

STATE OF NORTH CAROLINA  
CRAVEN COUNTY

**FILED**  
2018 MAY 14 P 3:36  
CRAVEN COUNTY, N.C.  
*d*

THOMAS WATTS, BY \_\_\_\_\_  
**Plaintiff,**

v.

LAURIE RUSHING,  
**Defendant.**

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

—CVS—  
**18CV500633**

**COMPLAINT  
(JURY TRIAL DEMANDED)**

Plaintiff, complaining of Defendant, alleges and says:

**PARTIES, JURISDICTION, AND VENUE**

1. Plaintiff, Thomas Watts (“Plaintiff” or “Watts”), is an adult citizen and resident of Craven County, North Carolina.
2. Upon information and belief, Defendant Laurie Rushing (“Defendant” or “Rushing”) is a citizen and resident of Garland County, Arkansas.
3. This Court has jurisdiction over the parties, as Plaintiff is a resident of North Carolina and Defendant has sufficient minimal contacts with the State of North Carolina such that litigating this suit does not offend traditional notions of fair play and justice.
4. This Court has jurisdiction of the subject matter of this action, and the amount in controversy is more than \$25,000.00.
5. Venue is proper in Craven County.

## FACTUAL ALLEGATIONS

6. Plaintiff Thomas Watts is a Captain in the United States Marine Corps who grew up in and around Hot Springs, Arkansas, before joining the Marine Corps.
7. Plaintiff was married to Defendant's daughter, Tara Watts (née Rushing) ("Mrs. Watts"), whom he met while both attended school in Hot Springs, Arkansas.
8. The couple resided in North Carolina on May 17, 2016, when Mrs. Watts died unexpectedly in the couple's home in New Bern.
9. An autopsy determined that Mrs. Watts' cause of death was pneumonia, and Plaintiff relayed this information, via Mrs. Watts' death certificate, to Defendant.
10. Shortly after Mrs. Watts' death, and continuing off and on to this day, Defendant repeatedly has availed herself of the laws and protections of the law in North Carolina by contacting various local, county, and state agencies in North Carolina, even coming to North Carolina to talk to various officials. Defendant's efforts in this regard include, but are not limited to, the following:
  - a. In the months immediately following Mrs. Watts' death, Defendant contacted the Craven County Sheriff's Office to pressure that office into doing further testing and investigation into Mrs. Watts' death, which Defendant suggested was not caused by pneumonia.
  - b. Defendant went so far as to fly herself, her husband, and Defendant's mother to North Carolina to speak to the Craven County Sheriff in person.

- c. Upon information and belief, in or around summer or fall 2016, Defendant had at least one United States Senator contact officials in Craven County in an attempt to further the investigation into Mrs. Watts' death and to cause problems for Plaintiff.
- d. Similarly, in the second half of 2016, Defendant contacted Child Protective Services ("CPS") in North Carolina to file a false report with the agency, claiming that Plaintiff had abused his current wife and was neglecting his children such that the family was in need of state services.
- e. CPS opened an investigation of Defendant's claims, determined them to be unsupported or unsustained, and closed the file without any action taken vis-à-vis Plaintiff or his family.
- f. Around this same time, Defendant called a North Carolina State Representative and pushed that Representative to contact the CPS investigator and to intervene on Defendant's behalf.
- g. Because of Defendant's actions regarding North Carolina Department of Health and Human Services/CPS, the state contacted Plaintiff's children's daycare, Plaintiff's employer (the United States Marine Corps), and Plaintiff's wife's employer; Plaintiff and his wife had to meet with a North Carolina social worker to refute Defendant's allegations.
- h. Defendant also—either directly or through someone acting on her behalf—attempted to contact the Governor of North Carolina in late 2016 in an effort to put pressure on the authorities regarding Mrs. Watts' death.

