

## **TNI ANTITRUST LITIGATION: EXECUTIVE SUMMARY**

The following summarizes a major, first-in-the-country **antitrust lawsuit** against members of the “**Trusted News Initiative**” (“TNI”) for collusively censoring online news.

### **What Is the TNI?**

The TNI is a self-proclaimed “industry partnership” formed around 2020, joining together some of the world’s largest legacy news organizations with all the biggest Big Tech platforms. The TNI exists to, in its own words, “choke off” and “stamp out” online news reporting that the TNI or any of its members peremptorily deems “misinformation.” Its members include Facebook, Google, Twitter, Microsoft, The Washington Post, the Associated Press, Reuters, and its founder, the British Broadcasting Corporation. TNI members have targeted and suppressed completely accurate online reporting by non-mainstream news publishers concerning both COVID-19 (on matters including treatments, immunity, lab leak, vax injury, and lockdowns/mandates) and U.S. elections (such as the Hunter Biden laptop story).

### **Legal Claim: Group Boycott**

Federal antitrust law prohibits firms from colluding to deny critical facilities or market access to rivals. Such agreements are called “**group boycotts**,” and they are *per se illegal*. See, e.g., [\*Northwest Wholesale Stationers, Inc. v. Pac. Stationery & Printing, Co.\*, 472 U.S. 284, 294 \(1985\)](#). The TNI is a massive group boycott. Since 2020, it has successfully denied critical market facilities—*i.e.*, the world’s dominant social media platforms—to rival news publishers whose reporting competes with and challenges TNI orthodoxy. Under antitrust law, the victims of a group boycott—like the Plaintiffs in our case—are entitled to treble damages.

### **Freedom of Speech and of the Press**

But our lawsuit is about much more than recovering damages. It’s about vindicating the freedom of speech and of the press. More than three-quarters of a century ago, in [\*Associated Press v. United States\*, 326 U.S. 1 \(1945\)](#), the Supreme Court held that the First Amendment and antitrust law speak with one voice when news companies combine together to try to prevent their rivals from publishing certain stories. The First Amendment, said the Court, “rests on the assumption that *the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public. . . . Freedom to publish means freedom for all, and not for some*. Freedom of the press from governmental interference under the First Amendment does not sanction *repression of that freedom by private interests*.” *Id.* at 20.

### **Plaintiffs and Defendants**

The plaintiffs are listed on the first page of the Complaint. The Defendants are the BBC, The Washington Post, the Associated Press and Reuters.