

7. Because this action derives from a continuing pattern of actions committed by the plaintiff, Luther Sutter, META and Sutter & Gillham P.L.L.C., jurisdiction and venue are proper in this Court.
8. META will claim jurisdiction is in California due to their terms of service in Facebook's contract with Sutter and Mullen but META's contract terms with Sutter and Mullen do not override State Jurisdiction.

FACTS OF THE CASE

9. The Plaintiff, Luther Sutter, has brought this case alleging Defamation and False Light against Mr. Mullen and Trista Jones, specifically related to information posted on Facebook by Mr. Mullen and Ms. Jones that Sutter claims is both false and malicious. Mr. Mullen claims anything he has published on Facebook is based off of research obtained from court proceedings in the state of Arkansas, and or information received from former clients and or current clients of Mr. Sutter. Everything Mr. Mullen has published is either the truth; allegations of wrongdoings alleged in court proceedings, and or the personal opinion of Mr. Mullen based on those findings and protected 1st Amendment Free Speech.
10. For years Mr. Mullen has been using the social media website, Facebook, to communicate and interact with the concerned citizens of Jonesboro, Arkansas, and Craighead County, concerning matters of public interest involving government corruption.
11. Citizens, aka "tipsters", bring Mr. Mullen information about police misconduct and Mr. Mullen conducts research on the allegations, forms opinions based on that research and then publishes articles he writes on Facebook as a way to inform and educate and bring awareness to the public.
12. For years now Mr. Mullen has posted the results of his investigations, reviews, and opinions, on a large Facebook group he was the administrator of. The title of the group changed over the years but the last title of the group before it was "taken down" was: "Jonesboro's Best Yard Sale and News Group". As of March 2025, that group had approximately 85,000 members, most of them citizens of Jonesboro and the surrounding area. Mr. Mullen also occasionally posted his stories to another Facebook group operated by Stan Morris, a local news reporter in the Jonesboro area. Mr. Morris operates two large Facebook groups, 1) NEA Report and 2) NEA Report News Group. Each of those groups have approximately 17,000 members.

13. Prior to October 2024, the relationship between Luther Sutter and Thurstle Mullen was an amicable relationship. Mr. Mullen enjoyed following the numerous court cases that were trending in the news and on Facebook where Mr. Sutter, as the attorney of record, was featured presenting his client's case to the public, announcing he had filed lawsuits on behalf of his clients against municipalities, police departments, and police officers.
14. During those times Mr. Mullen even recommended Mr. Sutter to citizens who he believed had a case and had asked him to help them find a lawyer for their case.
15. Mr. Mullen used his Facebook groups to publish stories about personal and professional misconduct involving police officers employed by the City of Jonesboro. Former Detective Paul J. Williams, (demoted to a patrol officer as a result of some of Mr. Mullen's reporting) was a subject of Mr. Mullen's investigations. Mullen's coverage of Officer Williams began earlier than 2024 but things began to heat up in the early months of 2024 and came to boil in September and October 2024, when due to Mr. Mullen's reporting, the small business owned and operated by Paul Williams and his wife, Amber Williams, Lamb and Lion Child Care Center was forced to go out of business.
16. By late September 2024, Lamb and Lion Child Care Center was in deep financial trouble and some of that blame rested on the "tips" Mr. Mullen was getting from current employees alleging that they were receiving payroll checks that were being declined for insufficient funds which by no fault of their own was then causing the employees to also suffer financial hardships and bounced checks. When Lamb and Lion's payroll check bounced so did the checks the employees had sent out to pay their own bills.
17. Additional claims by former employees was that they were being denied unemployment wages and being told by the unemployment office staff that Lamb and Lion was a "church" and was not required to pay into the fund therefore there was no fund for them to draw on. No less than 6 former employees claimed they were denied UE wages. Employees also claimed their Federal Income Taxes were either being held up or that they had not received their W2 forms from Lamb and Lion months into the next tax year and were given bogus excuses as to why their W2 forms were late. It turned out the Williamses had fraudulently claimed Lamb and Lion was a "non-profit", or "church" organization so they could defraud the State Unemployment Office and hang onto those funds they otherwise would have to send to the state. The Williamses were pocketing those funds as ill-gotten profits.

18. Mr. Mullen reported this fraud to the UE Fraud Office in Little Rock and as a result of Mr. Mullen's investigation, the State of Arkansas Unemployment Fraud Division conducted its own investigation and confirmed that the Williamses had violated the law and took action to "bring them into compliance". To Mr. Mullen's astonishment.... The State took no criminal action against this clearly criminal conduct.
19. Just in case it's not clear by now, the owner of Lamb and Lion Child Care Center, Paul J. Williams is a certified police officer working for the City of Jonesboro and committing these criminal offenses and getting away with it.
20. From 2022 through 2024, Mr. Mullen received numerous tips claiming the Williamses were writing HOT CHECKS to pay the rent on their commercial business locations and on their private residence. Those HOT CHECKS were for amounts well into the FELONY LEVEL.
21. In September 2023, Paul Williams, at the time a detective with the Jonesboro Police Department, was ordered by a Craighead County Circuit Court Judge to immediately pay (THAT DAY) \$3200.00 dollars to his ex-wife as part of a partial payment of arrears in their domestic case. Detective Williams then wrote his ex-wife a personal check for \$3200.00 dollars. Over the course of the next 4 weeks, that check was declined no less than 3 times.
22. After numerous attempts to cash that check, Detective Williams' ex-wife finally filed a criminal complaint against him. Instead of being charged with a felony, Detective Williams was provided special consideration and allowed to make good on that check.
23. One property manager sent Mullen a message claiming to have received no less than SIX checks, each written for \$6000.00 dollars, that failed to clear the Williamses bank account. That property owner stated that he didn't file criminal charges against the Williams because he did the "Christian thing" and allowed them time to make it good. Finally, the Williams just stopped paying rent altogether. The landlord was forced to sue for unlawful detainer in a case where it took months and costs tens of thousands of dollars to evict the Williams and their child care business, leaving owing approximately \$36,000.00 dollars in rent arrears and damages. What do you want to bet they did not claim that on their tax returns?

