



250 Massachusetts Ave NW, Suite 400 | Washington, DC 20001

September 25, 2026

VIA EMAIL

A.P. Dillon
North State Journal
apdillon@northstatejournal.com

Re: Cease and Desist Demand

Dear Ms. Dillon:

We write as counsel to Governor Roy Cooper and Roy Cooper for North Carolina, his principal campaign committee, regarding your inquiry earlier today, which we re-post below:

Our outlet is seeking a [*sic*] to clarify Mr. Cooper's position on whether he intends to complete the entire term should he be elected to the US Senate in November.

Additionally, we wanted to see if the campaign can confirm or deny if Mr. Cooper has health issues, as sources have told us he has been experiencing a neurological issue.

Let us make this exceedingly simple and crystal clear to you: Governor Cooper intends to complete his entire term, and any suggestion that he is "experiencing a neurological issue," or that any health condition would prevent him from completing his term, is categorically false and defamatory. This letter places the North State Journal on notice of these facts. If it publishes such false and defamatory statements, it will be acting with knowledge of their falsity or, at a minimum, with reckless disregard for the truth—the definition of actual malice. *See N.Y. Times Co. v. Sullivan*, 376 U.S. 254, 279–80 (1964). Should the North State Journal publish these falsehoods in its plain pursuit of online clicks and a political hatchet job, it will be sued.

Under North Carolina law, a plaintiff making a defamation claim must show "that the defendant made false, defamatory statements of or concerning the plaintiff, which were published to a third person, causing injury to the plaintiff's reputation." *Griffin v. Holden*, 180 N.C. App. 129, 133 (2006) (citation omitted). A publication that is obviously defamatory constitutes defamation per se. *Id.* It is particularly well-established that the publication of a statement "imputing insanity or impairment of mental faculties is libelous per se." *Jarman v. Offutt*, 239 N.C. 468, 472 (1954). A false report that Governor Cooper suffers from a neurological condition that impairs his capacity to serve falls squarely within that rule.

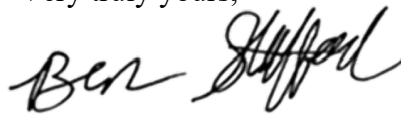
Attributing such claims to unnamed "sources" offers no protection. Because there is not a *shred* of truth to them, no "source" can supply any factual basis whatsoever for such claims. Should it

make or regurgitate false claims about Governor Cooper's health, North State Journal—and you personally—will be acting with knowledge of falsity or, at the very least, with reckless disregard for truth. It is a matter of blackletter defamation law that “[o]ne who repeats or otherwise republishes defamatory matter is subject to liability as if he had originally published it.” Restatement (Second) of Torts § 578 (Am. L. Inst. 1977). The North State Journal—and you personally—would be liable for any such publication.

For these reasons, we demand you cease and desist from publishing any article or other public communication that is false and defamatory against Governor Cooper. This letter puts you on notice that any attempt to disseminate false and defamatory claims about Governor Cooper is actionable for defamation. As such, you are hereby on notice of potential legal action and are required to institute an immediate hold on and the North State Journal must also immediately preserve all materials, physical or electronic, relevant to this matter, including notes, drafts, and communications with any purported sources.

We look forward to your swift response on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ben Stafford". The signature is fluid and cursive, with the first name "Ben" being more legible than the last name "Stafford".

Ben Stafford

*Counsel to Governor Roy Cooper
and Roy Cooper for North Carolina*