



## Federal magistrate judge recommends ruling against neo-Nazi's motion to dismiss SPLC case

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A U.S. magistrate judge recommended today that the SPLC's lawsuit against neo-Nazi leader Andrew Anglin be allowed to go forward, rejecting [Anglin's](#) claim that his orchestration of a terror campaign against a Jewish woman was protected by the First Amendment.

Anglin had moved to have [the case](#) dismissed on the grounds that he was simply exercising his free speech rights when he urged readers of his neo-Nazi website, the Daily Stormer, to harass Tanya Gersh and her family, who live in Whitefish, Montana.

U.S. Magistrate Judge Jeremiah C. Lynch thought otherwise. His [recommendation](#), however, won't be final until reviewed by U.S. District Judge Dana L. Christensen, who could modify, reject or adopt it in full.

"The magistrate judge concluded that the Constitution does not authorize someone to launch an online campaign of hate and terror directed at an individual and her family," said David Dinielli, the SPLC attorney leading the case. "The ruling is eminently sensible. What kind of a world would it be if people could terrorize others with impunity?"

Gersh was pleased by the ruling, which the SPLC believes to be the first of its kind.

“I feel an incredible amount of relief that the judge sees that the terrorism inflicted on me and my family is not protected by the First Amendment,” Gersh said. “This is an important next step in my fight to ensure that this never happens to anyone else again.”

The 2017 lawsuit describes how Anglin published dozens of articles urging his followers to launch a “troll storm” against Gersh, a real estate agent in Whitefish. The Gersh family, including Tanya’s 12-year-old son, received hundreds of intimidating and threatening messages, including emails, phone calls and postcards.

The lawsuit, filed in the U.S. District Court for the District of Montana, Missoula Division, seeks compensatory and punitive damages. It accuses Anglin of invading Gersh’s privacy and intentionally inflicting emotional distress. It also outlines how his campaign violated the Montana Anti-Intimidation Act.

The Daily Stormer, which takes its name from the Nazi propaganda sheet *Der Stürmer*, is the leading extremist web forum in the country. It also promoted the deadly “Unite the Right” white supremacist rally in Charlottesville, Virginia, last August.

## **‘Let’s Hit Em Up’**

The terror campaign began in December 2016 after Anglin accused Gersh of attempting to extort money from the mother of white nationalist leader Richard Spencer. Gersh had offered to help the woman sell a building in Whitefish after residents of the town planned a demonstration there to protest Spencer’s activities. Anglin and Spencer are both prominent leaders of the “alt-right” movement.

“Tell them you are sickened by their Jew agenda,” Anglin wrote under the headline “Jews Targeting Richard Spencer’s Mother for Harassment and Extortion – TAKE ACTION!” The post included

Gersh's contact information. It also included photographs of Gersh, her husband and son. One was altered to include a yellow Star of David with the label "Jude" – an allusion to the emblem the Nazi regime required Jews to wear during World War II.

Anglin launched his campaign with these words: "Let's Hit Em Up. Are y'all ready for an old fashioned Troll Storm? Because AYO – it's that time, fam."

One message received by Gersh included an image of her being sprayed with a green gas, along with the words: *Hickory dickory dock, the kike ran up the clock. The clock struck three and the Internet Nazis trolls gassed the rest of them.*

There were also phone calls that consisted only of the sound of gunshots.

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