

COMPLAINT

I. NATURE OF THE ACTION

1. This action is brought by Colonels (Ret.) L. Morgan Banks, III, Debra L. Dunivin, Larry C. James and Drs. Russell Newman and Stephen Behnke (collectively, the Plaintiffs) against attorney David H. Hoffman (Hoffman) and his law firm Sidley Austin LLP and Sidley Austin (DC) LLP (Sidley) and the American Psychological Association (APA) (Hoffman, Sidley and the APA collectively, the Defendants). It asserts claims of defamation *per se*, defamation by implication, and false light.

2. The lawsuit arises from an independent review and report commissioned from Hoffman and Sidley by the APA (Hoffman Report or Report)¹. The review was prompted and guided by claims that, in the aftermath of 9/11, the APA colluded with the Bush administration, the Central Intelligence Agency (CIA) and the U.S. military to support torture.

3. More specifically, the review was sparked by the 2014 publication of those claims in the book *Pay Any Price: Greed, Power and Endless War* by James Risen, who at the time, was a *New York Times* reporter. According to the APA Board of Directors' resolution authorizing the review, it was to consider the claims of collusion and, in particular, to focus on three specific allegations made by Risen.

¹ Three versions of the Hoffman Report were published or republished on nine occasions. Publicly available copies circulated and published by Hoffman and Sidley and republished by APA include a version published on the *Times*' website on July 10 (<http://www.nytimes.com/interactive/2015/07/09/us/document-report.html>). The APA also republished a version of the Report on its website on July 10 (<http://www.apa.org/independent-review/APA-FINAL-Report-7.2.15.pdf>), and a revised version on September 4 (<http://www.apa.org/independent-review/revised-report.pdf>). For ease of reference, all three will be referred to collectively as the Report(s) or Hoffman Report(s). Each of those documents is hereby incorporated by reference. Upon request, Plaintiffs will provide the Court with a printed copy of each of the Reports and their over 6,000 pages of exhibits.