Any effort by Plaintiff or Plaintiff's colleagues to restore peace, hold Vaca accountable, or mitigate the abuse was met with by retaliation, malevolence, and further harassment, adding fuel to the flames of Vaca's defamation.

Vaca's abusive conduct and defamatory language were reported to Rumble through the platform's reporting system on numerous occasions. Rumble has so far not removed or moderated the content.

## **5. Rumble aided and abetted privacy violations.**

In violation of HIPPA privacy laws, Vaca improperly accessed Plaintiff's health records in which Plaintiff underwent a routine test for dementia and received a brain scan at the request of his wife, which Plaintiff believes to have been motivated by political disagreements about Donald J. Trump, which have become common between spouses in relation to the current White House incumbent.

The results of the tests reflected that Plaintiff was of sound mind and well above average in cognitive abilities (27/30 on first; 28/30 on second; confirmed by MRI scan). To the best of Plaintiff's recollection, nobody outside of the Plaintiff's immediate family was privy to this information.

Upon acquiring access to the records, Vaca not only made them public, but then falsely characterized them as reflecting that Plaintiff suffered from dementia and cognitive decline to discredit his work on Sandy Hook. "Even (Plaintiff's) wife thinks he has dementia," Vaca told his audience.

Vaca then attempted to exploit his knowledge of the dementia test to discredit Plaintiff and his work

while appealing to his audience to disavow Plaintiff on grounds that no one should take Plaintiff's work seriously since he was "discredited" by virtue of having dementia.

After the content was flagged, Rumble determined that it did not violate the platform's community standards or terms of service.

## **6. Rumble aided and abetted Unjust Enrichment**

After posting Plaintiff's face juxtaposed with the image of a penis, Vaca rejoiced in the distress that he was inflicted upon Plaintiff. Since he was able to harass, torment, and defame Plaintiff with impunity, Vaca proceeded to launch his own men's underwear line, called "Fetzer Gay/Tranny Undies for men who love men and women who want to be men." <https://victorhugoart.gumroad.com/l/fetzer-gay-tranny-undies?layout=profile>

The underwear, which sold at \$55 per unit, featured the image of the penis Vaca had juxtaposed with Plaintiff's face in thumbnails.

Plaintiff did not provide permission for Vaca to use his name to sell this product which cast Plaintiff in a false light and invaded his privacy.

The marketing of penis underwear specifically to target, harass, and defame Plaintiff reflected the outrageousness of Vaca's conduct and that Vaca was able to defame, harass, and humiliate Plaintiff on Rumble's platform without impunity while profiting from the unlawful speech.

## **7. Rumble platforms a known character assassin.**

Three years ago, participants in the Sandy Hook FEMA drill reached out to Plaintiff because they liked his research on Sandy Hook and did not like how he was being abused by the court during the lawsuit brought against him.

When Vaca began attacking him this year, Plaintiff mentioned it to them, and they told him that Sandy Hook Promise had hired Vaca to attack him because they were afraid his case might be reversed based upon the four appeals currently pending before the Wisconsin Court of Appeals (IV). They added that Vaca is known as "the Angel of Death".

Plaintiff's colleague, Susan Bradford, followed up using Microsoft Copilot (AI) on April 13, 2024, at 5:36 and 5:38 PM/ET. Copilot explained that the name "Angel of Death" has been associated with Vaca because he has the reputation of being a professional character assassin. Copilot:

*Yes, the nickname "Angel of Death" associated with Victor-Hugo Vaca II appears to stem from his reputation as a provocative and controversial figure, particularly in the realm of character assassination through satire and performance art.*

*Why the nickname fits:*

*Vaca has been described as a "character assassin" due to his bold, often theatrical critiques of public figures, institutions, and legal systems.*

*He uses parody, satire, and shock art to challenge authority—such as hanging provocative paintings at Art Basel or creating graphic novels like Crackhead Jesus, which blend real court transcripts with fictionalized characters.*

