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California Central District Court
Case No. 2:18-cv-08048-SVW-JC
Vernon Unsworth v. Elon Musk

Document 1



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13
14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**

16
17 VERNON UNSWORTH,
Plaintiff,
18 v.
19 ELON MUSK,
20 Defendant.

Case No. 2:18-cv-8048

COMPLAINT FOR DEFAMATION

21
22 Compliant filed: Sept. 17, 2018
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1 COMES NOW Plaintiff, Vernon Unsworth, and files his Complaint for
2 Defamation against Defendant, Elon Musk, showing the Court as follows:

3 **INTRODUCTION**

4 1. This Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332(a)(2)
5 over this defamation action, which arises out of unlawful, unsupportable, and
6 reprehensible accusations by California citizen Defendant Elon Musk (“Musk”) who
7 falsely conveyed that United Kingdom citizen Plaintiff Vernon Unsworth (“Mr.
8 Unsworth”) is a pedophile and child rapist.

9
10 2. From June 24, 2018, through July 10, 2018, Mr. Unsworth was one of
11 many individuals directly involved in the heroic, and ultimately successful, efforts
12 to extract twelve boys and their soccer coach from Tham Luang Nang Non cave
13 system located in Northern Thailand (the “Cave System”).

14
15 3. As the rescue efforts evolved, what has come to be known as the
16 Thailand Cave Rescue captured the attention of the world.

17 4. From July 15, 2018, to August 30, 2018, Musk periodically utilized his
18 Twitter account and emails to the media to publish to the world false and
19 defamatory accusations against Mr. Unsworth, including accusations of pedophilia.

20
21 5. An accurate timeline of the events relevant to this action is attached
22 hereto as Exhibit A.

23 6. Mr. Unsworth brings this action to hold Musk legally accountable for
24 his wrongdoing and to vindicate his reputation.

25 **THE PARTIES**

26 **Vernon Unsworth**

1 7. Mr. Unsworth is a highly respected caver¹ whose involvement in the
2 Thailand Cave Rescue has been described as instrumental in saving the lives of the
3 young boys trapped in the Cave System.

4 8. In 1971, at the age of sixteen (16), Mr. Unsworth began caving.

5 9. Over time, Mr. Unsworth's passion for exploring caves evolved into
6 surveying and extending caves.
7

8 10. Prior to the Thailand Cave Rescue, Mr. Unsworth had been involved in
9 numerous cave rescues in the United Kingdom ("UK"), including rescues necessary
10 due to flooding, mostly in the 1970s and 1980s as a member of a UK caving club.

11 11. Since his first visit in 2011, Mr. Unsworth has periodically traveled to
12 Thailand where his significant other, Woranan Ratraiwiphukkun ("Ms.
13 Ratraiwiphukkun"), resides.
14

15 12. Ms. Ratraiwiphukkun is a 40-year old owner of a nail salon and she
16 shares a house with Mr. Unsworth in the countryside near Chiang Rai.

17 13. Mr. Unsworth has been regularly exploring and surveying the Cave
18 System since May 2012.
19

20 14. The Cave System was originally believed to be approximately six (6)
21 kilometers long, but is now known to be a ten (10) kilometer cave based on Mr.
22 Unsworth's explorations of the Cave over the past six (6) years.
23

Elon Musk

24 15. Musk is the co-founder, CEO, and product architect of Tesla, Inc.

25 16. Musk is the founder, CEO, and lead designer of SpaceX.
26

27 _____
28 ¹ Caver is a term used to describe an individual who explores or studies caves. Cavers
are also known as spelunkers.

1 17. Musk is the co-founder and CEO of Neuralink.

2 18. Musk is a co-founder of PayPal.

3 19. In December 2016, Musk was ranked 21st on the *Forbes* list of The
4 World's Most Powerful People.

5 20. As of August 2018, Musk was reported to have a net worth of \$20.2
6 Billion and is listed by *Forbes* as the 46th-richest person in the world.

7 21. Since June of 2009, Musk has maintained a Twitter account at
8 @elonmusk.

9 22. At all times relevant to this action, Musk's Twitter account had over
10 22.5 Million followers.

11
12 **FACTUAL BACKGROUND**

13 **The Thailand Cave Rescue**

14 23. On or about June 23, 2018, twelve (12) Thai boys (ages 11 to 16) who
15 were members of a soccer team and their soccer coach entered the Cave System (the
16 "Boys").

17 24. The Boys became stranded and lost in the Cave System as a result of a
18 sudden rainfall that flooded portions of the Cave System and prevented the Boys
19 from being able to exit the Cave System.

20 25. The Boys remained trapped in the Cave System until July 8 through 10,
21 2018, when they were safely rescued as the result of heroic efforts by an
22 international team of divers and other rescuers.

23 26. Unrelated to the soccer team's exploration of the Cave System, Mr.
24 Unsworth was already scheduled to go into the Cave System on June 24, 2018.

25 27. Mr. Unsworth possessed firsthand knowledge of the Cave System from
26
27
28

1 previous surveys he had conducted of the passageway.

2 28. Knowledge of a cave system is extremely important in mounting a
3 rescue operation, both to know the possible exit routes and to know which routes are
4 most likely to be affected by factors such as the weather.

5 29. Beginning around 2:00 a.m. on Sunday June 24, 2018, Mr. Unsworth
6 received telephone calls from his Ms. Ratawiphukkun's father, from Ali Comkeaw
7 (General Director Radio Communications and Rescue Centre Maesai Chaingrai),
8 from Nikorn Phopluechai (President Radio Communications and Rescue Centre
9 Maesai Chaingrai), and also from Hataiwan Patisan (National Park Tham Luang)
10 regarding the missing Boys.
11

12 30. In response to that information, Mr. Unsworth traveled to the Cave
13 System as soon as he could on June 24.
14

15 31. Mr. Unsworth was the first foreign rescuer to arrive at the Cave
16 System, and he knew immediately that it was a race against time to save the Boys.

17 32. Mr. Unsworth was also among the last persons to leave the Cave
18 System site after the rescue was complete.
19

20 33. Shortly after arriving, Mr. Unsworth and another individual with whom
21 he had explored the Cave System went straight into the Cave System and saw the
22 flooding.

23 34. With rising water levels, narrow and jagged passages, and muddy
24 conditions causing near zero visibility, Mr. Unsworth knew that the Boys would not
25 make it out of the Cave System alive without world-class cave divers.
26

27 35. Mr. Unsworth advised the Thai government to contact the British Cave
28 Rescue Council for assistance because he believed that specialized expertise in cave

1 rescues and particularly cave diving was required to save the Boys.

2 36. Mr. Unsworth communicated with an expert British diver and friend,
3 Rob Harper (“Mr. Harper”), to solicit his help in rescuing the Boys.

4 37. Mr. Harper had just returned to the UK following an exploration of the
5 Cave System and other cave systems in Thailand with Mr. Unsworth.

6 38. Mr. Harper brought with him to Thailand two other world-class divers,
7 John Volanthen (“Mr. Volanthen”) and Rick Stanton (“Mr. Stanton”).

8 39. Together with Mr. Unsworth, Mr. Harper, Mr. Volanthen, and Mr.
9 Stanton put together the dive portion of the rescue plan that ultimately saved the
10 Boys.²

11 40. Mr. Unsworth was on hand at the rescue site to brief the divers about
12 the Cave System upon their arrival.

13 41. Having seen the flooding, Mr. Unsworth advised Thai officials that
14 there were only two areas where the Boys could be located, including the area of the
15 Cave System nicknamed “Pattaya Beach,”³ which is approximately two hundred
16 (200) meters from where the Boys were ultimately located.

17 42. Scores of foreigners from around the globe and Thai rescuers alike
18 descended into the Cave System to rescue the Boys, putting their own lives at great
19 risk.

20 43. United States Armed Forces personnel were brought in to provide

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24
25 ² There are many other individuals who also deserve great credit for their efforts in
26 rescuing the Boys but their identities and roles are beyond the scope of this
27 Complaint, which is intended only to provide an overview of Mr. Unsworth’s
28 participation and the rescue mission itself.

³ This area of the Cave has been described as a vast amphitheater-like chamber
named after the popular tourist destination south of the Thai capital Bangkok.

1 logistical support.

2 44. With the help of the Cave System surveys prepared by Mr. Unsworth
3 and Mr. Harper, the Boys were found on July 2, 2018, by the cave diving experts,
4 Mr. Volanthen and Mr. Stanton.

5 45. Due in no small part to the efforts of Mr. Unsworth and his knowledge
6 of the expansive Cave System, the Thai boys and their coach were located in the
7 Cave System nine (9) days after they went missing, approximately two-and-a-half
8 miles from the mouth of the flooded Cave System.