24. No less than 3 separate commercial landlords have had to evict the Williamses and their scam business and their fake charities. One landlord was left with a loss of over \$140,000.00 dollars in rent arrears and damages. What do you want to bet the Williamses did not claim that as income on their tax returns?
25. In September 2024, as Lamb and Lion Child Care Center was spiraling into default and going out of business, Amber Williams "retained" Luther Sutter to represent her.
26. On September 30, 2024, Luther Sutter sent Mullen a Facebook message that said, "Amber Williams has retained me to look into your allegations. Will you tell me the source please?" Mr. Mullen refused to disclose his sources.
27. Mr. Sutter sent Mr. Mullen a message instructing him to preserve all communications from all sources concerning the Williamses as he intended to file suit against Mr. Mullen on behalf of his client.
28. Due to this NEW DEVELOPMENT and threats of being sued, any friendly relationship that existed between the two parties ceased on that day.
29. A few weeks later, in October 2024, Mr. Mullen was informed by sources inside BP Fabrication LLC, where Amber Williams worked as a controller of corporate funds, Amber Williams had been TERMINATED after it was discovered she had used her trusted position to steal corporate funds in the amounts of at least \$45,000.00 dollars. The time period for the theft of funds spanned over two years but increased during the time period that her child care business was failing and during the time she hired Luther Sutter to represent her by paying him a retainer.
30. Mr. Mullen notified Mr. Sutter that Amber Williams was terminated and being accused of embezzlement of corporate funds from her full-time job and informed him that it was likely she had used that money to hire Mr. Sutter. Mr. Sutter was given the opportunity to investigate on his own and return the stolen funds to the rightful owners. He refused to do so.
31. During the months of November and December 2024, Mr. Mullen posted several stories pertaining to the termination of Amber Williams for embezzlement. In those stories Mr. Mullen called upon Luther Sutter to do the right thing and return the stolen funds given to him on retainer by Amber Williams. He refused to do so.

32. Instead, Mr. Sutter, along with others on Facebook, decided to go on the attack against Mr. Mullen and use Facebook as his platform to “discredit” Mr. Mullen. Sutter began by posting two news clips he found online about Mr. Mullen. One news clip included the “mugshot” of Mr. Mullen from an arrest in November 2015, where it was clear in the story that Mr. Mullen was attacked, “sucker punched” by an assailant at a Jonesboro nightclub and Mr. Mullen fought back. Instead of discrediting Mr. Mullen, the post caused the public to rally for Mr. Mullen and against Mr. Sutter. When this dastardly attempt failed to discredit Mr. Mullen, Sutter gave it another shot.
33. A second attempt by Mr. Sutter to discredit Mr. Mullen was a news clip from a newspaper publication out of Batesville, Mississippi, where it was clear charges against Mr. Mullen were DISMISSED with PREJUDICE, upon a motion by Mr. Mullen’s counsel, effectively ruling that the charges against Mr. Mullen were without merit. Mr. Sutter, in his post, stated... “Mr. Mullen is a convicted stalker!”
34. As a self-described highly respected licensed attorney with over 30 years’ experience, Mr. Sutter contended that Mr. Mullen was a “convicted stalker” even though the article he used to back up his claim clearly states the charges against Mr. Mullen were DISMISSED with PREJUDICE. When confronted in the comments section by Mr. Mullen and after having his attention directed at the Dismissal with Prejudice, Sutter doubled down on his accusations, stating that since Mullen was “convicted in Justice Court, and appealed to Circuit Court that then dismissed with Prejudice, Mr. Mullen was still a “convicted stalker”. Any “well respected” attorney would know that an appeal from Justice Court and or District Court means the judgement is SET ASIDE as if it never happened... that court loses jurisdiction upon the perfection of the appeal and the judgement is null and void. When Mr. Mullen pointed out that the article clearly stated the charges were dismissed... and that “With Prejudice” means the charges can’t be brought against Mr. Mullen ever again, Sutter publically stated again that Mullen was a “convicted stalker”.
35. Mr. Sutter’s TWO POSTS on Mr. Mullen’s own Facebook group, were made for malicious purposes, in False Light, and with the intent to harm the reputation of Mr. Mullen. Sutter made every effort to encourage readers of Mr. Mullen’s page to turn against Mr. Mullen. When he saw that his attempts had

the opposite effects than he intended, he deleted one of the articles he posted after it went viral with over 28,000 views and thousands of comments aimed against Mr. Sutter.