- i. Ultimately, due to the constant contact and pressure from Defendant, the Craven County Sheriff's Office undertook much additional testing and investigation into Mrs. Watts' death, at great taxpayer expense, and returned a finding that Mrs. Watts had died of natural causes, just as the medical examiner had previously stated.
  - j. These results were relayed to Defendant.
  - k. In January 2017, Defendant contacted the New Bern Sun Journal to complain, via a letter to the editor, about how the Craven County Sheriff's Office had handled the investigation into Mrs. Watts' death.
  - l. In late 2017/early 2018, Defendant reached out to Chip Hughes, candidate for Craven County Sheriff, telling Mr. Hughes that she had "had dealings with" the current Sheriff, that the current Sheriff "did not do his due diligence" in investigating Mrs. Watts' death, and that Defendant hoped Mr. Hughes would be elected.
  - m. In early 2018, Defendant posted on her personal Facebook page, sharing the January 27, 2017 letter to the New Bern Sun Journal and writing, in pertinent part, "Thank you to all of those from North Carolina that have reached out to me! We are still pushing the issue!"
11. On or about February 20, 2018, Defendant, speaking to a group of people in a video posted online, stated falsely, "My son-in-law killed my daughter, so now he doesn't want me to see my grandkids."
12. Defendant's assertion that Plaintiff "killed [her] daughter" is patently false.

13. The death of Tara Watts was a traumatic tragedy in Plaintiff's life.
14. Defendant made this allegation about Plaintiff in pursuit of her continuing pattern of blaming others for her daughter's death and accusing North Carolina authorities of covering up and/or failing to properly investigate the death.
15. Defendant's comment was cruel, willful, and wanton conduct to an excessive degree—accusing a decorated United States Marine of murdering his own wife went beyond all possible bounds of decency; was atrocious, extreme, and outrageous; and is utterly intolerable in a civilized community.
16. Because Plaintiff still has friends and family in the area, Defendant knew or should have known that her accusations about Plaintiff murdering Tara Watts were likely to cause Plaintiff grief, embarrassment, and emotional distress.
17. Defendant intended to cause Plaintiff grief, embarrassment, and emotional distress.
18. Defendant's accusations did cause Plaintiff grief, embarrassment, and emotional distress.
19. Defendant has no factual basis whatsoever for the statement that Plaintiff killed Tara Watts.
20. Defendant's false statement that Plaintiff killed Tara Watts has been refuted by the New Bern Sheriff's Office and medical examiner, which have concluded that Mrs. Watts died of natural causes.
21. Defendant's false statement blatantly accused Plaintiff of a reprehensible felony crime of manslaughter or murder.
22. Defendant knew the statement was false at the time she made it.
23. Defendant had no reasonable belief in the truth of her accusation at the time she made it.

24. The statement has affected Plaintiff's reputation by casting him as an evil criminal who got away with the murder of his own wife.
25. Any third-party listener to the defamatory statement was likely to cast aspersions upon Plaintiff and to form an unfavorable opinion of him because of the gruesome and despicable nature of the allegation.
26. Defendant made the false defamatory statement for the purposes of injuring Plaintiff's reputation and causing Plaintiff emotional harm.
27. Defendant accomplished her purposes of injuring Plaintiff's reputation and causing Plaintiff emotional harm.
28. Even if Defendant did not intend to cause Plaintiff emotional harm, Defendant knew or should have known that the statement was extremely likely to cause emotional harm and proceeded to make the defamatory statement despite this fact.

**FIRST CAUSE OF ACTION**  
**[Defamation *Per Se*]**

29. The preceding paragraphs are re-alleged and incorporated by reference as if fully set forth herein.
30. Defendant's February 20, 2018 allegation that Plaintiff "killed [her] daughter" is, alone and without innuendo, an accusation that Plaintiff has committed an infamous and reprehensible crime: killing his own wife.
31. Defendant communicated (published) this false statement to dozens of people at the same time, and the statement remains available on Facebook at <https://www.facebook.com/HSCRepublicanParty/videos/10155576848763073/>.
32. The defamatory statement is false.

33. Defendant's false statements about Plaintiff amount to defamation *per se* under North Carolina law as an accusation that Plaintiff committed an infamous crime.
34. Defendant had knowledge that the defamatory statement was false, but made it anyway.
35. In the alternative, Defendant had no reasonable belief as to the truth of the statement about Plaintiff, but made it anyway.
36. Defendant made her false statement with willful and wanton disregard for the truth, as her statement was not only false but was directly contradicted by the medical examiner's conclusions, the Craven County Sheriff's conclusions, and all available evidence.
37. Defendant knew that Plaintiff had friends, family, and acquaintances in the area, and she intended to harm Plaintiff's reputation by making the defamatory statement.
38. Proximately, solely, and directly as a result of Defendant's statements about Plaintiff, Plaintiff has suffered injury to his reputation, humiliation, embarrassment, anxiety, and other emotional distress.
39. By law, malice and damages are presumed for defamation *per se*, and Plaintiff seeks damages in an amount to be determined by a jury, but believes the damages to be in excess of \$25,000.00.