9 46. Mr. Unsworth met with numerous Thai officials to share his
10 knowledge, express the severity of the circumstances, and assist in developing a
11 plan for the rescue.
12

13 47. After exhausting remaining options, and with the Monsoon season
14 expected to continue flooding the Cave System in a matter of days, a large meeting
15 was held on Friday, July 6 at 10 p.m., and the decision was made to extricate the
16 Boys via a team of eighteen rescue divers divided between those who would swim
17 the Boys out of the Cave System and those who would provide support at specific
18 checkpoints or 'stations' during the dive.
19

20 48. The meeting on Friday, July 6 was attended by generals and colonels
21 from the Thai military and other government officials.
22

23 49. Although Mr. Unsworth was asked to attend the July 6 meeting, he
24 suggested that Gary Mitchell, a rescue coordinator from the British Cave Rescue
25 Council, attend instead of him.
26

27 50. On July 6, four days after the Thai boys and their coach were located,
28 former Thai navy SEAL Saman Gunan tragically lost his life as a result of

1 asphyxiation during the eleven-hour roundtrip dive to deliver oxygen to the Boys.

2 51. Although the team of rescue workers considered a wide range of
3 possible alternatives for their rescue mission, ultimately the rescue was
4 accomplished through experienced divers making supply runs to the Boys, engineers
5 pumping more than a billion liters of water out of the Cave System, and teams of
6 rescue divers who eventually rescued the Boys from the Cave System.

7
8 52. Mr. Unsworth was not involved in the final planning stages for the
9 rescue because he does not possess the diving expertise necessary to have made the
10 dive.

11 53. Saturday, July 7 was spent preparing for the rescue operation. Some
12 local children who were the same sizes as the Boys were found to assist. The divers
13 practiced carrying the children in a local swimming pool.

14
15 54. The rescue operation began July 8, 2018.

16 55. Over the course of three days between July 8 and 10, 2018, the Boys
17 were successfully rescued from the Cave System by the combined effort of
18 thousands, including over a hundred (100) divers and countless other individuals
19 who were able to design and implement pumps to extricate what is reported to have
20 been billions of liters of water from the Cave System which was essential in order
21 for the divers to execute the rescue.

22
23 56. It has been reported that none of the Boys had any diving experience,
24 and that some of them could not swim at all.

25 57. For the safety of the Boys and the divers, and in order to keep the Boys
26 from panicking during the return trip to the mouth of the Cave System, an
27 Australian doctor who stayed with the Boys in the Cave System for three days
28

1 sedated them.

2 58. Each Boy was dressed in a wetsuit and buoyancy jacket, placed in a
3 sling and tethered to the diver responsible for his safety. A positive pressure full
4 face mask was applied to each. The smallest of the Boys was too small for the face
5 mask, so the rescue team designed a custom apparatus for him.

6
7 59. The return dive at that time of the rescue took approximately three
8 hours after substantial water had been pumped out of the Cave System. The
9 sedative lasted only an hour, and thus the divers were forced to re-sedate the Boys
10 during their trip out of the Cave System.

11 60. Once the Boys made it out of the last underwater area of the dive
12 (emerging into an area that became known as “Chamber 3”), they were passed along
13 by rescuers through the Cave System to the exit on a form of stretcher known as a
14 sked. For some parts of the journey, the skeds were passed from hand to hand, for
15 some parts they were carried, and at two points the skeds were zip-lined across
16 larger areas (known as “Chamber 2” and “Chamber 1”). At each zip-line station, the
17 Boys were examined by medical professionals to check their vital signs and re-
18 sedate them if necessary.
19
20

21 61. Mr. Unsworth was part of the team transporting the skeds to the exit of
22 the Cave System along with Thai, Australian, American, Chinese, and British
23 rescuers.

24 62. As the world anxiously watched the plight of these young Boys and
25 their coach, Musk offered to build a mini-submarine – a metallic tube with several
26 protruding parts (the “Tube”) – that he claimed could transport the victims out of the
27 Cave System.
28

1 63. Meanwhile, the weather continued to add a real urgency to the rescue
2 operation. On July 9 around 7 p.m., the pump stopped working while there was also
3 significant rainfall overnight. The rescue of the final five (5) Boys was scheduled to
4 start at 8 a.m. on the morning of July 10, but the water level had risen, and the
5 diving team was advised that to proceed would mean risking their lives.

7 64. Musk and his team built the Tube, and he personally delivered it to the
8 Cave System on or about the night of July 9, 2018, or the morning of July 10, 2018.

9 65. By the time the Tube arrived on scene, eight (8) of the twelve (12)
10 Boys had already been rescued.

11 66. According to reports, the rescue effort involved more than ten thousand
12 (10,000) people, including over one hundred (100) divers, representatives from
13 approximately one hundred (100) governmental agencies, nearly one thousand
14 (1,000) police officers, two thousand (2,000) soldiers, police helicopters, and
15 ambulances.

17 67. Over the course of the rescue operation, many participants in the rescue
18 risked their lives in an effort to save the Boys.

19 68. Mr. Unsworth was given the opportunity to visit with the Boys in the
20 hospital on July 15.

22 69. Reports indicate that the Boys are presently in good health.

23 **Mr. Unsworth's CNN Interview**

24 70. On July 13, 2018, Mr. Unsworth agreed to participate in an interview
25 requested by CNN to discuss the Cave rescue ("CNN Interview").

26 71. Questioned by the reporter as to what Mr. Unsworth thought of the
27 Tube, Mr. Unsworth stated, among other things, that Musk's Tube was a "PR stunt,"
28

1 that the Tube “had absolutely no chance of working,”⁴ and that Musk “had no
2 conception of what the cave passage was like,” adding that “[Musk] can stick his
3 submarine where it hurts.”

4 **Musk’s False and Defamatory Accusations**

5
6 72. Apparently angered by Mr. Unsworth’s criticism of his Tube in the
7 CNN Interview, Musk embarked on a PR campaign to destroy Mr. Unsworth’s
8 reputation by publishing false and heinous accusations of criminality against him to
9 the public.

10 73. After the CNN interview, on July 15, 2018, Musk published from his
11 Twitter account to his approximately twenty-two million, five hundred thousand
12 (22,500,000) followers the following tweet about Mr. Unsworth:

13
14 “Never saw this British expat guy who lives in Thailand (sus) at any
15 point when we were in the caves. Only people in sight were the Thai
16 navy/army guys, who were great. Thai navy seals escorted us in – total

17 ⁴ Mr. Unsworth’s comments about the Tube were well-founded. The Tube arrived
18 after the rescue operation was already underway and was an impractical tool under
19 the circumstances, even if it had arrived before the operation began. There were
20 thirteen (13) individuals who had to be extracted from the Cave but only one Tube.
21 The initial rescue dives to the Boys and to swim them safely out of the Cave took
22 approximately three (3) hours, though later dives took less time. Even if all of the
23 Boys could fit in the Tube, they were still likely to require sedation. The sedation
24 lasted only about an hour and the Boys could not have been tended to in the Tube.
25 The Tube was only twelve (12) inches in diameter which would not have allowed
26 many of the Boys fit in it. Although the Tube had been tested in a pool, it had not
27 been tested in a cave with zero visibility. The divers had to rely on maintaining
28 contact with a dive line to find their way in and out of the chamber where the Boys
were located. The Tube was rigid and contained many parts protruding on the
outside. The dive to the Boys’ location contained tight corners, high parts, low parts,
stalactites, and stalagmites. It is further unclear how many divers would have been
required to maneuver the Tube, adding additional difficulty to squeezing the Tube
and the divers through tight areas during the rescue.

1 opposite of wanting us to leave.”

2 A true and correct copy of the above-referenced July 15 tweet is attached
3 hereto as Exhibit B.

4 74. “Sus” is commonly understood as an abbreviated form of “suspicious.”

5
6 75. On July 15, 2018, Musk subsequently published a second tweet from
7 his Twitter account about Mr. Unsworth:

8 “Water level was actually very low & still (not flowing) – you could
9 literally have swum to Cave 5 with no gear, which is obv how the kids
10 got in. If not true, then I challenge this dude to show final rescue video.
Huge credit to pump & generator team. Unsung heroes here.”

11 A true and correct copy of the above-referenced July 15 tweet is attached
12 hereto as Exhibit C.

13 76. On July 15, 2018, Musk subsequently published a third tweet from his
14 Twitter account about Mr. Unsworth:

15
16 “You know what, don’t bother showing the video. We will make one
17 of the mini-sub/pod going all the way to Cave 5 no problemo. Sorry
pedo guy, you really did ask for it.”

