

PAID FOR BY MELALEUCA  
OCTOBER 25, 2015

# The Community Page

## IT TOOK 2½ YEARS BUT WE FINALLY HAVE THE TRUTH!

**THE HISTORY** In February 2005, the *Post Register* ran a six-day series called “Scouts’ Honor.” The story was about Brad Stowell, a pedophile who had molested Scouts in 1997, and Adam Steed, who became a hero by exposing him. The story needed to be told. It went out under the byline of Peter Zuckerman, but the Executive Editor, Dean Miller, who had a reputation among many of often trying to paint LDS church members in a bad light, chose to write the story in a way that suggested that Scout leaders, the pedophile’s LDS Bishop and the pedophile’s mother were actually to blame for some of the pedophile’s actions.

**TRISH AND HALLI SHOW** Within days, a radio talk show program, the Trish and Halli Show, revealed that the reporter, Peter Zuckerman, was a gay man, and suggested that his bias was because of the Boy Scouts’ ban on gays becoming Scout leaders. Immediately after the talk show program, Zuckerman wrote that his boyfriend had lost his job because his boss learned he was gay and that Zuckerman had been harassed and started receiving threats. He wrote that twice someone came to his home and woke him up in the middle of the night “to find out the truth.” The emails coming in to the *Post Register* were so numerous that his editor had to write a form letter to answer questions of whether Zuckerman’s sexual orientation had caused him to be biased. It’s important to note that Zuckerman wrote about his boyfriend’s job and the harassments long before Melaleuca wrote anything about the Scouts’ Honor series on its Community Page.

**MELALEUCA HIRES THOMSEN STEPHENS** The community was reeling in the controversy. Many were suspicious that portions of the six-day series were not accurate. At this point no one knew what the truth really was. It was such a controversy that Melaleuca CEO Frank VanderSloot hired the law firm Thomsen Stephens to investigate and find out what the facts really were. The facts were easy to find. There was a trail of depositions, affidavits, court hearings and many witnesses. After six weeks, the attorneys came back to Melaleuca with their findings: they reported that the story that the *Post Register* told about Brad Stowell was true, but many other portions were very misleading.

**THE COMMUNITY PAGE** On June 5, 2005, Melaleuca reported in its Community Page what the attorneys had uncovered. Melaleuca argued that there were many inaccuracies and unfair accusations in the Scouts’ Honor series but Melaleuca defended Peter Zuckerman’s motives stating that although we felt the stories were inaccurate, it was absolutely unfair to suggest that Peter Zuckerman intentionally wrote false things about the Scouts because he was gay.

We did not expect what happened next!

**DEAN MILLER’S FABRICATION** Dean Miller, the Executive Editor of the *Post Register*, was angry. He later responded by fabricating a story that Peter’s boyfriend lost his job because of the Community Page, even though he was well aware that the boyfriend had lost his job several months before that Community Page was written. Miller was also aware that prior to the Community Page, the Trish and Halli show had attacked Peter’s sexual orientation for weeks. In fact, prior to the Community Page, Peter Zuckerman had written that everywhere he went people were asking about his sexual orientation and that Dean Miller himself had to write a form letter to answer all of the emails that were pouring in from the public asking questions about Peter’s sexual orientation. Peter Zuckerman also wrote that the Idaho Falls community knew he was gay prior to the Community Page, and “everywhere I went people were asking if the rumors were true.” And that’s when Melaleuca stepped in to defend him. Dean Miller knew that. Yet Miller had the audacity to make up a story that Melaleuca had “outed” Peter Zuckerman and caused Peter harm. That false accusation later did great damage to Frank VanderSloot and to Melaleuca.

