



For Immediate Release

January 6, 2023

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To Shame the Devil: Satanic Temple's Lawsuit Against Ex-Members Fails Again

Federal judge in Washington State dismisses Salem, Mass., corp's SLAPP suit for the second time

Seattle, Wash. – For the second time in nearly three years of litigation, a federal district court in Washington State [dismissed all claims](#) made by The Satanic Temple against four of its former members. The Court found that, the federal claims having been previously dismissed, it lacked jurisdiction to hear The Satanic Temple's remaining state law claims.

"We appreciate Judge Richard Jones confirming that the First Amendment still exists in this country," defendant David Johnson said. "Religions are not immune from public criticism."

After a schism in March 2020 in the Washington State chapter, the Temple alleged that then-social media manager Johnson used what had been the local chapter's Facebook page to post criticism of the Temple and how its leaders' actions had not lived up to TST's own stated tenets and values. This criticism came in the form of news articles, other former member testimonies, and past actions by TST co-owners Cevin Soling and Doug Misicko. Misicko has also used the public pseudonyms "Doug Mesner" and "Lucien Greaves" for the Temple, while Soling initially used the pseudonym "Calvin Soling" for the lawsuit and uses "Malcolm Jarry" for the Temple.

"We're not the first people The Temple has tried to bully or abuse into silence," defendant Leah Fishbaugh said. "We were determined not to let The Satanic Temple intimidate us."

In initial court filings, the Salem, Mass.-based for-profit corporation United Federation of Churches LLC dba "The Satanic Temple" tried to allege they were victims of defamation. The court dismissed the defamation claim with prejudice in February 2021 citing First Amendment protections, but the remaining claims were dismissed with leave to re-file. TST did so in March 2021, adding new claims, revising others, and dropping one. In April 2022, the Temple's attempt at reconsideration failed and all remaining federal claims also were dismissed. In June, TST's lead counsel Matt Kezhaya admitted on his Reddit account that he needed to come up with "a credible justification that it is not-impossible [sic] a jury could legally award at least \$75,000 in damages" and that he hoped legal defense costs squeezed "every last penny from [the defendants'] living corpses, and anyone that gives [them] the time of day."

"The Satanic Temple accused us of forming 'a competitor organization' to their religion based on a Facebook comment saying, 'The Satanic Temple 2: Electric Boogaloo,' so the outcome was never really in doubt," defendant Nathan Sullivan said. "But, like the old saying, 'You can beat the rap, but you can't beat the ride,' this SLAPP suit did what it was supposed to do for them."

SLAPP stands for "[strategic lawsuits against public participation](#)," frivolous lawsuits with no legal merit designed to threaten targets into not criticizing the plaintiff. Such lawsuits stifle public debate or dissent, particularly when brought by well-resourced plaintiffs.

"This has been a strain on our families, on our personal relationships, on our financial security, and on our physical and mental health," defendant Leah Fishbaugh said. "I'm ready to finally have my life back."

As of December 2022, total legal costs for the defendants exceeded \$100,000.



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Background

The Satanic Temple began in 2012 as a prank documentary project under Cevin Soling's corporation Spectacle Films Inc., [initially claiming](#) to have been founded in 2006 and that its not-existent membership worshiped a supernatural devil. Currently, the Temple describes itself as nontheistic, meaning its members do not believe in or worship a literal Satan. TST members are said to use the mythological character as a symbol of rebellion against arbitrary tyranny. However, in practice the Temple has regularly threatened former members and other critics with legal penalties, such as violations of non-disparagement agreements or libel. In February 2022, the Temple sued Newsweek and its reporter Julia Duin, accusing it of libel for its coverage of the Washington State lawsuit. In November 2022, the Temple sued the TikToker "The Satanic Housewife", also alleging defamation for two critical videos she recorded.