18 A true and correct copy of the above-referenced July 15 tweet is attached
19 hereto as Exhibit D.

20 77. Pedo is a well-recognized shorthand phrase for the term pedophile.

21 78. A pedophile is a term used to describe an adult who derives sexual
22 gratification from sexual fantasies or acts involving a child.

23
24 79. When offered an opportunity on Twitter to clarify what evidence he
25 possessed to support his accusation of pedophilia against Mr. Unsworth, Musk
26 confirmed that he intended his accusation literally when he replied in a fourth July
27 15 tweet from his Twitter account about Mr. Unsworth:
28

1 “Bet ya a signed dollar it’s true.”

2 A true and correct copy of the above-referenced July 15 tweet is
3 attached hereto as Exhibit E.

4 80. On July 18, 2018, following public comments by shareholders of one
5 of his companies expressing displeasure with Musk’s accusation of pedophilia
6 against Mr. Unsworth without any evidence, Musk deleted the July 15 accusatory
7 tweets and published two tweets which purported to be an apology:
8

9 “As this well-written article suggests, my words were spoken in anger
10 after Mr. Unsworth said several untruths & suggested I engage in a
11 sexual act with the min-sub, which had been built as an act of kindness
12 & according to specifications from the dive team leader.

13 A true and correct copy of the above-referenced July 18 tweet is attached
14 hereto as Exhibit F.

15 “Nonetheless, his actions against me do not justify my actions against
16 him, and for that I apologize to Mr. Unsworth and to the companies I
17 represent as leader. The fault is mine and mine alone.”

18 A true and correct copy of the above-referenced July 18 tweet is attached
19 hereto as Exhibit G.

20 81. Although Musk’s “apology” to Mr. Unsworth stated that his
21 accusations were not justified and were made out of anger, the “apology”
22 significantly did not disavow or retract his accusations of pedophilia against Mr.
23 Unsworth.

24 82. On August 6, 2018, Mr. Unsworth, through counsel, transmitted a letter
25 to Musk at the email address identified by Musk, which letter advised him that his
26 accusation of pedophilia against Mr. Unsworth was false and requested that Musk
27 correct the public record. A true and correct copy of the August 6 letter is attached
28

1 hereto as Exhibit H.

2 83. On August 28, 2018, Musk responded by publishing a seventh tweet
3 about Mr. Unsworth:

4
5 “You don’t think it’s strange he hasn’t sued me? He was offered free
6 legal services. And you call yourself @yoda ...”

7 A true and correct copy of the above-referenced August 28 tweet is attached
8 hereto as Exhibit I.

9 84. Musk’s August 28 tweet conveyed to the average reader that Mr.
10 Unsworth’s failure to sue him was evidence that Mr. Unsworth is, in fact, a
11 pedophile and guilty of the most heinous crimes.

12 85. As he will have anticipated, Musk’s August 28 tweet set off a chain
13 reaction on Twitter and in the media.

14
15 86. On August 28, 2018, BuzzFeed News (and many others) published an
16 article regarding Musk’s continued accusations of pedophilia against Mr. Unsworth.
17 A true and correct copy of the August 28 BuzzFeed News article is attached hereto
18 as Exhibit J.

19 87. On August 29, 2018, in an effort to refute Musk’s renewed effort to
20 defame Mr. Unsworth, one of Mr. Unsworth’s attorneys responded via Twitter to
21 the Musk August 28 tweet by stating that Musk “should check his mail before
22 tweeting” and attaching a true and correct copy of Mr. Unsworth’s August 6, 2018,
23 demand letter.

24
25 88. On August 30, 2018, in an e-mail sent directly to the reporter who
26 authored the August 28 BuzzFeed News report, Musk confirmed his previous
27 accusations of pedophilia and published new false and defamatory accusations
28

1 against Mr. Unsworth:

2 “I suggest that you call people you know in Thailand, find out what’s
3 actually going on and stop defending child rapists, you fucking asshole.
4 He’s an old, single white guy from England who’s been traveling or
5 living in Thailand for 30 to 40 years, mostly Pattaya Beach, until
6 moving to Chiang Rai for a child bride who was about 12 years old at
7 the time. There’s only one reason people go to Pattaya Beach. It isn’t
8 where you’d go for caves, but it is where you’d go for something else.
9 Chiang Rai is renowned for child sex-trafficking.

10 He may claim to know how to cave dive, but he wasn’t on the cave dive
11 rescue team and most of the actual dive team refused to hang out with
12 him. I wonder why . . .

13 As for this alleged threat of a lawsuit, which magically appeared when
14 I raised the issue (nothing was sent or raised beforehand), I fucking
15 hope he sues me.”

16 A true and correct copy of the September 4 BuzzFeed News article
17 containing Musk’s August 30 emails is attached hereto as Exhibit K.

18 89. In the first August 30 email to BuzzFeed News, Musk falsely accuses
19 Mr. Unsworth of being a child rapist, marrying a 12-year old child, engaging in child
20 sex trafficking, and being excluded by the dive team because of his alleged
21 misconduct with children.

22 90. In his first August 30 email to BuzzFeed News, in an effort to link Mr.
23 Mr. Unsworth to sexual crimes against Thai children, Musk falsely states that Mr.
24 Unsworth had visited Pattaya Beach or lived in Thailand for 30 to 40 years and
25 falsely stated that he lived in Chiang Rai with a 12-year old bride.

26 91. While the Cave System at issue contains a shelf and air pocket
27 nicknamed “Pattaya Beach,” which is near where the stranded Boys were located,
28 Mr. Unsworth has never visited Pattaya Beach in Thailand.

1 92. Not satisfied with repeating and expanding his list of false accusations
2 against Mr. Unsworth, Musk sent a second email to the BuzzFeed News reporter on
3 August 30 publishing additional false and defamatory statements about Mr.
4 Unsworth:

5
6 “Unsworth also said I was asked to leave by the Thai govt, which is
7 utterly false. Thai Prime Minister thanked me personally per attached
8 docs. I went all the way to area 3 with the Thai SEAL team, who were
9 awesome. Never saw Unsworth at any point. Was told he was banned
10 from the site. It is also total bs that the mini-sub wouldn’t fit through
11 the caves.

12 It was designed and built to specifications provided to me directly by
13 Stanton and the actual dive team. The only reason it wasn’t used was
14 that they were able to drain almost all the water out of the cave, so the
15 underwater portion was very short, and the monsoon arrived later than
16 expected.

17 Those pumps were critical. Some of the Tesla team helped with
18 electrical power, but major credit to whoever provided those pumps.
19 They were amazing. I’m told they were from some company in India.”

20 *See Exhibit K.*

21 93. In his second August 30 email to BuzzFeed News, Musk false accuses
22 Mr. Unsworth of being a liar and falsely states that he was banned from the rescue
23 site.⁵

24 94. The falsity of Musk’s accusations about Mr. Unsworth’s involvement
25 in the rescue and his relationship with the diving team is underscored by the on the
26 record comments of other rescuers whose participation in the rescue mission was
27 critical in saving the lives of the Boys as reported in the September 4 BuzzFeed

28 ⁵ Musk’s August 30 emails also misrepresent conditions surrounding the rescue efforts and facts concerning the Tube.

1 News article:

2 I've got no idea what gave you those concerns about Vern. . . . They are
3 completely unfounded. He was never kicked off site by anyone and
4 worked continuously on the rescue for the full duration. He was pivotal
5 to the entire operation.

6 Vern seemed like an excellent guy and absolutely vital to the mission. .
7 . . You must be confusing him with someone else.

8 He was pivotal with his knowledge of the cave. The rescue wouldn't
9 have happened without him recommending the Brits were called.

10 95. The republication of the Musk August 30 emails by BuzzFeed News
11 was foreseeable and Musk is liable to Mr. Unsworth for their republication.

12 96. All of the false and defamatory accusations by Musk against Mr.
13 Unsworth were published without privilege and with actual knowledge of falsity or
14 with a reckless disregard for truth or falsity

15 97. Instead of retracting his false accusations and ceasing his campaign to
16 impugn Mr. Unsworth, Musk publicly stated, "I fucking hope he sues me." *See*
17 Exhibit K.

18 **JURISDICTION AND VENUE**

19 98. Mr. Unsworth is a resident of Hertfordshire County, England and a
20 citizen of the United Kingdom.

21 99. Defendant Musk is a resident of the State of California living in this
22 District and is a citizen of the United States.

23 100. Defendant Musk can be served with summons and complaint at his
24 personal residence or the offices of Tesla or the offices of SpaceX.

25 101. Mr. Unsworth and Musk are citizens and residents of different nations,
26 and the matter in controversy between them exceeds the sum or value of \$75,000.00,
27
28

1 exclusive of interest and costs.

