

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

FILED

ORANGE COUNTY

10-CVS-000149

2010 JAN 29 AM 9:12

RIELLE HUNTER,

ORANGE CO., C.S.C.

BY 

Plaintiff,

RETURN OF EXECUTION

v.

ANDREW YOUNG and
CHERI YOUNG

Defendants.

Name of the Defendants: Andrew Young
5016 Thomas Berry Way
Chapel Hill, NC 27516

Cheri Young
5016 Thomas Berry Way
Chapel Hill, NC 27516

The North Carolina Superior Court, Orange County, has issued a Temporary Restraining Order against Defendants, a copy of which is attached hereto. That Temporary Restraining Order commands that the Sheriff execute the Court's Order by retrieving any and all items or copies of items or portions of those items, in whatever manner they may be stored anywhere in Orange County, from Defendants or attorneys, agents or others acting with them as those items are described in the Temporary Restraining Order.

In execution of that Order, the undersigned took the following actions:

After reviewing the documents to be served in their entirety with attorneys for the Plaintiff, Alan W. Duncan and Wade Barber, and then discussing the matter with Sheriff A.L. Pendergrass. I went to the residence located at 5016 Thomas Berry Way, Chapel Hill and met with Mr. Andrew Young and served the copies directed to him via personal service. Mrs. Cheri Young was not present at the home. I served the copies directed to her via substitute service by delivering copies at the dwelling house or usual place of abode of the defendant, Cheri Young, with a person of suitable age and discretion then residing therein, Mr. Andrew Young. Mr. Young indicated he needed to consult with his attorney before doing anything. He invited me into his home and asked us to have a seat at the dining room table while he placed a phone call to his attorney.

After some few minutes of discussion between he and his attorney I was asked to explain to the attorney what the order was commanding Young to do. On speakerphone, I explained the order to the person on the other end of the conversation, presumably an attorney, by summarizing the Order portion of the document that directed Mr. Young to deliver those certain items listed in the Order to the Sheriff. At this point the person to whom I had been speaking asked me to allow he and Mr. Young to speak in private and then a decision would be made whether to deliver those items to me or not. I stepped out to my vehicle and waited for Young to confer with his attorney. After approximately 15 minutes Mr. Young stepped out to my car and told me he would need a few more minutes to speak to his attorney and asked if that would be okay, I told him it would and he stepped back into his home. After several more minutes Young came back outside and handed me the phone and asked me to speak to another attorney, Mr. David Geneson, an attorney in Washington DC. He told me they would not be able to immediately comply with the Order on such short notice and they would address that matter in Court before Judge Jones as soon as possible. He reiterated that Mr. Young was not intending to be uncooperative with me just that they had serious concerns about the method by which Mr. Duncan had attempted to seize the items in question. I thanked him and left the residence without any of the items listed in the Order. I called Wade Barber and notified him that I had not seized any of the items listed in the order.

Date Received: 01-28-2010

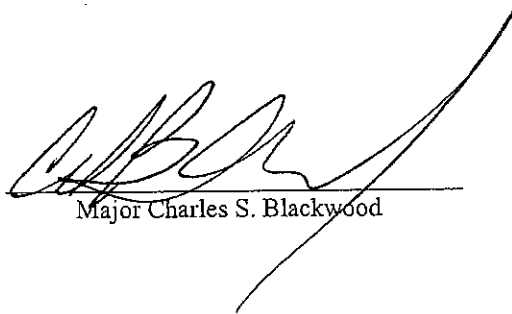
Date Executed: 01-28-2010

Date Returned: 01-29-2010

Name of Sheriff: A.L. Pendergrass

County of Sheriff: Orange County

Signature of Deputy Sheriff Making Return:



Major Charles S. Blackwood

STATE OF NORTH CAROLINA

File No. 10 CVS

ORANGE County

FILED

In The General Court of Justice
District Superior Court Division

Name of Plaintiff: RIELLE HUNTER
Address: c/o Smith Moore Leatherwood LLP, Post Office Box 21927
City, State, Zip: Greensboro, NC 27420

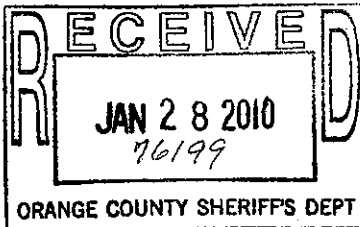
CIVIL SUMMONS
Alias and Pluries Summons
G.S. 1A-1, Rules 3, 4

VERSUS
Name of Defendant(s): ANDREW YOUNG and CHERI YOUNG

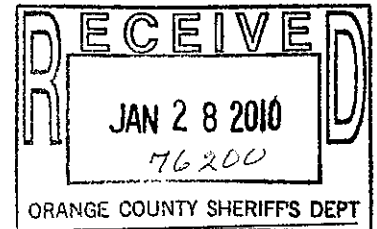
Date Original Summons Issued
Date(s) Subsequent Summon(es) Issued

To Each of The Defendant(s) Named Below:

Name And Address of Defendant 1: ANDREW YOUNG, 5016 THOMAS BERRY WAY, CHAPEL HILL, NC 27516