36. During this same time, December 2024, Mr. Sutter continued to claim on Facebook that he was going to sue Mr. Mullen on behalf of his client, Amber Williams, and made threats of legal actions against anyone else commenting under Mr. Mullen's posts about him or his client. To this date, July 2025, Mr. Sutter, has failed to follow through on any threat of a lawsuit on behalf of his client, Amber Williams, proving that his threats were hollow and nothing more than an attempt to bully, harass, and intimidate Mr. Mullen and his followers. However, his online threats did have a chilling effect of the members of Mr. Mullen's group by scaring many of them away from making any sort of comment.
37. **THE TRUTH COMES OUT:** On January 29, 2025, Amber Williams was arrested and charged with two felonies, each having to do with the theft of corporate funds, \$45,000.00 dollars, while she was employed by BP Fabrication. The time period of her thefts included the time she "retained" Mr. Sutter. The charging instrument stated that she'd used BP checks and credit cards to pay bills for her small business and other "personal expenses". It should have said that some of that money was used to pay Mr. Sutter's retainer.
38. While the official charging document states that she stole approximately \$45,000.00 dollars, Mr. Mullen has received additional information that the amount actually is in the neighborhood of \$145,000.00 dollars.
39. In October 2024, after Mr. Sutter threatened Mr. Mullen with a litigation hold notice, Mr. Mullen started digging into the background of Mr. Sutter, starting by reviewing online news articles and court records that were easily available on COURT CONNECT. Allegations of no less than 9 criminal acts in one particular case were levied against Sutter by attorneys for the defense. The judge even said on the record he was reporting Mr. Sutter to the Board of Professional Conduct. Additional cases outlined claims of malpractice, negligence, and subterfuge on Mr. Sutter's part. Mr. Mullen started publishing his findings on Facebook and people started taking notice of the shenanigans of Mr. Sutter. Former and current clients of Mr. Sutter started reaching out to him about their own complaints about the quality and effectiveness of his representation in their cases. One of those clients was Trista Jones.

40. Apparently Mr. Sutter did not like the negative reporting Mr. Mullen was posting on Facebook about him and demanded Mr. Mullen removed those stories and threatened Mullen that he would sue him if he refused. When Mr. Mullen refused to remove any negative posts or comments about him, Mr. Sutter filed suit against Mr. Mullen on January 15, 2025.
41. TRISTA JONES, the other defendant Sutter has sued for defamation: In multiple text messages sent to Mullen, Trista Jones accused Sutter of a multitude of misconduct ranging from threats to drop her as a client if she did not accept a plea offer, in other words, bullying her into submission, to ignoring her requests for discussions on her case, to overcharging her when deducting for his fee. She has even accused Sutter of forging her signature on the Fee Agreement Contract.
42. As soon as Mr. Mullen posted on Facebook that an unnamed client was accusing Sutter of taking more from a settlement than the agreed upon percentage, (no name included), Mr. Sutter immediately, late on a Saturday night, started texting Trista Jones, accusing her of "defaming" him and threatening to sue her if she didn't retract her accusations. NOTE: Mr. Mullen did not disclose any name in his story, however Mr. Sutter somehow knew exactly WHO to start his campaign of intimidation and bullying tactics against because she had been sending him text messages about the overcharge.
43. The next day after Sutter's late night assault on Trista Jones, Trista called Mullen begging him to delete the story because Sutter was threatening to sue her. Mullen refused. Later, when Trista Jones realized Sutter was just trying to scare her and decided not cave into his intimidation tactics, Sutter, amended his defamation suit on January 17, 2025, adding her as a co-defendant. To this date, July 2025, Sutter has taken no action to actually prosecute his claim against Trista Jones even though it was her who accused him of lying on his fee agreement AND she has not filed a response to his lawsuit. It's as if she's been forgotten, or better yet, his intent to sue her was nothing more than an intimidation tactic and when it didn't work he moved on and forgot about her.
44. From the initial filing of the Defamation Suit against Mr. Mullen on January 15, 2025, through June 2025, Mr. Sutter has continued his campaign of threats and intimidation tactics against Mr. Mullen and anyone else who'd dare say anything NEGATIVE about or against Mr. Sutter on Facebook. Sutter has continued to drop in on Mr. Mullen's posts and comments, even when those posts and or comments had nothing to do with him, and leave comments threatening Mr. Mullen. One comment made his

intent clear when he stated, *"I am going to quietly win a judgement against you, pursue you through bankruptcy, and make sure you never bully anyone again. Tick Tock... your thirty days are running out."* Additional comments made by Sutter in his attempt to intimidate my readers, Sutter writes, *"I am going to depose every single one of these folks and they will have you to thank for it!"* Clearly this comment was directed at my readers who were interested in that story and not at me and designed by Sutter to put fear into the hearts of my followers. His threats to use the COURTS and his highly respected legal license to coerce, intimidate, threaten, bully and compel them to refrain from making ANY COMMENT about him that he didn't like were designed to cause them to think twice before exercising their right of free speech and right to assemble. In another comment on Facebook, Sutter writes, *"If Stan approves a single one of your posts, I will sue him too! My guess is he declines your posts,"*. This comment was clearly NOT MEANT for Mr. Mullen but instead meant for Stan Morris. Sutter threatened Mr. Morris with a lawsuit if Mr. Morris allows even ONE POST by Mr. Mullen to be posted on his group is yet but another example of the unethical conduct Luther Sutter is willing to stoop to to silence his critics. Clearly Mr. Sutter thinks he can use the Courts to suppress not only Mr. Mullen and his free speech but also the Press by threatening lawsuits and depositions.

45. In March 2025, soon after Mr. Sutter threatened to get Facebook to "take down" Mr. Mullen's group "Jonesboro's Best Yard Sale and News Group" he succeeded and Facebook did his bidding. No valid explanation was given other than a cryptic message from Facebook that Mr. Mullen had violated Facebook's Community Standards. After Facebook took down that group Mr. Sutter made several comments taking credit and BRAGGING online for everyone to see that he was responsible for the group being taken down. When Mr. Mullen responded to Mr. Sutter's braggadocios comments that he'd just create a new group, Sutter wrote that he'd get those groups taken down too.
46. In May, 2025, Mr. Mullen's main profile, one he has had since 2007, was suspended by Facebook for 28 days. No explanation given. Mr. Mullen has a secondary profile by the same name and continued to publish and comment on another group operated by Mr. Mullen using the secondary profile.
47. In June 2025, Mr. Mullen published a story to Stan Morris' group about a police officer who was now working for Trumann Police Department. This story was unrelated to Mr. Sutter in any way.