**THE ROMNEY DONATION** In January 2012, when a list of large donors in support of Mitt Romney’s Presidential Campaign was published, Frank VanderSloot and Melaleuca were on the list. The liberal magazine *Mother Jones* set out to punish conservatives who donated. *Mother Jones* reporters deliberately tried to dig up as much “sludge” about the donors as they could. *Mother Jones* chose not to contact Frank VanderSloot or Melaleuca or to do much fact-finding at all. Instead, *Mother Jones* rushed to call VanderSloot a “gay basher” because they believed Dean Miller’s fabrication that VanderSloot had “outed” Zuckerman in the Community Page. The following month, Barack Obama’s national campaign headquarters cited the *Mother Jones* article and included Frank VanderSloot as one of the eight “bad guys” on President Obama’s infamous “Enemies List.”

Hundreds of Melaleuca customers canceled their relationship with Melaleuca.

**WALL STREET JOURNAL TO THE RESCUE** The *Wall Street Journal* ran an article exposing President Obama’s Enemies List and pointed out that no President in history had ever created an Enemies List of his opponent’s donors in an apparent effort to cause federal agencies and his supporters to go after those people. Shortly after the Enemies List was published, Frank VanderSloot was audited twice by the IRS and twice by the Department of Labor. The audits turned up nothing, but they were troublesome nonetheless.

**THE NATIONAL PRESS** The story of the federal audits went viral and Frank was asked to appear on several national TV shows around the country where he was asked whether Obama’s Enemies List had been the cause of his many audits. Bill O’Reilly, Megyn Kelly, Neil Cavuto, the *Wall Street Journal*, the Associated Press, Greta Van Susteren, Rush Limbaugh, Glenn Beck and dozens of others picked up the story. Many interviewed Frank personally. Others just told the story. Thousands of customers and potential customers called Melaleuca offering their support. Melaleuca received hundreds of new customers overnight.

But in May 2012, Peter Zuckerman was ambushed on The Rachel Maddow Show. Extreme liberal Rachel Maddow asked him about his version of what happened. For whatever reason, Peter recited the Dean Miller version rather than the story that he had told in his own earlier writings.

### RACHEL MADDOW INTERVIEW

**Rachel Maddow:** What was the impact on your life when Frank VanderSloot ran these full-page ads in your newspaper in Idaho, talking about the fact that you were gay and attacking your reporting?

**Peter Zuckerman:** There was a tremendous impact on me both personally and professionally. Personally, it was really hard, when my boyfriend at the time came home and said, “I don’t have my job anymore. I’m, they know I’m gay. They know about my relationship with you. They don’t want me there anymore.” And that was really hard for him. He got sick soon afterwards and was basically in bed for about a month and I didn’t know how we were going to pay the bills. It was really hard when people started leaving notes on my doorstep, when someone kept calling in the middle of the night threatening to rape me with his handgun.

**Rachel Maddow:** Did all of this happen because you were being discussed on a local radio show or did this happen not until your name appeared in the ad that was run by Mr. VanderSloot?

**Peter Zuckerman:** This did not happen until my name appeared in the ad.

Melaleuca lost more customers!

**DYLAN STONE’S AFFIDAVIT** Later, Zuckerman’s boyfriend, Dylan Stone, disagreed with Zuckerman’s new version of the story. Stone gave the following statement under oath: “Mr. VanderSloot’s comments about Peter Zuckerman did not get me fired from any job nor did they cause me any problems with my employer.”

But, unfortunately, in today’s world, once something gets posted on the Internet, it never comes down. We asked *Mother Jones* and Peter Zuckerman several times to correct the false statements they had made about Frank VanderSloot and Melaleuca. Both refused. We felt we had no choice but to ask the courts to clear our name.

**FINALLY, THE TRUTH** In the end, Frank VanderSloot and Melaleuca were vindicated by Judge Darla Williamson and by Peter Zuckerman himself. Although the judge carefully explained why the *Mother Jones* statements, whether accurate or not, fell under the First Amendment’s protection of freedom of the press, she wrote a scathing opinion of *Mother Jones*, making it clear that no one should ever consider an article by *Mother Jones* as truth. As for Peter Zuckerman’s statements on the The Rachel Maddow Show, his affidavit speaks for itself.