Name And Address of Defendant 2: CHERI YOUNG, 5016 THOMAS BERRY WAY, CHAPEL HILL, NC 27516



A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

- 1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served.
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address of Plaintiff's Attorney (if None, Address of Plaintiff): Alan W. Duncan and Allison O. Van Laningham, Smith Moore Leatherwood LLP, Post Office Box 21927, Greensboro, NC 27420

Date Issued: 1-28-10, Time: 11:00 AM
Signature: [Signature]
Deputy CSC, Assistant CSC, Clerk of Superior Court

ENDORSEMENT

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date of Endorsement, Time: AM/PM, Signature, Deputy CSC, Assistant CSC, Clerk of Superior Court

NOTE TO PARTIES: Many Counties have MANDATORY ARBITRATION programs in which most cases where the amount in controversy is \$15,000 or less are heard by an arbitrator before a trial.

NORTH CAROLINA

FILED

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

ORANGE COUNTY

2010 JAN 28 P 12: 23

10 CVS 149

RIELLE HUNTER, ORANGE COUNTY, C.S.C.

Plaintiff,

v.

ANDREW YOUNG and
CHERI YOUNG,

Defendants.

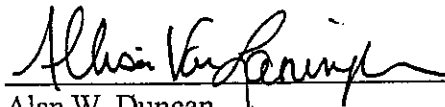
CERTIFICATE OF SERVICE

This is to certify that copies of the Summons and Complaint; Motion for Temporary Restraining Order; Affidavit of Rielle Hunter; and Temporary Restraining Order were delivered to the Orange County Sheriff's Department for service on:

ANDREW YOUNG
5016 THOMAS BERRY WAY
CHAPEL HILL, NC 27516

CHERI YOUNG
5016 THOMAS BERRY WAY
CHAPEL HILL, NC 27516

This the 28th day of January, 2010.



Alan W. Duncan
N.C. State Bar No. 8736
Allison O. Van Laningham
N.C. State Bar No. 23430
Attorneys for Plaintiff

OF COUNSEL:

SMITH MOORE LEATHERWOOD LLP
300 N. Greene Street, Suite 1400
Post Office Box 21927
Greensboro, NC 27420
Telephone: (336) 378-5200
Facsimile: (336) 378-5400

NORTH CAROLINA
ORANGE COUNTY

FILED

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

2010 JAN 28 P 12: 23

10 CVS 149

RIELLE HUNTER,

ORANGE COUNTY, C.S.C.

Plaintiff,

v.

ANDREW YOUNG and CHERI
YOUNG,

Defendants.

TEMPORARY RESTRAINING ORDER

THIS MATTER is before the Court on Plaintiff Rielle Hunter's ("Hunter") Motion for Temporary Restraining Order and/or Preliminary Injunctive Relief, pursuant to Rule 65(b) of the North Carolina Rules of Civil Procedure. Plaintiff requests the Court enter an *ex parte* temporary restraining order to prohibit Defendants Andrew Young and Cheri Young (collectively the "Youngs") from taking certain actions with respect to three video recordings and a series of photographs, and directing Defendants to turn over all copies of the same.

AND IT APPEARING TO THE COURT after having reviewed the matters of record, hearing the arguments of counsel, and considering the various matters before it, that Plaintiff's motion is well founded and that the Court should grant the request for entry of a temporary restraining order as set forth below, the Court makes the following FINDINGS OF FACT and CONCLUSIONS OF LAW, and enters its TEMPORARY RESTRAINING ORDER as follows:

FINDINGS OF FACT

1. From July/August 2006 through December 2006, Hunter worked with a political action committee related to what became the presidential campaign of John Edwards ("Edwards") as a videographer.

2. In or about September 2006, Hunter authored a personal video recording that depicted matters of a very private and personal nature (the "Video"). Hunter had the only copy of the Video. In or about December 2006, Hunter opened up the plastic casing on the miniDV cassette containing the Video, and pulled out the tape contained therein. She did not take any action that would obliterate the contents of the tape itself. Hunter stored the remains of the miniDV cassette and tape in a box that was stored at her residence.

3. The box that was stored at Hunter's residence that contained the Video also contained her passport, photographs from her youth, and two other video recordings authored by Hunter. The two other videos contained footage of campaign activities and an interview conducted by Hunter, respectively. Each video was stored on a separate "miniDV" video cassette.

4. Hunter also maintained, on a laptop computer in her residence and on her digital camera, a series of photographs that included her daughter (the "Photographs"). The Photographs, eight in number, were made by Hunter on 19-21 March 2008. At the time the Photographs were made, Hunter's daughter was a young infant.

5. Edwards is the father of Hunter's daughter. However, prior to Edwards's acknowledgement of paternity of the child, Andrew Young had declared himself to be the father of Hunter's daughter.

6. For a period of time in 2007, Hunter physically lived in a house in the Governor's Club community in Chatham County, North Carolina. Her personal possessions, including the box containing the video, were stored in that residence. Andrew Young rented this residence for Hunter. The Youngs had the passcode to access the garage in the residence, the key to the house, or both, and were able to gain access to the residence by use of the passcode or a key.