Additional information

List of The Satanic Temple's other court cases

https://the.satanic.wiki/index.php?title=The_Satanic_Temple

Analysis of Washington State suit as of January 2022:

<https://www.socialactuality.com/post/schism-the-satanic-temple-a-lawsuit-and-the-necessity-of-clear-minded-settlement>

Newsweek and reporter Julia Duin SLAPP suit

- Article ("Orgies, Harassment, Fraud: Satanic Temple Rocked by Accusations, Lawsuit"):
 - <https://www.newsweek.com/orgies-harassment-fraud-satanic-temple-rocked-accusations-lawsuit-1644042>
- Lawsuit:
 - <https://www.courtlistener.com/docket/63011247/the-satanic-temple-inc-v-newsweek-magazine-llc/>
- Analysis 1 (Mike Dunford of Question Authority):
 - <https://twitter.com/questauthority/status/1519149076251615232>
- Analysis 2 (Kurt Mueller of Uncivil Law):
 - <https://www.youtube.com/watch?v=I5qMigMiNHs>

The Satanic Housewife SLAPP suit

- Lawsuit (Complaint):
 - https://the.satanic.wiki/images/7/78/D-1-GN-22-006797_-_Plaintiff%27s_Original_Petition_w_Ex_7_6AC6EC7_-_2022-11-23.pdf
- Analysis (Satanic Europe):
 - <https://sataniceurope.wordpress.com/2022/12/04/the-freedom-to-offend/>
- Analysis (Queer Satanic)
 - <https://queersatanic.com/today-is-a-good-day-for-the-satanic-temple-to-release-its-finances/>

Washington State defendants' legal costs with monthly invoices:

<https://queersatanic.com/the-costs-of-defending-yourself-from-the-satanic-temple/#invoices>



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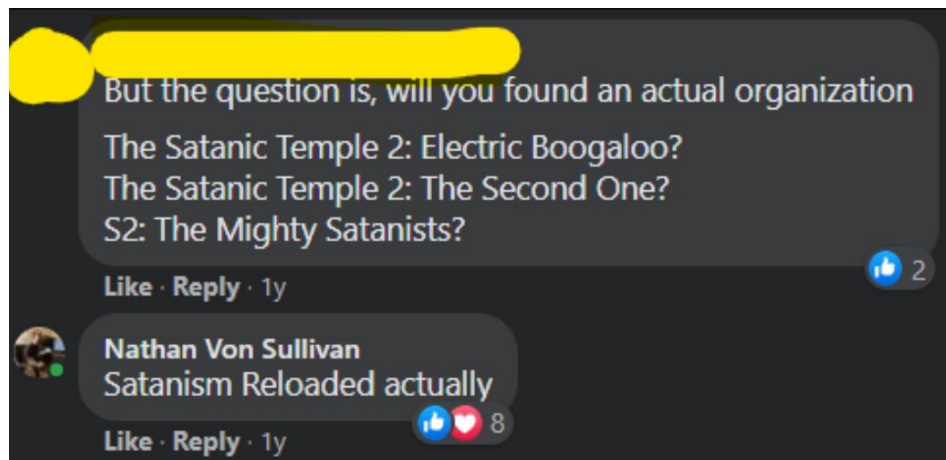
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Satanic Temple's past use of NDAs

- Meeting Notes:
 - <https://twitter.com/TheSatanicWiki/status/1462231609776619521>
 - 3) *Legal letters have been sent to ex-CHs who have violated NDA / AA terms*
 - a) *We do not expect them to publicly respond but we will have responses / statements prepared, explaining the need for the legal letters and spelling out the ways in which they violated their signed agreements, in case something appears.*
 - b) *We will be sure to get this information to chapter leadership as quickly as possible if something arises so they can help control responses online.*
- *Friendly Atheist* article:
 - <https://web.archive.org/web/20180912024537/https://friendlyatheist.patheos.com/2018/09/04/after-pushback-the-satanic-temple-will-revise-its-non-disparagement-clause/>

A non-defendant's Facebook comment that was used as proof of "competitor organization"



111. Defendants' competitor organization, which was provisionally entitled "The Satanic Temple 2: Electric Boogaloo" and "Satanic Washington – Archived Temple Chapter" had a likelihood of impairing the distinctiveness of TST as a famous mark. To-wit:

- (1) "The Satanic Temple 2: Electric Boogaloo" directly copies "The Satanic Temple;" and "Satanic Washington – **Archived Temple Chapter**" (emphasis added) directly suggests that the Washington Chapter has been replaced by Defendants' competitor organization.
- (2) TST has an inherently distinctive mark because there is only one "The Satanic Temple," Plaintiff, which has acquired distinctiveness as a mark through years of effort.
- (3) There is only one "The Satanic Temple" because TST jealously guards its intellectual property rights.



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Defendants Nathan Sullivan, Leah Fishbaugh, and David Johnson.



Satanic Antifascism logo and variants