Frank VanderSloot and Melaleuca feel totally vindicated. We appreciate Peter’s courage to correct his statement. We are sorry we had to litigate to get this result. We stand ready to defend the truth when we or others are defamed by the liberal press.

As for Dean Miller’s misstatements...that chapter is yet to be written.

## Timeline of Events

**JUNE 21, 2003** Peter Zuckerman writes about his sexual orientation on the Internet at pointssouth.net.

**JULY 2004** Peter Zuckerman’s boyfriend, Dylan Stone, is fired from his job because he is gay.

**FEBRUARY 27–MARCH 4, 2005** Peter Zuckerman and his editor Dean Miller publish the Scouts’ Honor series in the *Post Register*.

**EARLY MARCH 2005** The Trish and Halli radio show discussed Peter Zuckerman’s sexual orientation for over two weeks.

**MAY 2, 2005** Peter Zuckerman emails Dean Miller requesting Dean Miller’s input on a story that Peter Zuckerman was writing for the National Lesbian and Gay Journalists Association. In the email, Peter informs Dean Miller that Peter’s boyfriend was fired from his job for being gay, that Peter was being harassed because the community found out he was gay and someone had already been ringing his doorbell at night.

**JUNE 5, 2005** Melaleuca publishes the Community Page criticizing the Scouts’ Honor series but defending Peter Zuckerman’s motives.

**SUMMER 2006** Although Dean Miller knew that Dylan Stone was fired for being gay several months before the Community Page ran, Miller

writes an article for *Nieman Reports* stating that Melaleuca “outed” Zuckerman and falsely stating that Stone lost his job because of the Community Page. Amazingly, Miller won the “Mirror Award” and the “C.B. Blethen Memorial Award” for this largely untrue tale.

**JANUARY 31, 2012** Campaign disclosure showing Frank VanderSloot’s \$1 million donation in support of Mitt Romney.

**FEBRUARY 6, 2012** *Mother Jones* seeks to damage Frank VanderSloot’s reputation by publishing Dean Miller’s version of the facts and calling Frank VanderSloot a “gay basher.”

**APRIL 20, 2012** President Obama’s Presidential Campaign cites the *Mother Jones* article and names Frank VanderSloot as one of eight bad guys on the President’s Enemies List. Melaleuca loses customers.

**APRIL–MAY, 2012** The *Wall Street Journal* and Fox News expose the fact that Frank VanderSloot and Melaleuca were being unfairly targeted by the liberal media because Frank donated to Mitt Romney.

**MAY 4, 2012** Rachel Maddow interviews Peter Zuckerman.

**SEPTEMBER 27, 2012** Frank and Belinda VanderSloot travel to San Francisco to present *Mother Jones* executives with the facts and ask them to retract the story. *Mother Jones* refuses.

**JANUARY 29, 2013** Melaleuca and Frank VanderSloot file a lawsuit against *Mother Jones* and later include Peter Zuckerman.

**OCTOBER 6, 2015** Judge Darla Williamson writes her opinion. She rules that the lawsuit against *Mother Jones* was not without foundation and writes a scathing rebuke of *Mother Jones’* “journalism.” *Mother Jones* wins the battle, but Frank VanderSloot and Melaleuca win the war.

**OCTOBER 15, 2015** The Court awards Frank VanderSloot partial summary judgment and states that Peter Zuckerman’s comments on The Rachel Maddow Show were “defamatory *per se*.”

**OCTOBER 19, 2015** Peter Zuckerman provides an affidavit admitting that his statements on The Rachel Maddow Show were not truthful.

**OCTOBER 19, 2015** Frank VanderSloot settles lawsuit with Peter Zuckerman.

**OCTOBER 20, 2015** This chapter in the quest for truth and fairness ends, but in this world of attacks on Christians and conservatives, a new chapter always awaits.