7. In 2008, Hunter shared a residence with the Youngs and the Youngs' children in Santa Barbara, California. During the time that Hunter lived in Santa Barbara with the Youngs, many of her personal possessions, including the box, remained at the Governor's Club residence in North Carolina. At the Santa Barbara residence, the Youngs had access to Hunter's personal possessions that were at that house, including Hunter's laptop computer and digital camera.

8. The last date on which Hunter saw the three video recordings that were located in the box was December 2007, when Hunter moved from Governor's Club to Santa Barbara.

9. In August 2008, the Youngs were asked to go to Hunter's Governor's Club residence and retrieve her passport, and were made aware of the location of the box. Shortly thereafter, the passport was delivered to Hunter.

10. Hunter no longer has possession of the three video recordings, and learned that they were missing in September/October 2008 in conjunction with a move of her personal belongings.

11. The Youngs had access to the box containing the three video recordings during the time in which they went missing.

12. The Youngs, or either of them, have admitted possession of the Video.

13. Andrew Young has authored a book about himself, Edwards, and Hunter, among other things, titled "The Politician." The book is scheduled to be released on 30 January 2010.

14. Andrew Young has claimed publicly to have possession of Hunter's "mangled tape" and to have altered its condition. A news article dated 27 January 2010 and appearing on the website of the New York Daily News states that Young writes in his book about finding, repairing, and watching the "mangled tape."

15. Andrew Young is attempting to engage in activities to generate publicity in connection with publication of his book. An interview with him is scheduled to air on the ABC television program "20/20" on the evening of Friday, 29 January 2010. A news article appearing on the Politics Daily website states that a video containing personal and private content with respect to Hunter will be discussed during the "20/20" interview.

16. Andrew Young attached the Photographs, or some of them, to the book proposal that he distributed to various third parties. The Youngs, or either of them, downloaded or obtained copies of the Photographs between 23 March 2008 and 4 June 2008 from Hunter's laptop computer or digital camera.

17. Hunter asked, through counsel, for Andrew Young to return any and all photographs and video tape materials, but he has not done so.

18. Hunter never consented to Andrew Young and/or Cheri Young retaining or distribution the three video recordings that were stored in the box, any copies thereof, any depictions of Hunter's likeness, or the Photographs. Hunter never consented to Andrew Young and/or Cheri Young distributing any likeness of Hunter in connection with their commercial efforts, such as potentially selling the Video or promoting Andrew Young's book.

19. Hunter never provided the three video recordings or the Photographs, or copies thereof, to Andrew Hunter or Cheri Hunter.

20. The Youngs are attempting to sell or otherwise distribute the Video to one or more third parties, and/or Andrew Young is attempting to utilize the Video and the Photographs in connection with the publicity efforts for his book.

21. Any publication, dissemination, sale, copying, or other distribution of the Video or its contents would be a highly offensive intrusion into a private matter with respect to Hunter.

22. Any publication, dissemination, sale, copying, or other distribution of the Photographs or their contents would be a highly offensive intrusion into a private matter with respect to Hunter and her daughter.

CONCLUSIONS OF LAW

1. There is a substantial likelihood that Hunter will succeed on the merits on one or more of her claims against the Youngs for conversion, invasion of privacy, and unfair and deceptive trade practices.

2. There is a significant and imminent risk that Hunter will suffer immediate and irreparable harm unless the Youngs are enjoined from taking any action to publish, disseminate, sell, copy, or otherwise distribute the three video recordings and the photographs identified herein, or the contents of those items.

3. The harm that Hunter would suffer if the aforementioned actions were to come to fruition would be irreparable because it would represent a continuation of the conversion of Hunter's property, to the exclusion of her ownership rights, and would invade or further invade Hunter's privacy interests with respect to the three video recordings and the photographs identified herein.

4. Money damages would be inadequate to compensate Hunter for the harm she would suffer if the Youngs are permitted to continue to take action towards publishing, disseminating, selling, copying, or otherwise distributing the three video recordings and the photographs identified herein or their contents.

5. The balance of hardships favors Hunter and the public interest supports the issuance of a temporary restraining order.

6. It is appropriate to issue a temporary restraining order *ex parte*, and without notice to the Youngs until after issuance of the same, in light of the ease and rapidity with which the three video recordings and photographs identified herein could be published or otherwise disseminated via electronic or other means prior to the time that the Court could consider and rule upon the Motion presented. Such transfer would constitute irreparable harm and frustrate the purpose of the Motion prior to the Court's consideration and ruling.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

1. Defendants Andrew Young and Cheri Young and their agents, attorneys, and those persons who are in active concert or participation with them, who receive actual notice in any manner of this Temporary Restraining Order by personal service or otherwise are ENJOINED from taking any action to publish, disseminate, sell, copy, or otherwise distribute the following, until further order of the Court:

- a. The three video recordings belonging to Hunter, or the contents of those recordings, that the Youngs, or either of them, obtained;
- b. The photographs belonging to Hunter of Hunter's daughter, or the contents of those photographs, that the Youngs, or either of them, obtained;
- c. Any video recordings of Hunter or that contain Hunter's likeness that were made surreptitiously or otherwise without Hunter's knowledge and/or consent, or the contents of such recordings; and
- d. Any video recordings or photographs that depict matters of a private and personal nature with respect to Hunter.