2 102. This Court has jurisdiction of this civil action pursuant to 28 U.S.C.
3 § 1332(a)(2).

4 103. As the direct and proximate result of Musk's false and defamatory
5 accusations, Mr. Unsworth suffered damage to his reputation in the State of
6 California, as well as on a national and international basis.

7 104. The conduct of Musk in initially publishing the false and defamatory
8 tweets and emails occurred in the State of California.

9 105. The false and defamatory tweets and emails were published originally
10 by Musk in the State of California.

11 106. Twitter maintains its corporate headquarters in California.

12 107. As one of the highest-profile and wealthiest individuals in the world,
13 Musk knew that this accusations against Mr. Unsworth would be conveyed to a
14 worldwide audience and would result in the accusations receiving massive publicity.

15 108. In this action, Mr. Unsworth seeks a recovery for the worldwide
16 damage he has suffered to his reputation, with the exception of the reputational
17 damage he suffered in England and Wales.

18 109. A separate action for the reputational damage to Mr. Unsworth suffered
19 in England and Wales will be filed and pursued against Musk in the High Court of
20 London.

21 110. This Court has both specific and general jurisdiction over Musk.

22 111. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b)(1)-(2).

23 **CAUSE OF ACTION FOR DEFAMATION**

24 112. Mr. Unsworth reasserts and incorporates by reference paragraphs 1
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1 through 111 of this Complaint as if fully restated herein.

2 113. Musk’s publications in Exhibits B, C, D, E, F, G, I, and K, as
3 referenced in paragraphs 73, 75, 76, 79, 80, 83, and 88 of this Complaint, are
4 hereinafter referred to as the “False and Defamatory Accusations.”
5

6 114. Pedophilia is reprehensible, and the sexual exploitation of children is
7 outlawed around the world, including in the United States, California, United
8 Kingdom, and Thailand.

9 115. At least 173 countries have signed and ratified the Optional Protocol on
10 the Sale of Children, Child Prostitution and Child Pornography.

11 116. Musk’s False and Defamatory Accusations falsely accused Mr.
12 Unsworth of being a (1) a pedophile, (2) a child rapist, (3) a child sex-trafficker, (4)
13 the husband of a 12-year old child bride, and (5) a liar.
14

15 117. Mr. Unsworth is not pedophile

16 118. Mr. Unsworth has never engaged in an act of pedophilia.

17 119. Mr. Unsworth is not a child rapist.

18 120. Mr. Unsworth has never raped a child (or anyone else).

19 121. Mr. Unsworth is not a child sex-trafficker.

20 122. Mr. Unsworth has never in engaged in an act of child sex-trafficking
21 (or adult sex-trafficking).
22

23 123. Mr. Unsworth is not married to a 12-year old child.

24 124. Mr. Unsworth has never been married to a 12-year old child (or any
25 minor child).
26

27 125. Mr. Unsworth is not a liar.

28 126. Mr. Unsworth did not lie in the CNN Interview.

1 127. The False and Defamatory Accusations, individually and collectively,
2 were published without privilege and were published with actual malice.

3 128. The False and Defamatory Accusations, individually and collectively,
4 are defamatory per se and damages to Mr. Unsworth are presumed as a matter of
5 law.
6

7 129. The False and Defamatory Accusations are libelous on their face in that
8 they are defamatory of Mr. Unsworth without the necessity of explanatory matter or
9 other extrinsic facts, and/or they impute to Mr. Unsworth criminal conduct.

10 130. The False and Defamatory Accusations directly and proximately
11 caused substantial and permanent damage to Mr. Unsworth.
12

13 131. Musk negligently published the False and Defamatory Accusations.

14 132. Musk published the False and Defamatory Accusations with actual
15 malice, that is, with actual knowledge of falsity or a reckless disregard for truth or
16 falsity.

17 133. Musk has never retracted the False and Defamatory Accusations.

18 134. Musk published the False and Defamatory Accusations without
19 conducting a reasonable investigation.
20

21 135. The False and Defamatory Accusations were manufactured out of
22 whole cloth by Musk out of a belief on his part that his wealth and stature allowed
23 him to falsely accuse Mr. Unsworth with impunity simply because Musk disagreed
24 with Mr. Unsworth's assessment of the viability of the Tube expressed in the CNN
25 Interview.
26

27 136. The False and Defamatory Accusations include accusations by Musk
28 that are the product of intentional misrepresentation of comments by third parties

1 involved in the Thailand Cave Rescue about Mr. Unsworth's involvement in the
2 rescue.

3 137. Musk published the False and Defamatory Accusations without any
4 reliable or credible sources or information.

5 138. Apparently angered by his efforts being rejected or not being
6 recognized, Musk intentionally sought to strike out publicly against Mr. Unsworth
7 by damaging his reputation with a salacious and spurious accusation of pedophilia.

8 139. Despite his total lack of information supporting his False and
9 Defamatory Accusations, Musk overtly conveyed to the world that he was in
10 possession of undisclosed false and defamatory facts proving Mr. Unsworth to be
11 guilty of the accusations Musk lodged against him.

12 140. Musk is liable for damages for each False and Defamatory Accusations
13 and for all republications of the False and Defamatory Accusations.

14 141. Mr. Unsworth has suffered emotional distress as a result of Musk's
15 False and Defamatory Accusations.

16 142. Because Musk published the False and Defamatory Accusations with
17 both Constitutional and common law malice, Mr. Unsworth is entitled to an award
18 of punitive damages to punish him for his wrongdoing and deter him from repeating
19 such heinous conduct in the future against others.

20 143. Musk's conduct was willful and demonstrates that entire want of care
21 that raises a conscious indifference to consequences.

22 **WHEREFORE**, Plaintiff, Vernon Unsworth, respectfully prays for judgment
23 against Defendant, Elon Musk, as follows:
24
25
26
27
28

1 (a) That judgment be entered against Defendant Musk for compensatory
2 damages in an amount in excess of Seventy-Five Thousand Dollars (\$75,000.00) as
3 determined to be reasonable and just by the jury under the evidence in this case;

4 (b) That judgment be entered against Defendant Elon Musk for punitive
5 damages in an amount shown to be reasonable and just under the evidence to punish
6 Musk and deter him from repeating such conduct;

7 (c) That an injunction be issued against Defendant Elon Musk ordering
8 him to refrain from making further publication of the False and Defamatory
9 Accusations;

10 (d) That all costs of this action be taxed to Defendant; and


11 (e) That the Court grant all such other and further relief that the Court
12
13
14 deems just and proper.

15 **JURY TRIAL DEMANDED**

16 Dated: September 17, 2018

L. LIN WOOD, P.C.


L. Lin Wood

By: 

L. Lin Wood

CHATHAM LAW GROUP

Robert Christopher Chatham

By: 

Robert Christopher Chatham

Attorneys for Plaintiff
VERNON UNSWORTH

25 United Kingdom Counsel to Plaintiff:
26 Mark Stephens, CBE
27 **Howard Kennedy LLP**
28 No.1 London Bridge London SE1 9BG, United Kingdom
DX 144370 Southwark 4

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DEMAND FOR JURY TRIAL

Pursuant to Local Rule 38-1, Plaintiff demands a jury trial in this action.

Dated: September 17, 2018

CHATHAM LAW GROUP
Robert Christopher Chatham

By: 

Robert Christopher Chatham
Attorney for Plaintiff
VERNON UNSWORTH

EXHIBIT A

EXHIBIT A

Exhibit 1 – Timeline of Events

2011 – Mr. Unsworth travels to Thailand for the first time in his life.

May 2012 – Mr. Unsworth begins exploring the Tham Luang Nang Non cave in Northern Thailand (the “Cave System”).

June 23, 2018 – Twelve Thai boys, ages eleven to sixteen, and their soccer coach (the “Boys”) enter the Cave.

June 24, 2018 – Mr. Unsworth received a telephone call from the father of his significant other and also from a prominent local businessman and Thai government official regarding the missing Boys.

June 28, 2018 – United States military personnel deployed to rescue site.

July 2, 2018 – With the help of Cave System surveys prepared by Mr. Unsworth and an associate, the Boys were found on July 2, 2018, by cave diving experts Mr. Volanthen and Mr. Stanton.

July 6, 2018 – Official decision was made to extricate the Boys using rescue divers.

July 8, 2018 – Rescue team extracts four (4) Boys from the Cave System.

July 9, 2018 – Rescue team extracts four (4) more Boys from the Cave System.

July 9 (very late) or 10 (early hours), 2018 – Musk delivers a mini-submarine – a metallic tube with several protruding parts (the “Tube”) – to the Cave System.

July 10, 2018 – Rescue team extracts remaining five (5) Boys from the Cave System.