48. The Lana Turner video: Two years prior, on June 16, 2023, Lana Turner, a 70yr old grandmother, was assaulted by former Jonesboro Police Officer, Will Tate. Lana had arrived at a traffic stop scene to pick up her grandkids who were upset and crying in the backseat of a car while their parents were outside the car being interviewed by police officers of Arkansas State University. She approached and asked who was in charge? Jonesboro Police Officer Will Tate, who had responded since the ASU Police were outside their jurisdiction, replied to her inquiry that he was. When she asked if she could get her grandkids from the car he told her no she could not. There was a bit of an argument as to why not. He ordered her to return to her car. As she was turning and walking away she told him she was calling 911 on him. He was "offended" apparently and approached her from behind as she walked away in compliance of his order, and slapped her cell phone out of her hand to the ground, then slammed her against the SUV and forcefully slammed his left forearm into the side of her neck, injuring her. He cuffed her, placed her in a squad car where she sat for several minutes, before he came to her and gave her a "tongue lashing" before letting her go. When she filed a complaint with the police department asking for the records of that event, she received a letter stating that she could still be charged with 3 misdemeanors from that night AND there was a photo of Officer Tate's arms showing scratches along with a more ominous threat that she could be charged with a FELONY for assaulting a police officer. Obviously these threats from the police department served their purpose because it instilled fear and apprehension into Lana Turner and she dropped her pursuit for justice and accountability. There was a lady standing on the balcony overlooking the traffic stop and she had a video of the event and forwarded that video to Mr. Mullen in October 2023, 4 months after the event unfolded. Over the next 20 months Mr. Mullen posted that video and Lana's story no less than 5 times on his and on Stan's Facebook groups. During those months, Will Tate left the Jonesboro PD and went to work for the Craighead County Sheriff's office as a deputy two months after being disciplined for tasing and arresting a man without probable cause. This action was hidden from the public and not discovered until June 2025. Neither the Jonesboro Police Department leadership nor the Sherriff took any action against Will Tate for his criminal assault against Lana Turner. However, in June 2025 things changed when Mr. Mullen discovered Will Tate was now employed with Trumann Police Department.

49. On June 12, 2025, Mr. Mullen posted the Lana Turner video on NEA Report News Group and Stan Morris approved the post and video. In that post Mullen warned the citizens of Trumann, Arkansas, that a rogue cop was now patrolling their streets. They watched the video. They got very upset and the post made its way to the Chief of Police. Within Two HOURS Tate was suspended pending an internal review. The next day Tate was TERMINATED from the Trumann, Police Department. The actions of the Trumann Police Department in suspending and then terminating Officer Will Tate was published by Stan Morris on his news groups of which Luther Sutter is an active member.
50. On the same day Tate was terminated from the Trumann Police Department, after reading about Tate's termination AND viewing and reading Mr. Mullen's published story about Lana Turner, Luther Sutter sent one of his "lackeys" to Lana Turner's address soliciting her business. Mr. Mullen was on the phone with Lana Turner when his lackey pulled up in her driveway and approached her. Mr. Mullen heard him introduce himself when he said he works for an attorney out of Little Rock, Luther Sutter, and he was there to talk to her about her case. Mr. Mullen got Lana Turner's attention on the phone and instructed her to tell him to get lost.... AND recommended she not do business with Luther Sutter.
51. Soon after that encounter, Mr. Mullen created a comic strip story and published it on his Facebook group and taking credit for steering Lana Turner away from Luther Sutter. Within a few days of that publication by Mullen taking credit for depriving Sutter of that potential client, Facebook permanently and completely blocked Mr. Mullen main profile, let's call that Thurstle #1, from their platform and offered no explanation at all as to why it took such severe actions.
52. By permanently disabling Mullen's main profile, Facebook's system COMPLETELY removed everything Mr. Mullen has ever posted, commented, created, stored, shared on Facebook under that profile. Within 48 hours of permanently disabling Thurstle #1, Facebook BLOCKED, removed, deleted, permanently disabled Thurstle #2.
53. Prior to Facebook blocking BOTH PROFILES, Luther Sutter has made direct comments under posts and or comments made by Mullen taking credit for getting Facebook to "take down" Mullen's groups and within just a few days of Mullen creating a comic strip post portraying Lana Turner kicking "Looter Sooter's lackey to the curb" Facebook completely blocked both profiles.

54. By his own words, posted on Facebook, Sutter claims responsibility for getting Mullen's groups and or profiles "taken down". It's clear he has taken action by contacting Facebook either via his personal phone-number and or using devices located at his Law firm to contact and communicate directly with Facebook for the purposes of silencing any public or private criticism of him. This illegitimate and unethical maneuvering by Sutter is intended to deprive Mullen of the use and enjoyment of the social media platform he has used and enjoyed for over 17 years to share his life story with his family and friends and to share his activism and advocacy for citizens who have valid complaints against the agencies of the government and feel ignored, unseen, unheard, and tossed aside with no way to get justice.
55. The actions described above by Sutter and Facebook amounts to a CONSPIRACY to work together to deprive, defraud and silence Mr. Mullen in the lawful exercise of his constitutional rights.
56. It is because of Sutter's own claims where he has bragged and taken credit for getting Facebook to take down Mullen's groups and personal profiles that this Counterclaim-Cross Complaint against him, and the Law firm he owns, SUTTER & GILLHAM, P.L.L.C.; and META PLATFORMS, Inc, is warranted and is necessary to protect the rights of Mr. Mullen.
57. These actions by Sutter and META to BLOCK Mr. Mullen arise out of a new and a continuing conspiracy of behavior that has occurred as recently as mid-June 2025, weeks and or months after Mr. Mullen's responses to the lawsuit were filed, therefore Mullen is entitled to file this Counter-claim and Cross-Complaint more than 30 days after his original responses to the lawsuit without leave of the court.