## Fourth District Judge Darla Williamson’s Legal Opinion on Mother Jones

Below is Judge Darla Williamson’s legal opinion as written on pages 52–53 of her ruling in *Melaleuca vs. Mother Jones*:

**Judge Williamson:** “*Mother Jones* describes its articles as ‘smart, fearless journalism,’ ‘ahead of the curve,’ and ‘about reporting.’ **Contrary to its perception of itself, this case illustrates the non-objective bias of *Mother Jones* and its approach in seeking out only the negative to support its position; resorting to sophomoric bullying, and name-calling to lead the reader to adopt its particular agenda.**

“*Mother Jones*’ position that VanderSloot outed Zuckerman in the Idaho Falls area pales in comparison to the outing of Zuckerman by *Mother Jones* on its world wide website and in its tweets. Apparently *Mother Jones* found this acceptable, but not acceptable for VanderSloot to

question the fairness of a gay reporter reporting on issues of pedophiles and the Boy Scouts. *Mother Jones* used Zuckerman’s homosexuality to promote its anti-Romney agenda, without apparent regard for Zuckerman’s feelings.

“In 1791, the First United States Congress proposed the first twelve amendments to the United States Constitution, including the clause (in what later became the First Amendment) guaranteeing that Congress would make no law abridging the freedom of the press. The Founders of this country expected that democracy would thrive only if the press was not hindered in its reporting upon the actions of government and the governors. James Madison, in 1825

wrote: ‘The diffusion of knowledge is the only guardian of true liberty.’

**“But the journalistic model revealed to the Court in the record of this lawsuit is anything but a ‘guardian of true liberty.’ Instead, it is little more than mud-slinging, advertised as journalistic fearlessness, which offers very little in the way of a complete or balanced picture for its readers. Instead of being a leader in educating the people about civil discourse in an era of increased political polarization, the press in general, and *Mother Jones* in particular, leads the way in demonizing, rather than fairly discussing, those whose points of view differ from its own. Instead of the robust debate which**

characterized the state ratifying conventions in 1787 and 1788, and should have been the beacon for future political discourse, Mencimer’s email sheds a sad light upon the media’s bitter practices of *ad hominem* attacks to boost revenue and to focus the reader’s attention only upon the negative, without any balance of any kind. True fearlessness in reporting would allow the readers of this nation to decide the issues for themselves by being given a well-rounded picture of the issue at hand. Slanted journalism fuels only divisiveness. Unlike the Founders’ dreams for this nation, such journalism does not act as a guardian of the democratic republic which gave the press its freedom.”

## Peter Zuckerman’s October 19, 2015, Affidavit

### AFFIDAVIT OF PETER ZUCKERMAN

PETER ZUCKERMAN, after being first duly sworn, deposes and states as follows:

1. My name is Peter Zuckerman. From December 2003 until July 2005, I was a reporter for the *Post Register* newspaper in Idaho Falls, Idaho.
2. In 2005, I wrote a series of articles for the *Post Register* that were critical of how the Boy Scouts of America had dealt with child molestation in the local Grand Teton Council.
3. A radio talk show in Idaho Falls criticized my reporting because of the articles and spent more than 12 hours over a period of two weeks talking about my sexual orientation, accusing me of attacking the Boy Scouts because I am gay, and suggesting that my reporting was biased because the Boy Scouts do not allow gay men to be Scout leaders.
4. Later, in June 2005, Melaleuca’s Chief Executive Officer, Frank VanderSloot, wrote an ad in the *Post Register* called the “Community Page” that also criticized my reporting. Other ads followed. The first ad said, in part:

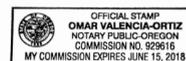
“Much has been said on a local radio station and throughout the community, speculating that the Boy Scout’s position of not letting gay men be Scout Leaders, and the LDS Church’s position that marriage should be between a man and woman may have caused Zuckerman to attack the scouts and the LDS Church through his journalism. It would be very unfair for anyone to conclude that is what is behind Zuckerman’s motives.”