July 13, 2018 – In an interview with CNN, Mr. Unsworth stated, *inter alia*, that Musk’s Tube was a “PR stunt,” that the Tube “had absolutely no chance of working,” and that Musk “had no conception of what the cave passage was like,” adding that “[Musk] can stick his submarine where it hurts.”

July 15, 2018

– Musk publishes first tweet about Mr. Unsworth stating, “Never saw this British expat guy who lives in Thailand (sus[picious]) at any point when we were in the caves. Only people in sight were the Thai navy/army guys, who were great. Thai navy seals escorted us in – total opposite of wanting us to leave.”

– Musk publishes second tweet about Mr. Unsworth stating, “Water level was actually very low & still (not flowing) – you could literally have swum to Cave 5 with no gear, which is obv how the kids got in. If not true, then I challenge this dude to show final rescue video. Huge credit to pump & generator team. Unsung heroes here.”

- Musk publishes third tweet about Mr. Unsworth stating, “You know what, don’t bother showing the video. We will make one of the mini-sub/pod going all the way to Cave 5 no problem. Sorry **pedo** guy, you really did ask for it.” (emphasis added).
- Musk publishes fourth tweet about Mr. Unsworth stating, “Bet ya a signed dollar it’s true.”

July 18, 2018

- Musk publishes fifth tweet about Mr. Unsworth stating, “As this well-written article suggests, my words were spoken in anger after Mr. Unsworth said several untruths & suggested I engage in a sexual act with the mini-sub, which had been built as an act of kindness & according to specifications from the dive team leader.”
- Musk publishes sixth tweet about Mr. Unsworth stating, “Nonetheless, his actions against me do not justify my actions against him, and for that I apologize to Mr. Unsworth and to the companies I represent as leader. The fault is mine and mine alone.”

August 6, 2018 – Counsel for Mr. Unsworth sends demand letter to Musk regarding his false and defamatory tweets about Mr. Unsworth.

August 28, 2018 – Musk publishes seventh tweet about Mr. Unsworth stating, “You don’t think it’s strange he hasn’t sued me? He was offered free legal services. And you call yourself @yoda”

August 29, 2018

- Unsworth Attorney Lin Wood tweet reply to Musk August 28 tweet stating, “@elonmusk should check his mail before tweeting” and attaches copy of August 6 letter.
- BuzzFeed News publishes article entitled “Elon Musk Has Revisited His Baseless Pedophile Claims.”

August 30, 2018

- Musk emails BuzzFeed News reporter stating, *inter alia*:

I suggest that you call people you know in Thailand, find out what’s actually going on and stop defending *child rapists*, you f****ing a**hole. He’s an old, single white guy from England who’s been traveling or living in Thailand for 30 to 40 years, mostly Pattaya Beach, *until moving to Chiang Rai for a child bride who was about 12 years old at the time*. There’s only one reason people go to Pattaya Beach. It isn’t where you’d go for caves, but it is where you’d go for something else. Chiang Rai is renowned for child sex-trafficking.

He may claim to know how to cave dive, but he wasn’t on the cave dive rescue team and most of the actual dive team refused to hang out with him. I wonder why.

. . .

As for this alleged threat of a lawsuit, which magically appeared when I raised the issue (nothing was sent or raised beforehand), I f****ing hope he sues me.

– Musk sends second email to BuzzFeed News reporter stating, *inter alia*, “Unsworth also said I was asked to leave by the Thai govt, which is utterly false. . . . Never saw Unsworth at any point. Was told he was banned from the site.”

September 4, 2018 – BuzzFeed News publishes article entitled “In A New Email, Elon Musk Accused A Cave Rescuer Of Being A ‘Child Rapist’ And Said He ‘Hopes’ There’s A Lawsuit.”

EXHIBIT B

EXHIBIT B



Elon Musk

@elonmusk

Follow

Replying to @zeynep

Never saw this British expat guy who lives in Thailand (sus) at any point when we were in the caves. Only people in sight were the Thai navy/army guys, who were great. Thai navy seals escorted us in — total opposite of wanting us to leave.

6:56 AM - 15 Jul 2018

344 Retweets 4,552 Likes



236

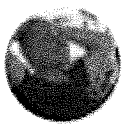
344

4.6K



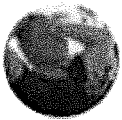
EXHIBIT C

EXHIBIT C



Elon Musk ● @elonmusk · 24m

Never saw this British expat guy who lives in Thailand (sus) at any point when we were in the caves. Only people in sight were the Thai navy/army guys, who were great. Thai navy seals escorted us in — total opposite of wanting us to leave.



Elon Musk ●
@elonmusk

Follow

Replying to @elonmusk @zeynep

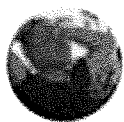
Water level was actually very low & still (not flowing) — you could literally have swum to Cave 5 with no gear, which is obv how the kids got in. If not true, then I challenge this dude to show final rescue video. Huge credit to pump & generator team. Unsung heroes here.

7:04 AM - 15 Jul 2018

10 Retweets 134 Likes



20 10 134 20



Elon Musk ● @elonmusk · 10m


Replying to @elonmusk @zeynep





You know what, don't bother showing the video. We will make one of the mini-sub/pod going all the way to Cave 5 no problemo. Sorry pedo guy, you really did ask for it.


34 10 83 34





EXHIBIT D

EXHIBIT D

 **Elon Musk** ● @elonmusk · 56m ▼
Never saw this British expat guy who lives in Thailand (sus) at any point when we were in the caves. Only people in sight were the Thai navy/army guys, who were great. Thai navy seals escorted us in — total opposite of wanting us to leave.

 156  197  2.5K 

 **Elon Musk** ● @elonmusk · 48m ▼
Water level was actually very low & still (not flowing) — you could literally have swum to Cave 5 with no gear, which is obv how the kids got in. If not true, then I challenge this dude to show final rescue video. Huge credit to pump & generator team. Unsung heroes here.

 34  24  333 

 **Elon Musk** ●
@elonmusk [Follow](#) ▼

Replying to @elonmusk @zeynep

You know what, don't bother showing the video. We will make one of the mini-sub/pod going all the way to Cave 5 no problemo. Sorry pedo guy, you really did ask for it.

4:10 AM - 15 Jul 2018

EXHIBIT E

EXHIBIT E



Elon Musk 

@elonmusk

Following 

Replying to @GossiTheDog

Bet ya a signed dollar it's true

11:11 AM - 15 Jul 2018

44 Retweets 255 Likes



EXHIBIT F

EXHIBIT F



Elon Musk

@elonmusk

Follow



Replying to @adamchavez

As this well-written article suggests, my words were spoken in anger after Mr. Unsworth said several untruths & suggested I engage in a sexual act with the mini-sub, which had been built as an act of kindness & according to specifications from the dive team leader.

11:38 PM - 17 Jul 2018

1,976 Retweets 22,248 Likes



1.6K



2.0K



22K



EXHIBIT G

EXHIBIT G



Elon Musk

@elonmusk

Follow



Replying to @elonmusk @adamchavez

Nonetheless, his actions against me do not justify my actions against him, and for that I apologize to Mr. Unsworth and to the companies I represent as leader. The fault is mine and mine alone.

11:41 PM - 17 Jul 2018

1,054 Retweets 8,753 Likes



1.1K



1.1K



8.8K



EXHIBIT H

EXHIBIT H

L. LIN WOOD, P.C.
TRIAL LAWYERS

L. LIN WOOD
Direct Dial: (404) 891-1406
lwood@linwoodlaw.com

August 6, 2018

VIA FEDEX & ELECTRONIC MAIL

Mr. Elon Musk
10911 Chalon Road
Los Angeles, CA 90077
elon.musk@spacex.com

RE: Defamation of Vernon Unsworth

Dear Mr. Musk:

I have been retained by Vernon Unsworth to represent his interests in connection with the publication on your Twitter account of false and defamatory statements conveying that Mr. Unsworth is a pedophile. More specifically, you published through three different tweets to your twenty-two million followers that Mr. Unsworth engages in the sexual exploitation of Thai children, and you did so at a time when he was working to save the lives of twelve Thai children. You did so without any basis. According to a subsequent Twitter post, you did so out of anger.

I am in the process of preparing a civil complaint for libel against you. In an attempt to avoid litigation and to see the public record corrected, I invite you or your legal representatives to contact me.

Sincerely,



L. Lin Wood

cc: Mr. Vernon Unsworth
Mark Stephens, CBE, Howard Kennedy LLP

EXHIBIT I

EXHIBIT I



drew olanoff  @yoda · Aug 29, 2018



Replying to @yoda and 3 others

one other thing, elon. your dedication to facts and truth would have been wonderful if applied to that time when you called someone a pedo.