COUNT ONE: DEFAMATION

58. Mr. Mullen is a well-respected licensed registered nurse of 30 years, specializing in intensive care settings, pre-operation and post-operation recovery, and neuron-trauma nursing care of the ill and injured. Mr. Mullen is also a well-respected citizen journalist and activist with an established following of thousands of people on social media who enjoy getting their dose of opinionated news, backed by facts, from Mr. Mullen on Facebook.

59. Beginning December 2024, Plaintiff posted on Facebook TWO ARTICLES followed by numerous comments about Mr. Mullen that Mr. Sutter, as a licensed attorney, knew were false and misleading.
60. Mr. Sutter's first attempt to discredit Thurstle Mullen on Facebook was when he posted Thurstle Mullen's mugshot. The text associated with the image posted by Mr. Sutter on Facebook states Mr. Mullen was arrested after a fight at a Jonesboro nightclub. Mr. Sutter's own comments as part of that post read, *'Here's the famous Thurstle Mullen. Be sure to listen to him. He is the smartest guy in the room. If you don't believe it, ask him.'* He ended with a link to the news article where it clearly stated that Mr. Mullen was "attacked and sucker punched" while at a nightclub. This post was published on a group controlled by Mr. Mullen. Instead of deleting the post and blocking Mr. Sutter for his offensive actions, Mr. Mullen chose to respond and defend his reputation against the attempted smear by Mr. Sutter. Over 28,000 views, and thousands of comments followed and it was clear the tide was against Mr. Sutter instead of the other way he intended.
61. When his first attempt didn't work, Sutter gave it another shot two days later in another attempt to smear and discredit Mr. Mullen, Again Mr. Sutter published his second attempt on Mr. Mullen's group. Mr. Sutter shared a screenshot from a news article in Batesville, Mississippi. Mr. Sutter's own text with his post went like this, *"So, from his stalking convictions in Mississippi to his reprimands by the State Board of Nursing, Thurstle Mullen posts regularly "evidence" of corruption. But do you know that all of these posts arise from One of Thurstle's many interactions with the law? You see, Thurstle sued the City of Jonesboro claiming excessive force. He couldn't find a lawyer so he filed the lawsuit himself. So, he had to dismiss the lawsuit. All of his posts are aimed at revenge. Be careful, Thurstle! Remember you agreed to not comment on your stalking conviction in social media In the meantime, my work here is done."* In two separate parts of his comment above Mr. Sutter double downs and claims Mr. Mullen has "stalking convictions" in Mississippi. When Mr. Mullen pointed out that the same article clearly states that ALL CHARGES were DISMISSED with PREJUDICE, Mr. Sutter double downs again in comments under this post that Mr. Mullen stands convicted of those charges, which, as an experienced, 30 years, well-respected, attorney, Mr. Sutter knew or should have known that his statements were false, and defamatory and yet he continued to attempt to discredit Mr. Mullen using this false narrative.

62. Sutter's comments are false, defamatory, and were published with malice or, at minimum, reckless disregard for the truth.
63. Sutter's statements accuse Mullen of professional misconduct by referencing "reprimands from the Board of Nursing." when in fact there is only ONE REPRIMAND, not "reprimands" and that was for the event where Mullen was attacked at the nightclub and fought back.
64. Sutter's posts and comments on Facebook were nothing more than a directly attempt to impugn Mullen's honesty, integrity, and fitness to practice nursing.
65. Sutter's FALSE ACCUSATIONS against Mr. Mullen, stating he is still a "convicted stalker" is nothing more than a blatant lie and misrepresentation of the facts of that case. He is fully aware that charge, as well as any other charges in that case against Mr. Mullen in Mississippi were DISMISSED with Prejudice. As an experienced attorney, he knows or should have known that a dismissal with prejudice is seldom if rarely used when the prosecution moves to dismiss a case and decides not to prosecute. The use of that manner of dismissal would indicate to any person with his knowledge and training that the charges were not only unsubstantiated but also false. In fact, as part of that offer to dismiss the charges against Mr. Mullen, the prosecutor wanted Mr. Mullen had to agree not to pursue civil action against his accuser, in return, the prosecutor offered to dismiss the charges with prejudice. It was well known that Mullen intended to sue his accuser for malicious prosecution and defamation. In fact, the prosecutor acted as her attorney in securing a release from civil prosecution.
66. In numerous comments on Facebook, Mr. Sutter has alleged that Mr. Mullen's posts and comments about other individuals who were subjects of his stories were in fact defamatory and indicated that he was standing by and ready to represent any and all of those who wished to file suit against Mr. Mullen. However, none of those lawsuits have materialized. Obviously another attempt to silence Mr. Mullen that failed.
67. Most recently, in a comment posted in June 2025, Mr. Sutter even wrote on Facebook that he's been approached by "many potential clients" seeking to hire him to sue Mr. Mullen for defamation. Mr. Sutter went on to say, "I told them they couldn't afford me."