5. I agree with Mr. VanderSloot that there was no evidence that my sexual orientation had anything to do with my approach to the story. It would be unfair for anyone to conclude that it did.
6. I already had spoken and written about my sexual orientation and the radio show in Idaho Falls had discussed the topic long before Melaleuca published the Community Page ads. Clearly, locally, many people knew that I was and am gay before the first Community Page ad came out. But others who had not previously known I was gay learned about my sexual orientation because it was mentioned in the Community Page ads. As a result, some in the community claimed that Melaleuca and Mr. VanderSloot had “outed” me in the Community Page ads.
7. Many years later, when Mr. VanderSloot made a large donation supporting Mitt Romney’s run for President, Mr. VanderSloot’s record, including what Melaleuca had said in the Community Page ad, came under national scrutiny.
8. In May 2012, Rachel Maddow asked me to come on her show and tell my side of the story. During that program, I stated that when I came home one evening after the ads ran, my boyfriend told me he had lost his job because of the Community Page ad and that he and I did not know how we were going to pay the bills. That was what I believed to be true when I said it, but it was not true.
9. My boyfriend at the time did tell me he was fired because of the ads. I believed him. He later posted about it on Facebook. However, those statements turned out to be untrue. My boyfriend had previously been fired from different jobs in Idaho after his employers learned he is gay, but those events occurred before the Community Page ads were published. They involved different employers and had nothing to do with Mr. VanderSloot or Melaleuca. I am

sorry that anyone interpreted my comments to mean that Mr. VanderSloot had anything to do with my boyfriend losing his job. He did not.

10. Shortly after the series of articles I wrote in the *Post Register* ran in February 2005, and prior to the Community Page ad, I received several threats because of my reporting and because of my sexual orientation. Those threats and harassment continued and intensified after the Idaho Falls radio talk show accused me of skewing my reporting on the Boy Scouts because of my sexual orientation.
11. On the Rachel Maddow show, which was taped live, I was asked whether the threats of harassment occurred only after the Community Page ad. My answer could have been clearer. Although attacks I had related to Maddow occurred after the first Community Page ad, many attacks actually started long before the Community Page ad was published. I should have made clear that there had been many attacks before the Community Page ad that criticized my article and that not all of the attacks happened after the ad. I regret that my answer on the Rachel Maddow Show could be seen in an inaccurate way and may have been interpreted to mean that I believed Mr. VanderSloot wanted people to harass me because of the articles. I did not mean to suggest that and I regret the harm caused to Mr. VanderSloot that occurred because of those statements.
12. I did not intend to damage Mr. VanderSloot by giving an answer that could have been seen in an inaccurate way and regret harm that my statements may have caused him and his family.
13. I have heard that some people have described Mr. VanderSloot as a “gay basher,” in part, because of the publication of the Community Page ad. Taking out ads critical of someone’s reporting is not gay bashing in my mind.
14. I have recently learned that Mr. VanderSloot has publicly supported the “add the words” legislative campaign that would give gay, lesbian, bisexual and transgender people in Idaho some basic human rights protections so, for example, we cannot legally be fired from our jobs or kicked out of our homes because of who we are and whom we love. A “gay basher” would not be a strong supporter of such a campaign. I hope Mr. VanderSloot and his companies further their support for this human rights movement.
15. Mr. VanderSloot sent the following statement to the Rachel Maddow Show and it was read to me before I was interviewed: “We came to Mr. Zuckerman’s defense and chastised the talk show for bringing his sexual orientation into the debate. I apologize for any personal pain that he suffered because of our involvement. That was not our intent.”
16. I apologize to Mr. VanderSloot in the same spirit and am glad we can now put this behind us.

I declare under penalty of perjury that the foregoing is true and correct, and that this Affidavit was executed this 17 day of October 2015 at Portland OR.



Peter Zuckerman

The above is the affidavit word for word, but not a photograph of the original document. Highlights have been added.