2. Defendants Andrew Young and Cheri Young and their agents, attorneys, and those persons who are in active concert or participation with them, who receive actual notice in any manner of this Temporary Restraining Order by personal service or otherwise are ORDERED to turn over all copies of the following that are in their possession, custody, or control, including electronic copies, to Plaintiff Rielle Hunter, in the care of her attorney of

record Alan W. Duncan at Smith Moore Leatherwood LLP, 300 North Greene Street, Suite 1400, Greensboro, North Carolina, 27401, as an officer of the Court, and for those persons to whom this paragraph applies to retain no copies or versions of any such items, in whole or in part, and in any medium, including electronic storage, until further order of the Court:

- a. The three video recordings belonging to Hunter, or the contents of those recordings, that the Youngs, or either of them, obtained;
- b. The photographs belonging to Hunter of Hunter's daughter, or the contents of those photographs, that the Youngs, or either of them, obtained;
- c. Any video recordings of Hunter or that contain Hunter's likeness that were made surreptitiously or otherwise without Hunter's knowledge and/or consent, or the contents of such recordings; and
- d. Any video recordings or photographs that depict matters of a private and personal nature with respect to Hunter.

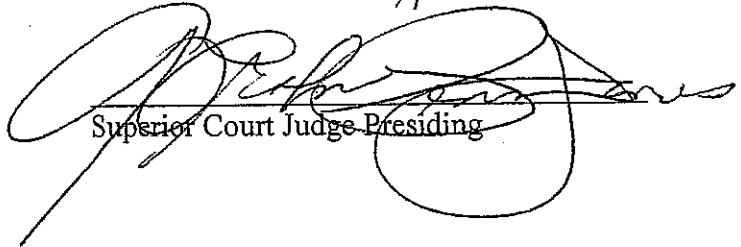
3. The Sheriff of Orange County is directed to execute the Court's Order for return and relinquishment of the video recordings and photographs identified in the preceding paragraph, in whatever form, located at the residence of Andrew Young and Cheri Young or otherwise in their possession, custody, or control and located elsewhere in Orange County; to provide such items to Hunter's attorneys as set forth in the preceding paragraph; and to confirm that all such items have been retrieved and that a copy has been made and retrieved of any electronically stored items; and that such material stored in electronic form on any medium in the possession, custody, or control of Defendants, or either of them, or their attorneys, agents, or others acting in concert with them or either of them no longer exists in such electronically stored format.

4. As a condition precedent to the issuance of this Temporary Restraining Order, the Clerk of Superior Court, Orange County, shall take from Plaintiff Rielle Hunter an undertaking in the sum of \$ 250.00 to the effect that Plaintiff shall pay the parties enjoined such damage, not

to exceed the amount of such undertaking, as Defendants may sustain and prove by reason of this Temporary Restraining Order should the Court finally decide that Plaintiff was not entitled thereto; and

5. Plaintiff's Motion for Preliminary Injunction shall be heard on Feb. 8, 2010 at 2:00 o'clock P.M., or as soon thereafter as the matter may be heard, before the undersigned Judge or another Judge of the Superior Court presiding in Orange County.

SO ORDERED, this the 28th day of January, 2010 at 11:38 o'clock A.M.


Superior Court Judge Presiding

Undertaking having been paid in the amount of \$ 250⁰⁰, the foregoing Temporary Restraining Order is issued this the 28th day of January, 2010 at 12:30 o'clock P.M.


Clerk of Superior Court, Orange County

NORTH CAROLINA

FILED IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

ORANGE COUNTY

2010 JAN 28 P 12: 24

10 CVS 149

RIELLE HUNTER,

ORANGE COUNTY, C.S.C.

Plaintiff,

BY)

v.)

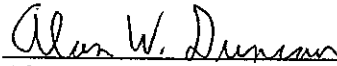
NOTICE OF FILING

ANDREW YOUNG and CHERI
YOUNG,

Defendants.)

Plaintiff Rielle Hunter, through counsel, provides notice of filing of the attached document that was presented to the Court as part of the hearing on the Motion for Temporary Restraining Order.

This the 28th day of January, 2010.



Alan W. Duncan
N.C. State Bar No. 8736



Allison O. Van Laningham
N.C. State Bar No. 23430

OF COUNSEL:

SMITH MOORE LEATHERWOOD LLP
Post Office Box 21927
Greensboro, NC 27420
Telephone: (336) 378-5200
Facsimile: (336) 378-5400



Wade Barber
N.C. State Bar No. 201

OF COUNSEL:

WADE BARBER PLLC
Post Office Box 1755
Pittsboro, NC 27312
Telephone: (919) 542-5050
Facsimile: (919) 542-3468

Counsel for Plaintiff Rielle Hunter

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served by delivering it to the Sheriff of Orange County for service along with the Summons and Complaint as follows:

Andrew Young
5016 Thomas Berry Way
Chapel Hill, NC 27516

Cheri Young
5016 Thomas Berry Way
Chapel Hill, NC 27516

This the 28th day of January, 2010.