68. Mr. Sutter has encouraged the public not to read, believe, have faith in, or follow Mr. Mullen. Mr. Sutter has even posted a comment on Facebook clearly intended to silence Mr. Mullen's followers by threatening to "depose every single person who comments under one of Mr. Mullen's posts."
69. Sutter's statements were made publicly on a social media platform accessible to countless individuals, including Mullen's colleagues, friends, followers, clients, potential clients, potential employers and members of the public.
70. Sutter's false and defamatory statements have caused substantial harm to Mullen's personal and professional reputation, resulting in emotional distress and economic damages, including loss of business opportunities.
71. Followers who have read Mr. Sutter's posts and comments have questioned Mullen about these comments, and Mullen has had to explain to them that Mr. Sutter habitually posts lies to discredit, smear and defame Mr. Mullen so that Sutter can change the narrative and public perception of the stories written by Mr. Mullen.
72. Sutter, who personally notified Mr. Mullen that he must maintain and preserve all posts or comments as he would be subpoenaing this material, has himself deleted his own posts and or comments in an attempt to destroy evidence that could be used against him.
73. By deleting evidence of his own defamation, Sutter's actions were, and are, willful, wanton, and conducted with the intent to destroy evidence of his own defamatory behavior.
74. Mr. Sutter has made false and defamatory statements about Mullen including, but not limited to, accusing him of lying in his posts and or comments without substantiating any of his accusations, accused Mullen in engaging in unethical conduct, and being convicted of the crime of stalking. When given the opportunity to retract or defend his comments, he instead doubled down on them.
75. Sutter's statements were published to third parties without privilege or justification.
76. Sutter's statements were defamatory per se, as they accused Mullen of professional misconduct and criminal activity, which are inherently injurious to Mullen's reputation.
77. Sutter's statements were made with actual malice or, at a minimum, reckless disregard for the truth.
78. As a direct and proximate result of each Sutter's defamatory statements, Mullen has suffered damages including, but not limited to, loss of reputation, humiliation, emotional distress, and economic harm.

79. Sutter's false and defamatory statements placed Mullen in a false light before the public, portraying him as dishonest, unethical, and unfit to practice nursing.
80. The false light in which Sutter placed Mullen would be highly offensive to a reasonable person.
81. Sutter acted with actual malice in publishing the false statements or, at a minimum, with reckless disregard for their falsity.
82. As a result of each Sutter's actions, Mullen has suffered damages, including harm to his reputation, emotional distress, and economic loss.

COUNT TWO- TORTIOUS INTERFERENCE WITH CONTRACT RIGHTS

83. Mr. Mullen has had a Facebook account since 2007, under his name, Thurstle Mullen. Let's call that Thurstle #1. Mr. Mullen has had a second Facebook account under his name since approximately 2010. Let's call that Thurstle #2.
84. Facebook considers its members to have a "contract" with Facebook, subject to the rules set out by Facebook in Meta's Terms of Service to which every member agrees to when creating their Facebook account(s) and using the service. Therefore, a "contract" exists between Mr. Mullen and META.
85. Mr. Mullen has for years published controversial stories about police misconduct, government corruption and in some cases, misconduct by private businesses located and operating in and around the Jonesboro, Arkansas area.
86. Mr. Mullen has, on occasion, had his profile accounts "suspended" by Facebook for various lengths of time, ranging from 3 day suspensions to 28 days' suspensions, with notice from Facebook claiming Mr. Mullen had either posted something that violated its community standards OR as admin of one of his many groups, allowed a member to post something that went against its community standards.
87. When this happens, Facebook sends a message to Mr. Mullen stating his account or group has been temporarily suspended, sometimes without actually displaying what exactly the offending post or comment was, making it impossible for anyone to understand or comply with Facebook's own rules.
88. More often than not, when Mr. Mullen's groups or profile was suspended, he was offered the "Appeal Option" and selected to do so with the result being a response from Facebook that the post or comment had been "reviewed" and found to NOT VIOLATE Facebook's community standards and the suspension lifted as a result of the review.

89. It's not until the dispute with Luther Sutter began that Mr. Mullen began to receive notice from Facebook that his groups and his profiles were being suspended and his appeals were denied.
90. In March 2025, Mullen's group, Jonesboro's Best Yard Sale and News Site, was permanently banned by Facebook for "violating community standards." Facebook FAILED to include the specific reason that warranted such severe punishment.
91. At the same time this happened, Mr. Sutter was posting comments on Facebook that he was going to get Mr. Mullen's group "taken down" and or taking credit for getting them taken down.
92. In May 2025, Facebook suspended Mr. Mullen's main profile, Thurstle #1, for 28 days. The suspension was scheduled to come off on June 28, 2025.
93. In comments posted on Facebook, Mr. Sutter again bragged and took credit for having Mr. Mullen's profile suspended by Facebook, and as he had before, he made it clear he would continue to have Facebook block any other attempts by Mr. Mullen to use Facebook as his platform to report on Luther Sutter.
94. Mr. Mullen appealed the suspension and received notice from Facebook that the appeal was denied. (Take Note: prior to the involvement of Mr. Sutter, most if not every time Facebook suspended Mr. Mullen's group or profile, it reversed action when Mr. Mullen lodged an appeal).
95. On or about June 13, 2025, Mr. Mullen published a new comic strip about LOOTER SOOTER. It was a story about how the lawyer character, LOOTER SOOTER, sent his lacky to see Lana Turner and was turned away. Within a few days of publishing that comic strip, Facebook notified Mr. Mullen that his Thurstle #1 profile was permanently banned from Facebook. (Remember... Thurstle #1 was already suspended for 28 days and therefore could not have committed any violations of Facebook's community standards.) Two days later Mr. Mullen received another notice that Thurstle #2 was also permanently banned from Facebook. Mr. Mullen resorted to using a pseudonym, David Chance, to post on Facebook, and a few days Facebook permanently banned that profile too.
96. All of these actions from Facebook were facilitated at the request of Mr. Sutter and designed to silence Mr. Mullen's voice on Facebook. Mr. Sutter illegitimately and maliciously coerced Facebook into becoming his accomplice and helping him achieve his goal of ridding himself of his #1 critic

