

# Fauci Ordered to Turn Over Documents in Lawsuit Alleging Government Collusion with Social Media Companies



A [lawsuit](#) against the federal government – Anthony Fauci in particular – from the Attorneys General of [Missouri](#) and [Louisiana](#) has been brewing for a good part of the summer of 2022. The issue concerns the censoring of certain high-level experts on social media, three of whom are senior scholars of the [Brownstone Institute](#). We know for sure that this censorship began early in the pandemic response and included exchanges between Fauci and then head of NIH Francis Collins, who called for a “quick and devastating takedown” of the Great Barrington Declaration.

At issue is whether and to what extent the government itself has had a hand in encouraging tech companies to squelch speech rights. If so, this is unconstitutional. It flies in the face of the First Amendment. It never should have happened. That it

did required arduous legal means to expose and, hopefully, stop.

The Framers guaranteed that Congress would make no law “abridging the freedom of speech, or of the press.” The Constitution never allowed an exception for an administrative bureaucracy answerable not even to voters to collaborate with large-scale private corporations to obtain the same result by other means. It’s still a violation of free speech.

It is of course true that any private company can regulate itself and make terms of use. But matters are different when its managers directly collude with government agencies to distribute only information of high priority to administrative bureaucrats while censoring dissident voices at the behest of the government and its interests.

In order to determine if that happened, courts need access to full information on precisely what was going in their circles of communication. On September 6, U.S. District Judge Terry Doughty released a decision that [orders the government](#) to give up information relevant to the case and do so in 21 days.

*Dr. Fauci’s communications would be relevant to Plaintiffs’ allegations in reference to alleged suppression of speech relating to the lab-leak theory of COVID-19’s origin, and to alleged suppression of speech about the efficiency of masks and COVID-19 lockdowns. (Karine) Jean-Pierre’s communications as White House Press Secretary could be relevant to all of Plaintiffs’ examples.*

*Government Defendants are making a blanket assertion of all communications to social media platforms by Dr. Fauci, and Jean-Pierre based upon executive privilege and presidential communications privilege. Plaintiffs concede they are not asking for any internal White House communications, but only external communications between Dr. Fauci and/or Jean-Pierre and third-party social media platforms.*

*This Court believes Plaintiffs are entitled to external communications by Jean-Pierre and Dr. Fauci in their capacities as White House Press Secretary and Chief Medical Advisor to the President to third-party social media platforms....*

The initial complaint was filed May 5, 2022, and can be [read in full here](#). It includes vast evidence of collusion between government officials and social media companies. But the government answered by claiming some kind of executive privilege and would not fork over information.

An [amended complaint](#) added the fireworks: It documented that 50 government officials in a dozen agencies were involved in applying pressure to social media companies to censor users, reports [Zachary Stieber](#) of [The Epoch Times](#).

That second filing might have flipped the switch and resulted in the judge's decision to pull no punches. Indeed, it is a remarkable [document](#), reproducing vast amounts of correspondence between government agencies and Facebook, Google and Twitter.

What you see here is not antagonism but obsequious friendship: ongoing, relentless, guileless, as if nothing could be wrong here. They knew what they believed to be the problem voices and were determined to stamp them out. And that target included the documented censorship of top scientists associated with Brownstone Institute along with thousands of other credible experts and regular citizens who disagreed with the government's extreme policy response to Covid.

[Martin Kulldorff](#), [Aaron Kheriaty](#), and [Jay Bhattacharya](#) are represented in the filing by the [New Civil Liberties Alliance](#) with Jenin Younes leading the legal team for the scientists. Within weeks, we'll have a better sense of whether and to what extent these individuals were the targets directly and how many other accounts were named in takedown orders. For

example, we know for sure that Naomi Wolf, another writer for Brownstone, was [directly named](#) in correspondence between the CDC and Facebook.

All of this went on for the better part of two years, during which time the First Amendment was a dead letter insofar as it concerned Covid information on platforms that are overwhelmingly dominant on the Internet. Through those means, individual citizens were restricted in their access to a diversity of views and instead inhabit a world of censorship and tedious hegemonic exhortation that have seriously hurt the credibility of the platforms that cooperated.

Finally we see courts coming around to the view that government needs to be held accountable for its actions. It is happening far too little and far too late but at least it is happening. And at long last, we might gain a clearer look into the mysterious works of Fauci and its imperial reign over American public health during the worst crisis for constitutional rights in many generations.

*Originally published on the [Brownstone Institute](#).*