Allison O. Van Laningham



John Edwards Made Sex Tape, Abortion Plea, Aide Says

Ex-Edwards Aide Claims Presidential Hopeful Pushed for Rielle Hunter to Abort, Was Infuriated by Pregnancy

By JAMES HILL, TERI WHITCRAFT, NADINE SHUBAILAT and LAUREN SHER

Jan. 28, 2010—

Former John Edwards' aide Andrew Young, who covered up the Democratic presidential candidate's affair, said when he cleaned up his house after his role in the cover-up ended he found one more shocker.

"There was one tape that was marked 'special,'" Young told ABC News' Bob Woodruff in an exclusive interview. "It's a sex tape of Rielle and John Edwards made just a couple of months before the Iowa caucuses."

Though Young never saw the woman's face in the tape, he said she was "visibly pregnant" and was "wearing a bracelet" and a "thumb ring" typically worn by Rielle Hunter.

It's her jewelry," Andrew Young's wife, Cheri, told ABC News. "It could be on another woman with the same jewelry."

Young gives his account of the sex scandal and the elaborate cover-up for the Democratic presidential candidate in a new tell-all book titled, "The Politician," which will be released Jan. 30.

He details how he and wife Cheri briefly returned to Raleigh, N.C., in July 2008 to clear out the house where Hunter had briefly lived before their December 2007 escape from the media. Young claims they found a box Hunter had left behind, which included some videotapes, in a pile of trash.

"[the tape] was cut and pulled ... out," Cheri Young told ABC News, "We... taped it back together and we played it."

Young, who had worked for Edwards since his 1998 Senate win, said he was absolutely sure it was his boss in the tape.

"It's definitely him. You never see her face. But you see -- you clearly see his face for a long time. And I can't speak for the other body parts, but it's definitely his face," Young told ABC News.

Watch "20/20" and "Nightline" Friday, Jan. 29 to see Andrew Young's exclusive interview. Then tune in "Good Morning America" Monday, Feb. 1, when Young will appear for his first live interview. Visit "20/20" Web site at ABCNews.com all week for more on Young's account of the sex scandal.

Youngs said they were "aghast" by the contents and the thoughtlessness of leaving it in a house that was on the market.

"It's amazing the tape exists. ... But to leave it in a house that's for sale -- where Realtors are going to be coming

Exhibit A

through it -- and leave it there for eight months -- is unbelievable," Young said.

By that point, Young's relationship with Edwards was rapidly deteriorating, and he said he believed that the tape was an important chip against his boss.

"We felt like we finally had something that completely corroborated what we said," Young told ABC News.

Young justified his actions, writing how he made plans to secure the tapes and leave copies with his lawyer should anything happen to him.

"We weren't going to use it in any nefarious way, but I planned to deposit a copy in a safe-deposit box and place at least one other with an attorney with instructions to make it public, if necessary, should anything suspicious befall us," Young wrote. "I had read enough John Grisham novels to think that ... sometimes powerful, rich people don't always play by the rules. And we were scared."

Loyal Aide Takes Bullet for Presidential Hopeful

The long-time, loyal aide had made himself indispensable to both John and Elizabeth Edwards professionally and personally. But he burst onto the national stage in December 2007 as the man who "took the bullet" for the Democratic contender, falsely claiming paternity of Edwards' daughter to protect Edwards' reputation and political career.

For Young, admitting paternity was the ultimate sacrifice for a political figure and a man he had long revered, but it was far from the first hit he took for the presidential hopeful.

Since the summer of 2006, Young said he was aware of Edwards' affair with Hunter and was ultimately entrusted by Edwards to conceal it. The affair, Young says, began in February 2006.

Aide Says John Edwards Made Abortion Plea

Young claims that Edwards even called upon him in late May 2007 to convince Hunter to terminate her pregnancy.

"The senator tried to convince her to have an abortion. ... He tried to convince me to convince Rielle to have an abortion," Young told Woodruff.

"She [Hunter] asked me if I were in her shoes what would I do. And if I said, 'I'm pro-choice, but after having had three kids, if you're asking me what I would do, no, I would not do it,'" Young recalled of his conversation with Hunter.

Young claims that Edwards was infuriated with him for not convincing Hunter and stressed that he was not certain the baby was his because Hunter was a "weird slut and a freak."

Hunter had started out eager just to be around Edwards, but over time became more comfortable in her role as Edwards' lover -- even wife -- having sex in the Edwards' marital bed, according to Young. Eventually, she became possessive and demanding, Young claims.

When Edwards rushed home in tears from campaigning in Iowa at the news that his wife's cancer had returned, he used Young's phone to call Hunter to cancel a date to celebrate her birthday in Des Moines that night.