- online and proving to any other citizens that he had the power, reach and ability to do the same to any others who dared to write anything negative about him on any social media platform.
97. Facebook has become Sutter's HAMMER to use against his critics. Every member on Facebook knows it's nearly impossible to actually get in contact with a real person at Facebook when they have a complaint. IT'S NOT FOR LUTHER SUTTER! As a licensed attorney with 30 years' experience suing Municipalities, Police Departments, police officers, and PRIVATE Corporations, Mr. Sutter has the means, motive and opportunity to connect with the right persons employed at Facebook and get them to do his bidding. By his own words and comments on Facebook, Mr. Sutter takes credit for, brags about, and toots his own horn giving himself credit in getting Mr. Mullen's groups "shut down" *by Facebook*. He's boasted several times that he would get any and every group formed or used by Mr. Mullen in the future shut down.
98. The actions of Mr. Sutter have interfered with and damaged the "contractual agreement" Mr. Mullen has had with Facebook for over 17 years and is a prime example of tortious interference with contract rights.
99. Due to the malicious and illegal interference, Mr. Sutter has also deprived Mr. Mullen of advertising income on Facebook and has caused Mr. Mullen to lose money he had paid Facebook for Marketplace advertising. When Facebook permanently blocked Mr. Mullen's profile, it did so at a time when Mr. Mullen had paid for an advertising campaign to sell a boat. Mr. Mullen did not receive a refund of that money.
100. Tortious interference with contract rights can occur when one party (Mr. Sutter) persuades another party, (Facebook) to breach its contract with a third party (Mr. Mullen) by using blackmail, threats, influence, and or threats of litigation. Sutter's track record of threatening people with depositions and or lawsuits are habits of his to get the response he is looking for. It's reasonable to believe that Sutter did the same thing in this instance with Facebook. The actions by Mr. Sutter amounts to an unlawful interference with the contractual agreement between Mr. Mullen and Facebook and has resulted in harm to his reputation, emotional distress, and economic loss.
101. Mr. Sutter has committed tortious interference with the business relationship that existed between Mr. Mullen and Facebook. Tortious interference with business relationships occurs where the

tortfeasor, Sutter, intentionally acts to prevent someone, Mullen, from successfully establishing or maintaining business relationships with others, Facebook. Mr. Sutter knowingly took an action that caused Facebook to cancel a business relationship with Mullen that otherwise would probably have continued but for Mr. Sutter's actions.

102. All of the accused wrongs committed by Mr. Sutter occurred in his personal and official capacity as a managing member of the Law firm, Sutter & Gillham, P.L.L.C., and was conducted during business hours, using corporate office space, corporate computers, corporate telephone services, and corporate support staff of the Law firm. Therefore, the law firm of Sutter & Gillham, P.L.L.C., shares some or all of the liability for the wrongful and willful acts of Luther Sutter.

COUNT FOUR: Conspiracy to Defraud.

103. Mullen restates and incorporates by reference the allegations contained in paragraphs 1 through 103 as if fully set forth herein.
104. META PLATFORMS Inc, and Luther Sutter conspired to coordinate their efforts together to defraud Mr. Mullen of his rightful and contractual use of the social media platform, Facebook.
105. Mr. Sutter was in direct or indirect contact with personnel within Facebook/Meta and together concocted a scheme to get Mr. Mullen and his groups blocked, "taken down" off Facebook.
106. Since Mr. Sutter could not silence Mr. Mullen's online criticism by suing him, he concocted a plan to get Mr. Mullen removed from Facebook altogether by soliciting the help of the moderators at Facebook. Sutter convinced, either by threats of adding Facebook to the lawsuit or other methods, Facebook that it was in their best interest to take his side against Mr. Mullen. Sutter's modus operandi.... "Cooperate or else I'll sue you too!"
107. Once Mr. Sutter was able to establish personal contact with an employee inside Facebook, all he had to do then was "speed dial" his way into getting Mr. Mullen's profiles and or groups suspended every time Mr. Mullen posted a new story about him or a new comic strip. Each time Mr. Mullen simply used another profile or a different group to continue writing about Mr. Sutter, Mr. Sutter simply had to reach out to his Facebook contact and get the results he bragged about online in comments touting his own ability to get Mr. Mullen, "shut down again."