Elon Musk 

@elonmusk

You don't think it's strange he hasn't sued me? He was offered free legal services. And you call yourself @yoda ...

2:41 AM - Aug 29, 2018

 1,551  869 people are talking about this



EXHIBIT J

EXHIBIT J

BuzzFeed News

Hurricane Florence 9/11 Anniversary Dallas Apartment Shooting US Open Controversy

TECH

Elon Musk Has Revisited His Baseless Pedophile Claims

"You don't think it's strange he hasn't sued me?"

By Ryan Mac

Last updated on August 29, 2018, at 6:30 a.m. ET

Posted on August 28, 2018, at 2:01 p.m. ET



Peter Parks/AFP / Getty Images

Tesla and SpaceX CEO Elon Musk is making life difficult for himself on Twitter again. Days after picking up the pieces from a failed bid to take his electric car manufacturer private — an attempt seemingly initiated by an ill-advised tweet — the billionaire revisited a groundless accusation he made about a private

Back in July, Musk was forced to apologize after facing widespread condemnation for calling a British diver, who had criticized his attempts to aid a cave rescue effort in Thailand, a “pedo” on the social media site. On Tuesday, in a chain with several Twitter users, including the author of this story, Tesla’s CEO revisited the claim, asking an individual whether they had investigated the pedophile claim leveled against the diver, Vern Unsworth.

While Tesla’s board members have reportedly asked Musk to stay off Twitter and focus on building cars and running his company, the 47-year-old tech luminary seems to have disregarded their guidance resurrecting a possibly defamatory remark for which he had already apologized.

A Tesla spokesperson declined to comment.

Tuesday’s back-and-forth began with Musk responding to a tweet about a previous interview he had given to the New York Times, in which he allegedly cried and detailed how difficult the last few months have been for him. In a tweet, however, Tesla’s CEO denied that he had shed any tears.

“For the record, my voice cracked once during the NY Times article,” he wrote. “That’s it. There were no tears.”

In the discussion that followed, Drew Olanoff, a former technology reporter who goes by the name @Yoda on Twitter, joked about Musk’s defense of himself. In a follow-up message, Olanoff suggested that Musk would be more believable had he been more dedicated to the truth before accusing someone of being a pedophile with no evidence.

And that’s when Musk suggested the pedophilia accusation wasn’t baseless at all.



Elon Musk ✓

@elonmusk

Following



9/11/2018

Elon Musk Has Revisited His Baseless Pedophile Claims

YOU DON'T THINK IT'S STRANGE HE HASN'T SUED
me? He was offered free legal services. And
you call yourself @yoda ...

9:41 AM - 28 Aug 2018

46 Retweets 333 Likes



93

46

333



Twitter / Via [Twitter.com](https://twitter.com)

“You don’t think it’s strange he hasn’t sued me?” Musk responded, suggesting that Unsworth’s lack of legal action against him was a red flag. “He was offered free legal services.”

“Did you investigate at all?” he said in a follow-up tweet to Olanoff. “I’m guessing answer is no. Why?”

Olanoff, who told BuzzFeed News that he stood by the point he made, fired back barbs of his own.

“i think a lot of things are strange, elon,” he wrote. “what i think is especially strange here is that you're wondering why he hasn't sued you while the rest of us are wondering why you did something so egregious that he could sue you for in the first place.”

Other reporters, including the author of this post, also tweeted at Musk, asking about his suggestions to investigate the baseless claims. The Tesla CEO did not respond to any of those tweets, but did note that Olanoff should be “a truth-seeker” because of his Twitter name, @Yoda. It’s unclear what “truths” Musk was referring to.

Beyond pondering why a private citizen has yet to sue him, Musk has plenty of

while the company is now facing several shareholder lawsuits over the matter. What's more, its top communications executive is leaving after a year that's been riddled with scandals, missed production goals, and unexpected tweets from the company's CEO.

Speaking to Sky News on Wednesday, Unsworth said he couldn't comment on the matter for legal reasons, but said: "It's all being dealt with, that's all I can say."

UPDATE

August 28, 2018, at 3:17 p.m.

The story has been updated with a comment from Drew Olanoff.

MORE STORIES ABOUT ELON MUSK

Elon Musk Has Apologized After Calling A Thai Cave Rescuer A "Pedo"

Hazel Shearing · Jul. 18, 2018

Elon Musk Has Always Been At War With The Media

Caroline O'Donovan · Jun. 21, 2018

At Tesla's Factory, Building The Car Of The Future Has Painful And Permanent Consequences For Some Workers

Caroline O'Donovan · Feb. 4, 2018



Ryan Mac is a senior tech reporter for BuzzFeed News and is based in San Francisco.

Contact [Ryan Mac](#) at ryan.mac@buzzfeed.com.

Got a confidential tip? [Submit it here](#).

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Add a comment...



Kenneth Clogg-Wright

What happened to the days when CEO just shut up and did their jobs... Social media is destroying society! sigh

Like · Reply · 3 · 2w



Phinneus Plum

I think it's their inability to control themselves & keep their mouths shut that is ruining society.

Like · Reply · 13 · 1w



Alaire Mansell

I love social media just for this reason. Now when someone says something that is so mind-bendingly stupid, it comes directly from them, not their PR, not their handlers.

If a CEO (or president, or senator. or any other person with a lot of power) suffers the consequences of their own idiocy

MAYBE IT'S TIME FOR SOCIETY TO BURN DOWN!

Like · Reply · 9 · 1w



Ryan Matthew Jones

Why are you working under the assumption that social media is to blame? It's not like CEOs haven't made idiotic comments before. Now it's just readily available.

Like · Reply · 6 · 1w



Lena Wagenfuehr

People used to laugh at me when I said Elon Musk was Trump in training...since July, no one has even giggled. The only good thing here (for the USA) is that he was born in South Africa to non

9/11/2018

Elon Musk Has Revisited His Baseless Pedophile Claims

**Melanie Schneiderman**

I'm so torn. Musk is a visionary, but sometimes when people label you a "visionary," they think they have free range to do whatever the hell they want. Elon Musk has some interesting ideas, but many of them don't seem feasible. Hey what do I know? I AM a Russian immigrant. I feel like that means (in the US right now) my voice/opinion doesn't matter much 😞

Like · Reply · 1w

**Nate Lazarus**

None of our voices matter...we're being drowned out by the super-rich and their dumbass Trump followers.

Like · Reply · 2 · 6d

**Melanie Schneiderman**

Nate Lazarus You're so right, unfortunately

Like · Reply · 4d

**Reemadree Monzur**

scientists are digging a hole in antarctica for ice cores but they'll never dig a deeper hole than elon musk is for himself.

Like · Reply · 27 · 1w

**Maxie Pad**

Lil Elon's ego, fame-whoring and lack of self-restraint are on par with Trump's, and he's decades younger. He might want to take a chill pill before he bursts into a puddle of self-pity.

Like · Reply · 3 · 1w · Edited

**Caitlin Adane**

Maybe it was a reference to all the Sex Tourism in Thailand ? Most of them a foreigners .

Like · Reply · 3 · 1w

**Katherine Handcock**

Gosh, why wouldn't he sue someone who has a ridiculous amount of money to throw at lawyers??

Like · Reply · 2 · 1w

**K Thomas Mcgee**

What is wrong with this rich little dork? Seems like he's having a tough week, could someone bring him a box of animal crackers and a juice box?

Like · Reply · 2 · 1w

**Lauren Seals**

He needs to do less coke.

9/11/2018

Elon Musk Has Revisited His Baseless Pedophile Claims



Ryan Mac

Doooood! You NEED to shut up!