"All I could hear was Rielle cussing," Young said. "She [Hunter] didn't care about Elizabeth's prognosis. All she cared about was that the senator was not going to be there to celebrate the birthday."

Each time Edwards professed his love for his wife on the campaign trail, Young said, "Rielle would go crazy...and it was my job and Cheri's job to calm her down."

The stakes got even higher in May 2007 when Young said he got a frantic call from Hunter.

"She said, 'I need to talk to him right now,' and started cursing and she threatened to go public if I didn't put them together. I said, 'well, either somebody's died, or somebody's pregnant.' And she said, 'Well, nobody's died,'" Young recalled.

Young Claims Edwards Shocked by Pregnancy

Young said Edwards was shocked by the pregnancy and believed there was only a one-in-three chance that the baby was his.

"He was cussing her out, calling her crazy ... and saying that ... she had sworn to him that she was physically unable to get pregnant. And that he just felt like he had been set up," Young said.

Young also maintains that Edwards had also asked him to arrange a fake a paternity test. "Get a doctor to fake the DNA results," Young said Edwards told him. "And he asked me ... to steal a diaper from the baby so he could secretly do a DNA test to find out if this [was] indeed his child."

Young said he ignored the requests.

In August 2008, Edwards admitted to the affair with Hunter in an exclusive "Nightline" interview with Woodruff, but strenuously denied fathering the child.

According to Young, Edwards looked to abortion as a way out but soon planned a cover-up to hide Hunter from the hawk eyes of the media and his cancer-stricken wife, Elizabeth.

"There was a whole series of calls of how do we deal with this," Young said. "This was no longer an affair. This was going to be, you know, at least, at the minimum, a year-long commitment. And it was going to take much larger resources than we had."

Watch "20/20" Friday at 10 p.m. ET and visit the "20/20" Web site Friday to follow the money trail of Edwards' benefactors, who provided cash, private jets and secluded mansions that were used to hide Edwards' pregnant mistress

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NORTH CAROLINA

FILED THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

ORANGE COUNTY

10 CVS _____

2010 JAN 28 A 11: 09

RIELLE HUNTER,

ORANGE COUNTY, C.S.C.

Plaintiff,

BY _____

v.

ANDREW YOUNG and CHERI
YOUNG,

Defendants.

**MOTION FOR TEMPORARY
RESTRAINING ORDER AND/OR
PRELIMINARY INJUNCTIVE RELIEF**

Plaintiff Rielle Hunter ("Hunter"), through counsel and pursuant to N.C. Gen. Stat. § 1-485 and Rule 65 of the North Carolina Rules of Civil Procedure, respectfully requests that the Court issue a temporary restraining order prohibiting Defendants Andrew Young and Cheri Young (collectively the "Youngs") and their agents, attorneys, and those persons who are in active concert or participation with them, who receive actual notice of the temporary restraining order and/or preliminary injunction by personal service or otherwise, from taking any action to publish, disseminate, sell, copy, or otherwise distribute certain video recording and photographs described herein, and directing them to return all copies of the video recordings and photographs to Hunter or provide the same to the Court. In support of this Motion, Hunter shows the Court the following:

BACKGROUND

1. During the 2008 campaign, and specifically for a period of time from July/August 2006 through December 2006, Hunter worked with the presidential campaign of John Edwards ("Edwards") as a videographer.

2. In or about September 2006, Hunter authored a personal video recording depicting matters of a very private and personal nature (the "Video").

3. Hunter maintained the only known copy of the Video. The Video was stored in a box at Hunter's residence that also contained her passport and two other video recordings authored by Hunter during the campaign.

4. The other two videos were also authored by Hunter. One video contained footage of campaign activities, and the other video contained footage of an interview conducted by Hunter.

5. Hunter also maintained, on a computer in her residence, a series of photographs that included her daughter (the "Photographs").

6. Edwards is the father of Hunter's daughter. However, prior to Edwards's acknowledgment of paternity of the child, Andrew Young had declared himself to be the father of Hunter's daughter.

7. For a period of time, Hunter, Andrew Young, Cheri Young, and the Youngs' children lived in the same house in Santa Barbara, California. During another period of time, Hunter lived in the Governor's Club community in Chatham County, North Carolina. The Youngs had access to Hunter's residences in Santa Barbara and Governor's Club.

8. During the time that Hunter lived in the Governor's Court community, Young and his family also lived in that community, and Young had access to Hunter's residence.

9. In or about August 2008, the Youngs were asked to retrieve Hunter's passport from the Governor's Court residence. She directed them to the location of the box in which Young stored her passport and the three video recordings.

10. It is believed that the Youngs, or either of them, also surreptitiously took possession of the three video recordings.

11. Andrew Young has publicly claimed to have possession of the Video. It is also believed that the Youngs, or either of them, obtained copies of the Photographs.

12. Hunter has never authorized Andrew Young or Cheri Young to possess the three video recordings or copies of the Photographs.

13. Hunter no longer has possession of the three video recordings, and she is not aware of anyone other than the Youngs who had access to and in fact did access the box containing Hunter's passport and the three video recordings during the time in which the video recordings were removed from Hunter's possession.