*His confrontational style includes naming and shaming individuals in public forums, videos, and writings, often with exaggerated or symbolic portrayals that blur the line between reality and fiction.*

*He calls himself "The Maverick Artist" and claims to be the "Nostradamus of the Art World," suggesting that his work foreshadows societal shifts and exposes hidden truths.*

*Through his Modern Art Music Movement (MAMM), he fuses art, music, and journalism to provoke thought and stir controversy.*

*So, the "Angel of Death" moniker likely reflects his role as a figurative executioner of reputations, using art and media to dismantle public personas and expose what he sees as corruption or hypocrisy.*

*Victor-Hugo Vaca II has indeed been referred to as the "Angel of Death"—but it's not a mainstream or universally recognized title. It's more of a symbolic nickname that aligns with his self-styled persona as a character assassin and provocateur in the art world.*

*Why the nickname is used:*

*He's known for exposing and attacking reputations of public figures through his art, writing, and performances.*

*His work often involves dark, satirical themes, and he positions himself as someone who "kills" false narratives or corrupt personas—hence the metaphorical "Angel of Death."*

*In interviews and public appearances, he has embraced this label as part of his rebellious, truth-telling identity, especially in the context of his Crackhead Jesus series and Modern Art Music Movement.*

*So while it's not a title you'll find in encyclopedias or mainstream media, it's a deliberate part of his brand—a way to signal his role as a disruptive force in art and commentary.*

#### **8. Rumble facilitates the reposting of Defamation and other abusive content.**

Rumble's failures to moderate unlawful and harmful content allowed well known content creators, like Dustin Nemos, to repost and amplify Vaca's defamatory and otherwise abusive content on the platform. In this way, Rumble allowed the defamation and abuse to metastasize and for Vaca to compound the reputational damage and emotional distress upon Plaintiff.

Vaca also regularly slanders and defames Plaintiff and others in "Batumi Beach sessions" posted on Rumble. In these videos, Vaca joins a character known as "The Last Dutchman" off camera while they film members of the public, without permission, disparage their physical characteristics, and mock them on protected grounds, like religion, gender, and race.

Segments include, for example, "Spot the tranny," "Spot the blackie," and "Spot the Jew."

See, for example: <https://rumble.com/v6wpepu-dave-gahary-victor-hugo-don-giuseppe-vafanculo-ftj-media-russ-winter-jim-fe.html>

#### **9. Rumble failed to perform on its user contract.**


Rumble failed to exercise a duty of care owed to Plaintiff to shield him and his colleagues from a rogue operator on its platform. Had Rumble adequately and responsibly moderated the content, as contractually agreed, the platform would have prevented harm to Plaintiff.

Rumble neglected to perform on its contract by enforcing the terms of its user agreement, specifically those provisions that prohibit unlawful, abusive, or harmful speech.

With impunity, Vaca violated Rumble's guidelines for platform misuse for going on seven months. Among the terms of service Vaca violated include but are not limited to:

- a. Posting "message(s) which (are) libelous, defamatory, (and) which discloses private or personal matters concerning any person or entity."
- b. Posting or transmitting "message(s), file(s), image(s), which (are) indecent, obscene, or pornographic."
- c. Interfering with "another user's use or the functionality of the Forum."
- d. Posting or transmitting "message(s) which are) abusive...harassing, harmful, hateful."
- e. Posting or transmitting "messages(s) pertaining to ... petitions for signatures...or pertaining to the manipulation of the Rumble Service."
- f. Using "the forum to conduct ... any illegal activity (or) other activity which infringes the rights of others."
- g. Posting "content or material you did not create" and submitting "content or material that is grossly offensive to the online community, including, but not limited to, racism, antisemitism, and hatred: or content or material that promotes, support, or incites violence or unlawful acts" "content or material ...promoting harm or injury to any ...individual."
- h. "Disseminating personal information about another individual for malevolent purposes, including libel, slander, 'doxxing,' defamation or violation of an individual's right to privacy."

Date signed: 18 April 2025

  
James H. Fetzer, Ph.D.