Like · Reply · 1 · 1w

TRENDING NEWS



A Cartoonist's Drawing Of Serena Williams At The US Open Final Is Causing Outrage



The Man Behind The Serena Williams His Social Media Accounts

TOP BUZZ



Build A Bowl Of Pasta And We'll Reveal Your Best Quality



If You're In A Relationship, You Need ' Farting While Sharing A Bed

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9/11/2018

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EXHIBIT K

EXHIBIT K

BuzzFeed News

Hurricane Florence 9/11 Anniversary Dallas Apartment Shooting US Open Controversy

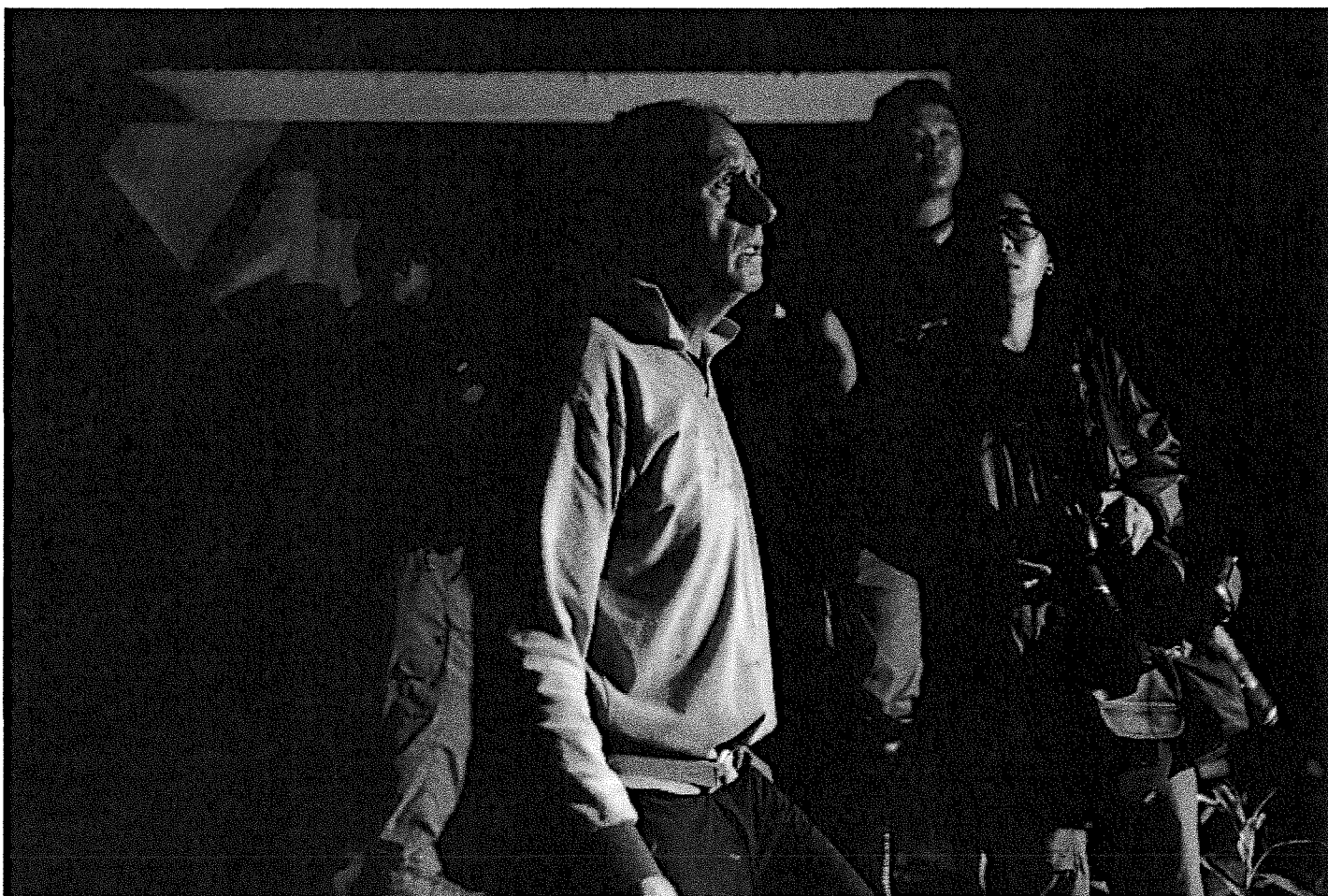
TECH

In A New Email, Elon Musk Accused A Cave Rescuer Of Being A "Child Rapist" And Said He "Hopes" There's A Lawsuit

In an email to BuzzFeed News, Tesla CEO Elon Musk accused a Thai cave rescuer of moving to Thailand to take a child bride. The rescuer denied all the claims.

By Ryan Mac and Mark Di Stefano and John Paczkowski

Posted on September 4, 2018, at 5:04 p.m. ET



British caver Vernon Unsworth at the Tham Luang cave complex during a search for members of a soccer team

Tesla CEO Elon Musk has renewed his attacks against a British man who played a key role in the rescue of a youth soccer team trapped in a flooded cave in Thailand.

Musk last month apologized for accusing Vernon Unsworth of pedophilia after the diver questioned the value of Musk's contribution to the rescue, a small submarine that ultimately went unused. But in a series of emails to BuzzFeed News, Musk repeated his original attacks on Unsworth — and made new and specific claims, lambasting the rescuer as a “child rapist” who had moved to the Southeast Asian country to take a child bride. Unsworth denied Musk's accusations through his attorney.

Though Musk prefaced one email with “off the record,” BuzzFeed News did not agree to that condition of the correspondence. (Per common journalistic practice, a conversation is off the record only if both parties agree to the terms.)

BuzzFeed News first emailed Musk last Wednesday to ask for comment regarding a legal threat made by Unsworth's lawyer in August after the Tesla CEO renewed his apparently evidenceless criticism of the rescuer in a Twitter argument the day before. Musk responded without addressing the substance of the legal threat. BuzzFeed News followed up twice, once on Wednesday and once on Thursday, and Musk responded with two separate emails.

“I suggest that you call people you know in Thailand, find out what's actually going on and stop defending child rapists, you fucking asshole.”

“I suggest that you call people you know in Thailand, find out what's actually going on and stop defending child rapists, you fucking asshole,” Musk wrote in

traveling to or living in Thailand for 30 to 40 years, mostly Pattaya Beach, until moving to Chiang Rai for a child bride who was about 12 years old at the time.”

“As for this alleged threat of a lawsuit, which magically appeared when I raised the issue (nothing was sent or raised beforehand), I fucking hope he sues me,” he added.

It is unclear why Musk believes the allegations against Unsworth or what evidence he has to support them. Musk did not provide proof of his claims to BuzzFeed News, and BuzzFeed News could not verify any of the claims after reporting on Unsworth’s background.

On Thu, Aug 30, 2018 at 6:43 PM, Elon Musk <[REDACTED]> wrote:
Off the record

I suggest that you call people you know in Thailand, find out what's actually going on and stop defending child rapists, you fucking asshole. He's an old, single white guy from England who's been traveling to or living in Thailand for 30 to 40 years, mostly Pattaya Beach, until moving to Chiang Rai for a child bride who was about 12 years old at the time. There's only one reason people go to Pattaya Beach. It isn't where you'd go for caves, but it is where you'd go for something else. Chiang Rai is renowned for child sex-trafficking.

He may claim to know how to cave dive, but he wasn't on the cave dive rescue team and most of the actual dive team refused to hang out with him. I wonder why ...

<https://www.google.com/search?q=chiang+rai+child+trafficking&ie=UTF-8&oe=UTF-8&hl=en-us&client=safari>

As for this alleged threat of a lawsuit, which magically appeared when I raised the issue (nothing was sent or raised beforehand), I fucking hope he sues me.

BuzzFeed News

The Tesla CEO’s continued campaign against Unsworth offers a glimpse into the new ability of some of the world’s wealthiest and most powerful figures to directly attack private citizens who cross them — and will test the capacity of traditional legal tools against them.

“Elon Musk can tweet his vindictive and vicious lie about Mr. Unsworth a hundred times and it will still be a lie,” Unsworth’s lawyer, L. Lin Wood, wrote

Mr Musk has continued to republish his false and unsupportable accusation. His conduct demonstrates that his recklessness is intentional and designed to harm Mr. Unsworth.”

A spokesperson for Tesla did not immediately return a request for comment on Musk's newest allegations, and referred to a previous statement issued by the board in response to a question about its support for the company's CEO.

The feud began in July when Musk tweeted that Unsworth was “a pedo guy” after the rescuer called the billionaire’s attempt to use a custom-designed submarine in the rescue effort a “publicity stunt.” Musk later apologized and deleted this tweets, but revisited the claim last week in an argument on Twitter, asking why Unsworth hadn’t sued yet if the accusations were indeed untrue. BuzzFeed News then reported that Wood had actually sent Musk a letter warning of a possible defamation suit in early August.

Musk’s renewed attacks on Unsworth come after a series of erratic public gestures, notably a widely publicized suggestion that he would take Tesla private and the narration of his home life by the rapper Azealia Banks. And the new accusations leveled at Unsworth threaten to undermine a recent charm offensive intended to frame the CEO’s erratic behavior as the actions of an overworked luminary struggling to maintain his world-changing businesses. It’s been a particularly difficult summer for the billionaire, marked by Tesla’s missed production goals, clashes with reporters, and his failed attempt to take his car company private.

Despite that, Musk still managed to maintain a dispute with Unsworth, a 63-year-old cave explorer and diver, whom he has now accused of taking a child bride.