14. The Youngs have not returned or offered to return the video recordings or the copies of the Photographs.

15. On information and belief, Andrew Young is now attempting to sell or otherwise distribute the Video to one or more third-parties.

16. Andrew Young has authored a book titled "The Politician" that discusses, among other things, Hunter's relationship with Edwards. The book is scheduled to be released on or about 30 January 2010. Andrew Young is presently engaging in publicity efforts related to the book, including a scheduled interview on the ABC television program "20/20" on Friday, 29 January 2010. Media reports indicate that one topic of the interview will be the Video or its contents.

17. Under North Carolina law, as a general rule, a preliminary injunction "will be issued (1) if a plaintiff is able to show likelihood of success on the merits of his case and (2) if a plaintiff is likely to sustain irreparable loss unless the injunction is issued, or if, in the opinion of

the Court, issuance is necessary for the protection of a plaintiff's rights during the course of litigation." *A.E.P. Industries, Inc. v. McClure*, 308 N.C. 393, 401, 302 S.E.2d 754, 759-60 (1983) (citations omitted); *see also* N.C. Gen. Stat. § 1-485.

IRREPARABLE HARM

18. Hunter will suffer immediate and irreparable injury unless the Youngs and their agents, attorneys, and those persons who are in active concert or participation with them are enjoined from taking any action to publish, disseminate, sell, copy, or otherwise distribute the Video. If such an event were to occur, it would represent further intrusion upon the solitude and seclusion of Hunter in her private concerns, in addition to the intrusion that has already occurred through the Youngs' possession of the Video. It would also be a further conversion of Hunter's property to the Young's personal property and to the exclusion of Hunter's rights. It would represent an effort by the Youngs, or either of them, to misappropriate Hunter's likeness for commercial use, by selling the Video or otherwise using it to generate publicity for "The Politician," to increase sales of the book. This conduct would also represent an unfair and deceptive trade practice, with respect to the Youngs' efforts to capitalize financially on the unauthorized possession of the Video.

19. Additionally, the Youngs' unauthorized possession of the three video recordings prevents Hunter from registering her copyright in them, and otherwise securing and enforcing her copyright in them. Hunter is unable to register and protect her copyright in the video recordings so long as she does not possess a copy of the video recordings.

20. Hunter will also suffer immediate and irreparable injury unless the Youngs and their agents, attorneys, and those persons who are in active concert or participation with them are enjoined from taking any action to publish, disseminate, sell, copy, or otherwise distribute the

Photographs. The Photographs show Hunter's daughter, and their unauthorized viewing by the Youngs or others would represent further intrusion upon the solitude and seclusion of Hunter in her private concerns. It would also represent an effort by the Youngs to misappropriate Hunter's daughter's likenesses for commercial use, and also would represent an unfair and deceptive trade practice.

LIKELIHOOD OF SUCCESS ON THE MERITS

21. Hunter is likely to succeed on the merits of the claims set forth in the Complaint, for conversion, invasion of privacy by way of intrusion upon solitude and seclusion in her private concerns, invasion of privacy by way of misappropriation of her likeness for commercial use, and unfair and deceptive trade practices.

22. Andrew Young has publicly admitted that the video was Hunter's property and that he took possession of the Video. Hunter's affidavit establishes she did not authorize his possession. Andrew Young is using the Video as if it were his property, and depriving Hunter of possession of, dominion over and rights in the Video.

23. North Carolina courts have recognized that a person depicted in a video recording that contains matters of a personal nature has a strong privacy interest in such recording. See *Miller v. Brooks*, 123 N.C. App. 20, 26, 472 S.E.2d 350, 354 (1996) (analyzing the plaintiff's interests in "recorded pictures of him undressing, showering, and going to bed," in the context of a claim of invasion of privacy by way of intrusion upon solitude and seclusion in one's private concerns), *disc. rev. denied*, 345 N.C. 344, 483 S.E.2d 172 (1997).

24. Media articles already in circulation tend to suggest that Young or those associated with him have discussed the existence of the Video and its contents with various third parties. One story indicates that Young's book includes references to the Video. Such stories

appeared on the websites of the New York Daily News, the Wall Street Journal and Gawker. Another story on the Politics Daily website strongly suggests the Video will be a topic of discussion during Young's interview with "20/20" on 29 January 2010.

25. A claim for conversion also gives rise to a claim for unfair and deceptive trade practices in the present circumstances. *See Love v. Pressley*, 34 N.C. App. 503, 516-17, 239 S.E.2d 574, 583 (1977) (holding landlord's trespass and conversion of tenants' property constituted unfair and deceptive trade practice). The highly personal nature of the material that the Youngs, or either of them, obtained without authorization, and the fact that Andrew Young is attempting to sell or otherwise distribute the Video, or to use it to generate publicity for his soon-to-be-released book, indicate that the Youngs' conduct was sufficiently egregious to state a claim under Chapter 75.