108. Each time Sutter reached out to Facebook, Facebook did his bidding, until the final act of permanently disabling Mr. Mullen's profiles without warning or justifiable evidence or giving Mr. Mullen the same courtesy they were extending to Mr. Sutter. This amounted to a "conspiracy to defraud" Mr. Mullen's contractual rights, his free speech rights, and due process. It was as if Facebook WORKED FOR Luther Sutter. Just as Sutter seeks to have this court do his bidding, he solicited and obtained the cooperation of Facebook in aiding him in silencing Mr. Mullen.
109. Mr. Sutter used wrongful and deceitful deception in his contacts with Facebook were done with the sole intent to deprive Mr. Mullen of his constitutional rights to speak and voice his opinion about Mr. Sutter and by doing so Sutter seeks to gain personally or financially against Mr. Mullen.
110. Mr. Sutter used Intentional deception in order to persuade Facebook to part with its business relationship with Mr. Mullen.
111. Facebook and Sutter have agreed to work together to deprive Mullen of his rights or privileges guaranteed by the Constitution, which includes the capacity to express oneself freely, especially on public forums like social media.
112. Facebook's complicity was to take action based on the illegitimate reporting by Sutter and block Mr. Mullen's content, groups and profiles.
113. Sutter played his part in the promotion of the conspiracy by reporting, and or contacting Facebook directly whenever Mr. Mullen posted or commented anything that Mr. Sutter felt reflected negatively upon his person or business. The actions by Sutter and Facebook demonstrate that their intent was to illegitimately suppress or censor Mr. Mullen's legal and legitimate exercise of his rights to free speech.

COUNT FIVE: SPOILIATION OF EVIDENCE

114. Mullen restates and incorporates by reference the allegations contained in paragraphs 1 through 113 as if fully set forth herein.
115. Sutter notified Mr. Mullen and directed him to preserve all posts, comments, text messages, social media accounts, associated with this dispute. Mr. Sutter himself has deleted his own posts defaming Mr. Mullen.
116. Now that Sutter has succeeded in convincing his accomplice, Facebook, to permanently suspend Mr. Mullen's groups and profiles, the same discovery evidence Mr. Sutter warned Mr. Mullen to preserve

is now gone. None of the posts and or comments that Mr. Sutter has instructed Mr. Mullen to preserve are now available to Mr. Mullen or Mr. Sutter. Any and all Facebook messenger app messages that refer to these matter are now gone. Any message sent from either Mr. Sutter or Mr. Mullen, to or from each other, that may be subpoenaed for this lawsuit are all now gone. Every group, every post, every comment made by Mr. Mullen using any of his profiles, for the past 17 years, is now GONE.

117. By default, every post, and comment made by Mr. Sutter or anyone else for that matter under any post or comment made by Mr. Mullen is now gone.
118. Facebook, in response to their conspiracy to cooperate with Mr. Sutter and deprive Mr. Mullen of his privileges to use the social media platform known as Facebook has now not only deprived Mr. Mullen of the free exercise thereof, but also deprived Mr. Mullen AND Mr. Sutter, of the ability to conduct discovery so Sutter and or Mullen can use any and all posts and or comments to either prosecute this lawsuit or defend against it. That's not possible now.
119. Sutter and Facebook knew, or should have known, that their actions would constitute the illegal act of "spoliation of evidence" in this matter.
120. This court should order Facebook to pay sanctions and return the groups, profiles, comments, text messages to Mr. Mullen and any and all other relief available to this court in this matter.

DAMAGES

121. Mullen has suffered the following damages as a result of each of the cross defendants' actions: loss of personal and professional reputation; emotional distress, embarrassment, and humiliation; economic damages, including loss of clients and business opportunities; and, costs and expenses incurred in addressing and mitigating the harm caused by Luther Sutter, Sutter & Gillham P.L.L.C., and META PLATFORMS's actions.
122. Mullen is entitled to compensatory damages in an amount to be determined at trial.
123. An order from the court stating that the cross-defendant's conduct was willful, malicious, and egregious, warranting an award of punitive damages to deter such conduct in the future.

124. An order AND INJUNCTION against Facebook ordering Facebook/META to return all groups and profiles to Mr. Mullen, including texts in messenger, and refrain from taking punitive actions that will deprive Mr. Mullen and or Mr. Sutter from producing and providing discovery requests of materials and information posted on Facebook by either party.

JURY DEMAND

125. Mullen prays for a trial by jury.

PRAYER FOR RELIEF

WHEREFORE, THURSTLE MULLEN, respectfully requests that this Court enter judgment in his favor and award the following relief:

1. Compensatory damages in an amount to be determined at trial;
2. Punitive damages in an amount sufficient to deter Sutter, Sutter and Gillham P.L.L.C., and META Platforms Inc, and others from engaging in similar conduct;
3. Pre-judgment and post-judgment interest as allowed by law;
4. Costs and attorneys' fees incurred in this action;
5. Declaratory Judgement that Luther Sutter is a public figure to deter him from filing another defamation suit when citizens and or Mr. Mullen posts additional negative publicity about him online in the future.
6. Such other and further relief as the Court deems just and proper.

Respectfully submitted,

Thurstle Mullen,

Thurstle Mullen
Defendant, Pro Se
108 North Purdy Avenue
Marshfield, Wisconsin 54449
ph #: 901-485-7074

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing was placed in the US MAIL to the plaintiff, Luther Sutter, and to Sutter and Gillham, PLLC, listed below on this 11th day of July, 2025.

Thurstle Mullen

108 North Purdy Ave.
Marshfield, Wisconsin, 54449
901-485-7074

Luther Sutter
SUTTER & GILLHAM, P.L.L.C.
Attorneys at Law
1501 N. Pierce Suite 105
Little Rock, Arkansas, 72207
501/315-1910 Office
501/315-1916 Facsimile
Attorneys for the Plaintiff

Certificate of Service

I, Thurstle Mullen, hereby certify that a true and correct copy of the above and foregoing was placed in the US Mail to the Cross-Defendant, META PLATFORMS, Inc, on this 11th day of July, 2025.

Corporation Service Company
META PLATFORMS, Inc.
1 Meta Way
Menlo Park, California, 94025

Thurstle Mullen

Thurstle Mullen
108 North Purdy Ave.
Marshfield, Wisconsin, 54449