

Lawsuit Against David Daleiden Is Dropped

With their client now facing potential federal criminal indictments for trafficking aborted baby body parts for enormous profits, the attorneys representing StemExpress suddenly have dropped their lawsuit against the Center for Medical Progress' founder, David Daleiden.

The Life Legal Defense Foundation's executive director, Alexandra Snyder, issued the following statement:

Life Legal is thrilled that StemExpress has dropped its meritless lawsuit. We have always maintained that the allegations raised in the lawsuit were baseless and that the suit was only filed to punish David Daleiden for exposing the truth about the StemExpress' role in the illegal trafficking of fetal body parts.

Life Legal had been representing Daleiden in court with assistance from the Freedom of Conscience Defense Fund. StemExpress was previously represented by the high-priced Chicago-based McDermott, Will and Emery law firm, which withdrew from the case in August despite objections from StemExpress CEO Cate Dyer's objections.

Daleiden and CMP issued the following statement:

StemExpress, the for-profit company that was one of Planned Parenthood's biggest contractors to harvest and sell aborted baby body parts, is dropping its lawsuit against The Center for Medical Progress and walking away with nothing.

CMP's undercover videos exposed StemExpress in July 2015 as a major illegal vendor of aborted fetal organs and tissue from some of the biggest Planned Parenthood affiliates in the country. StemExpress advertised to abortion clinics that

supplying fetal tissue would be “financially profitable” and this advertisement was endorsed by Dr. Dorothy Furgerson, Chief Medical Officer of Planned Parenthood Mar Monte where StemExpress harvested and purchased body parts. StemExpress’ longtime Medical Director, Dr. Ronald Berman, was also an abortion doctor at Planned Parenthood Mar Monte.

StemExpress, Planned Parenthood Mar Monte and Planned Parenthood Federation of America have been referred by the Senate Judiciary Committee and the House Energy & Commerce Committee’s Select Investigative Panel to the FBI and U.S. Department of Justice for criminal prosecution. The sale or purchase of human fetal tissue is a federal felony punishable by up to 10 years in prison or a fine of up to \$500,000 (42 U.S.C. 289g-2).

StemExpress sued CMP in late July 2015, seeking an unconstitutional prior restraint on speech with a preliminary injunction gag order to prevent the release of undercover video of a business dinner with its Founder and CEO, Cate Dyer. In the video, Dyer made several shocking admissions about StemExpress obtaining fully intact fetuses from abortion cases, seeking “another 50 livers a week” from a “volume institution” like Planned Parenthood, and asserting that supplying fetal tissue should be “profitable” for abortion clinics.

Dyer’s recorded statements corroborated the whistle-blower interview testimony of Holly O’Donnell, who worked as a procurement technician at StemExpress in Planned Parenthood clinics and observed profit motive between StemExpress and Planned Parenthood and the harvesting of intact fetuses.

StemExpress’ request for a gag order was denied in August 2015, and CMP released the footage. Less than a month after the release of the video, StemExpress counsel at McDermott, Will & Emery first approached CMP seeking a settlement in the case, and less than a year later, McDermott, Will &

Emery withdrew from representation of StemExpress. The House Select Investigative Panel has since reported that StemExpress was engaged in widespread document destruction shortly after they filed their lawsuit, in violation of document retention rules and Congressional subpoenas.

“StemExpress was the first of Planned Parenthood’s accomplices to file a retaliatory lawsuit against citizen journalists and the first to seek an unconstitutional prior restraint on our First Amendment rights to speak and publish,” notes CMP Project Lead David Daleiden. “Now, the video is out for all the world to see, StemExpress faces criminal referral in multiple jurisdictions, and they are walking away from their own lawsuit empty-handed.

“This victory for free speech and citizen journalism was made possible by our masterful and indefatigable legal representation in this case by Chuck LiMandri at the Freedom of Conscience Defense Fund and Katie Short at Life Legal Defense Foundation. StemExpress’ surrender sends an unmistakable message to Planned Parenthood, the National Abortion Federation, and all their political cronies who would dare to attack the First Amendment to cover up their crimes.” {eo}