**SECOND CAUSE OF ACTION**  
**[Intentional Infliction of Emotional Distress]**

40. The preceding paragraphs are re-alleged and incorporated by reference as if fully set forth herein.
41. By falsely accusing Plaintiff of killing his wife in a false and defamatory manner, Defendant knew and intended that Plaintiff would be emotionally harmed.

42. By falsely accusing Plaintiff of killing his own wife, Defendant engaged in conduct that went beyond all possible bounds of decency; her conduct was atrocious, extreme, and outrageous, and is utterly intolerable in a civilized community.

43. Plaintiff was emotionally harmed by Defendant's conduct; such harm has manifested in the fact that Plaintiff has been forced to revisit and relive the emotional trauma that he underwent in 2016 when he discovered his 29-year-old wife dead in their home.

**THIRD (ALTERNATIVE) CAUSE OF ACTION**  
**[Negligent Infliction of Emotional Distress]**

44. The preceding paragraphs are re-alleged and incorporated by reference as if fully set forth herein.

45. Defendant knew or should have known that, by falsely accusing Plaintiff of killing his own wife, Plaintiff would be emotionally harmed.

46. That Plaintiff would be emotionally harmed by Defendant's statement was highly foreseeable because it is common knowledge that falsely blaming a widower of killing his deceased wife is likely to cause the widower emotional harm.

47. Despite this fact, Defendant proceeded to defame Plaintiff by falsely accusing Plaintiff of killing his own wife.

48. As a direct and proximate result of Defendant's actions, Plaintiff was emotionally harmed; such harm has manifested in the fact that Plaintiff has been forced to revisit and relive the emotional trauma that he underwent in 2016 when he discovered his 29-year-old wife dead in their home.



**FOURTH CAUSE OF ACTION**  
**[Punitive Damages]**

49. The preceding paragraphs are re-alleged and incorporated by reference as if fully set forth herein.
50. Defendant is liable to Plaintiff for compensatory damages in connection with one or more of the above-listed causes of action.
51. In publishing the defamatory statement that Plaintiff killed his own wife, Defendant acted with malice toward Plaintiff.
52. Plaintiff's other, continued actions in North Carolina regarding the death of her daughter, and her other comments about suspicions about Plaintiff, demonstrate a pattern of ire and hatred toward Plaintiff, which motivated her to defame Plaintiff.
53. The evidence of Defendant's malice toward Plaintiff is clear and convincing.
54. Plaintiff also made her statements in a willful and wanton manner, choosing to defame Plaintiff despite have no evidence or basis for believing that Plaintiff killed his own wife.
55. The evidence of Defendant's willful and wanton conduct is clear and convincing.
56. Plaintiff seeks punitive damages in an amount to be determined by a jury, and he specifically avers "malice" and "willful or wanton conduct" as the aggravating factor(s) to support an award of punitive damages pursuant to N.C. Gen. Stat. § 1D-15(a).

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays that the Court grant him the following relief:

1. That Plaintiff have a jury trial on the issues presented in this Complaint;
2. That Plaintiff be awarded damages for Defendant's defamation *per se* in an amount to be proven at trial, but believed to be in excess of \$25,000.00;

3. That Plaintiff be awarded damages for the emotional harm Defendant caused to Plaintiff in an amount to be proven at trial, but believed to be in excess of \$25,000.00;
4. That Plaintiff be awarded punitive damages due to Defendant's malicious, willful, and wanton conduct in connection with these claims;
5. That Plaintiff be awarded his costs and reasonable attorneys' fees incurred in this action;  
and
6. That Plaintiff be awarded any and all such other and further relief the Court deems just and proper.

Respectfully submitted this 11 day of May, 2018.

LORD LAW FIRM, PLLC



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Harrison A. Lord, State Bar No. 36236

[HAL@askLEGALNC.com](mailto:HAL@askLEGALNC.com)

Kevin G. Sweat, State Bar No. 52951

[KGS@askLEGALNC.com](mailto:KGS@askLEGALNC.com)

1057 East Morehead Street, Suite 120

Charlotte, NC 28204

704-750-1404 (phone)

704-943-3779 (fax)

*Attorneys for Plaintiff*