BuzzFeed News could find no evidence to support that claim, and Musk did not provide any documentation to support his accusations. Publicly available legal documents do nothing to support Musk’s claims: BuzzFeed News could not

Separately, a Thai immigration official named Ploy Pailin told BuzzFeed News that an individual on a visa would likely not have it renewed if they had been found guilty of criminal activity in the country. Pailin also said that while foreigners applying for visas in Thailand do not undergo mandatory background checks, those who are found guilty of serious crimes are often blacklisted by the government and can be removed from the country.

BuzzFeed News

BuzzFeed News also spoke with Woranan Ratrawiphukkun, a Thai woman who is Unsworth's longtime girlfriend. She said she had been with Unsworth for more than seven years and has posted numerous photos about their relationship on social media dating back several years. Unsworth, she added, spends part of the year in Thailand and part of the time in the UK.

Ratrawiphukkun, who said she is 40, declined to comment on Musk's allegations against Unsworth, and referred a reporter to his lawyers.

Among Musk's other claims about Unsworth is that he was not part of the actual dive team in the Thailand cave rescue. While Unsworth did not dive for

the Brit as instrumental to the effort, as he had previously mapped and explored some of the cave system and recruited some of the divers who went into the cave.

“He may claim to know how to cave dive, but he wasn’t on the cave dive rescue team and most of the actual dive team refused to hang out with him,” Musk wrote in one email. In another email in which Musk wrote “on background” — BuzzFeed News again did not agree to these terms — the Tesla CEO said, “Never saw Unsworth at any point. Was told he was banned from the site.”

A British diver on the rescue mission who had previously been in contact with Musk, Rick Stanton, denied those claims.

“I’ve no idea what gave you those concerns about Vern,” Stanton wrote over Facebook Messenger. “They are completely unfounded. He was never kicked off site by anyone and worked continuously on the rescue for the full duration. He was pivotal to the entire operation.”

Two Australian specialists who were brought in by the Thai government to aid the Thai cave rescue operation, Richard Harris and Craig Challen, also rejected Musk’s allegation.

“Vern seemed like an excellent guy and absolutely vital to the mission,” said Harris, who, with Challen, helped in the sedation of the Thai boys before they were brought out of the cave by the British divers. “You must be confusing him with someone else.”

“He was pivotal with his knowledge of the cave. [The] rescue wouldn’t have happened without him recommending the Brits were called,” Harris said.

Photos and videos posted on Facebook by Woranan and members of the local Thai news media show Unsworth at the site through the duration of the operation, which lasted more than two weeks in the country’s Chiang Rai province. Some of those photos show Unsworth posing with other British

In his second email to BuzzFeed News, Musk commented on Unsworth's interview with CNN.

"Unsworth also said I was asked to leave by the Thai govt, which is utterly false. Thai Prime Minister thanked me personally per attached docs. I went all the way to area 3 with the Thai SEAL team, who were awesome."

Unsworth did say that Musk was asked to leave the cave in the interview, but did not specify who had asked him.

Musk also supplied a letter to BuzzFeed News from the Thai prime minister thanking him for his team's involvement in the rescue. "I wish to convey my deep appreciation to you and your engineering team for your expeditious and extraordinary efforts in constructing the Space-X mini-submarine 'Wild Boar' to assist the rescue operation of the Moo Pa Academy Football team trapped in Tham Luang Cave, Chiang Rai province," wrote General Prayut Chan-o-cha.

Elon Musk provided to BuzzFeed News

In addition, Musk claimed that the mini-sub, which ultimately was not used in the rescue, was built to Stanton's specifications, and that it was not deployed only because too much water had been drained from the cave. Stanton, however, denied that was the reason, and said he did not recall providing exact specifications to Musk.

"We didn't use the tube because rescue operations were already well underway and it didn't have the necessary life support systems," Stanton said to BuzzFeed News on Facebook Messenger. "Essentially, it wasn't developed enough. I do think it has promise in certain situations and I hope they keep working on it to get it in shape for evaluation and to be considered as a viable alternative in future underwater rescue scenarios."

In another claim, Musk noted that "the alleged threat of a lawsuit" from Unsworth "magically appeared when I raised the issue" on Twitter last week

lawyer, provided BuzzFeed News with confirmation showing that he had sent a note titled "Fwd: Defamation of Vernon Unsworth" containing the legal letter to the appropriate email address for Musk's office at SpaceX on Aug. 6.

BuzzFeed News corresponded with the Tesla and SpaceX CEO at a separate, personal email address that two sources confirmed belonged to Musk. One source, who had previously worked for Musk, noted that the email address can be accessed by the billionaire and his assistants. The source noted that it was not uncommon for Musk to personally respond to reporters and other people through that account.

Wood did not respond to questions asking him to more specifically address each of Musk's accusations, but suggested that he was moving closer to legal action.

"Today the rich and powerful seem all too ready to tweet falsities in the hope and expectation that their wealth and position will protect them," he wrote in a statement. "Pedophilia is too serious an issue to leave unchallenged. If Mr. Musk believes his wealth affords him protection from his lies and Twibels, he is sadly mistaken."

Here are the emails Elon Musk sent to BuzzFeed News reporter Ryan Mac

From: Elon Musk <redacted >
Date: Thu, Aug 30, 2018 at 6:43 PM
Subject: RE: BuzzFeed News: Unsworth legal letter
To: "ryan.mac@buzzfeed.com"

Off the record

I suggest that you call people you know in Thailand, find out what's actually going on and stop defending child rapists, you fucking asshole.

He's an old single white guy from England who's been traveling to or

moving to Chiang Rai for a child bride who was about 12 years old at the time. There's only one reason people go to Pattaya Beach. It isn't where you'd go for caves, but it is where you'd go for something else. Chiang Rai is renowned for child sex-trafficking.

He may claim to know how to cave dive, but he wasn't on the cave dive rescue team and most of the actual dive team refused to hang out with him. I wonder why ...

<https://www.google.com/search?q=chiang+rai+child+trafficking&ie=UTF-8&oe=UTF-8&hl=en-us&client=safari>

As for this alleged threat of a lawsuit, which magically appeared when I raised the issue (nothing was sent or raised beforehand), I fucking hope he sues me.

From: Elon Musk <redacted >
Date: Thu, Aug 30, 2018 at 7:16 PM
Subject: Fwd: Letters
To: "ryan.mac@buzzfeed.com"
On background

Unsworth also said I was asked to leave by the Thai govt, which is utterly false. Thai Prime Minister thanked me personally per attached docs. I went all the way to area 3 with the Thai SEAL team, who were awesome. Never saw Unsworth at any point. Was told he was banned from the site.

It is also total bs that the mini-sub wouldn't fit through the caves. It

Stanton and the actual dive team. The only reason it wasn't used was that they were able to drain almost all the water out of the caves, so the underwater portion was very short, and the monsoon arrived later than expected.

Those pumps were critical. Some of the Tesla team helped with electrical power, but major credit to whoever provided those pumps. They were amazing. I'm told they were from some company in India.

MORE ON MUSK AND THE RESCUER

Elon Musk Has Revisited His Baseless Pedophile Claims

Ryan Mac · Aug. 28, 2018

The Cave Rescuer Elon Musk Called A "Pedo" Has Lawyered Up And Is Preparing A Libel Claim

Ryan Mac · Aug. 29, 2018

Elon Musk Has Apologized After Calling A Thai Cave Rescuer A "Pedo"

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Got a confidential tip? [Submit it here.](#)



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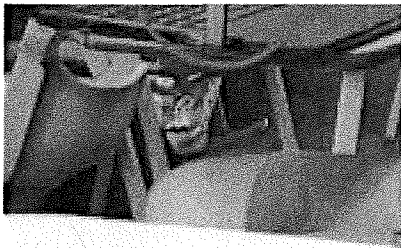
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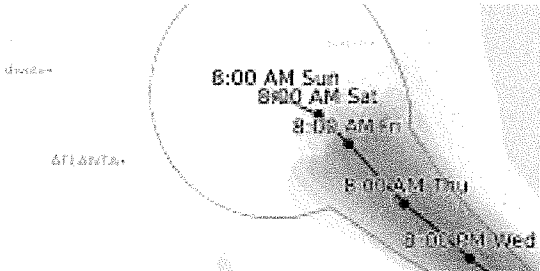
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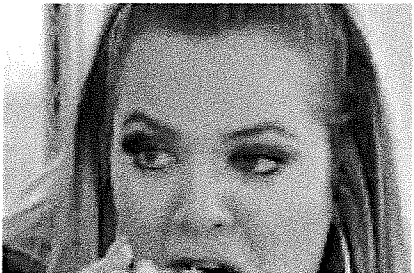
Writing, reporter... (The text is mostly illegible due to low resolution and small font size.)



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