26. No petition for the same relief has been presented to, and refused by, any court or judge or justice.

27. In further support of this motion, Hunter submits the Affidavit of Rielle Hunter, attached as Exhibit A.

28. In accordance with Rule 65(b) of the North Carolina Rules of Civil Procedure, Plaintiff's counsel provides the following certification with respect to the issue of giving notice of these proceedings to the Youngs. Plaintiff's counsel are not serving a copy of this Motion or the Summons and Complaint in this matter upon the Youngs prior to the Court considering and ruling on the Motion, or undertaking any other effort to give notice to the Youngs prior to the Court considering and ruling on the Motion, because of the ease and rapidity with which the three video recordings and the Photographs could be published or otherwise disseminated via electronic or other means. If the Youngs were provided notice of these proceedings, they could

publish or otherwise disseminate the three video recordings and the Photographs prior to the time that the Court could consider and rule upon the Motion. Such transfer would constitute irreparable harm to Hunter and would frustrate the purpose of the Motion prior to the Court's consideration and ruling.

WHEREFORE, Plaintiff Rielle Hunter respectfully requests that her motion for a temporary restraining order and/or preliminary injunction be granted and that the Court:

1. Issue a temporary restraining order prohibiting Defendants Andrew Young and Cheri Young and their agents, attorneys, and those persons who are in active concert or participation with them, who receive actual notice of the temporary restraining order and/or preliminary injunction by personal service or otherwise, from taking any action to publish, disseminate, sell, copy, or otherwise distribute certain video recording and photographs described herein or the contents thereof, in whole or in part, until further order of the Court;

2. Issue an order directing Defendants Andrew Young and Cheri Young and their agents, attorneys, and those persons who are in active concert or participation with them, who receive actual notice of the temporary restraining order and/or preliminary injunction by personal service or otherwise to return and relinquish all copies of the video recordings and photographs, whether in actual or electronic copy, to Hunter or, in the alternative, to her attorneys as officers of the Court and to retain no copies or versions of any such items, in whole or in part, and in any medium, including electronic storage;

3. Issue an order directing that the Sheriff of Orange County execute the Court's Order for return and relinquishment of the video recordings and photographs, in whatever form, located at Defendants' residence or elsewhere in Orange County, to provide such items to Hunter's attorneys and to confirm that all such items have been retrieved and that a copy has

been made and retrieved of any electronically stored items and that such material stored in electronic form on any medium in either Defendant's or both Defendants' possession or within their or either of their custody or control or in the possession, custody and control of their or either of their attorneys, agents or others acting in concert with them or either of them no longer exists in such electronically stored format.

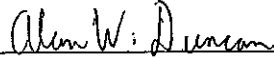
4. Grant such relief *ex parte* if the Court determines that Defendants Andrew Young and/or Cheri Young have not received notice of these proceedings and this motion at the time the matter comes on for hearing;

5. Accept a nominal amount such as one dollar as security for any injunction the Court may enter;


6. Set this matter for further hearing on motion for entry of a preliminary injunction, if necessary; and

7. Grant such other and further relief as the Court may deem just and proper.

This the 28th day of January, 2010.



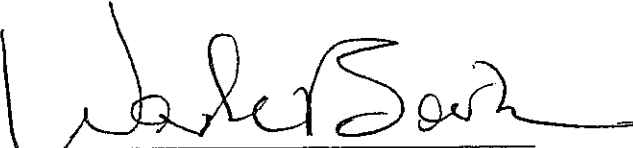
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Counsel for Plaintiff Rielle Hunter

FILED

NORTH CAROLINA
ORANGE COUNTY
RIELLE HUNTER,

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

2010 JAN 28 A 11:09 10 CVS _____

ORANGE COUNTY, C.S.C.
)
BY) *[Signature]*

Plaintiff,)

v.)

ANDREW YOUNG and CHERI)
YOUNG,)

Defendants.)

**AFFIDAVIT OF
RIELLE HUNTER**

RIELLE HUNTER, first being duly sworn, deposes and says:

1. My name is Rielle Hunter. I am over the age of eighteen and am competent to make this Affidavit. I am the Plaintiff in this lawsuit and currently reside in Charlotte, Mecklenburg County, North Carolina.

2. I worked with a political action committee related to what became the 2008 presidential campaign of John Edwards ("Edwards") from July/August 2006 through December 2006 as a videographer.

3. In or about September 2006, using my video camera, I authored a personal video recording that depicted matters of a very private and personal nature (the "Video")

4. The video recording was stored in a "miniDV" style video cassette. A miniDV cassette is a small video tape cassette that is often used with video recording equipment.

5. In 2006, I was also having an intimate relationship with Edwards.

6. In or about December 2006, the decision was made that the Video should be destroyed. Therefore I opened up the plastic casing of the miniDV cassette and pulled out the tape contained therein. However, because I was concerned that persons seeking information

about my activities were or could be searching my trash, I decided to instead store the remains of the miniDV tape in a hatbox in which I stored other important personal items in order to maintain possession and control over the Video. I did not take any action that would obliterate the contents of the tape itself.

7. I never intended the Video to be displayed to any third party. Consistent with that intention, I have never displayed the Video to anyone. I never distributed the Video to any person.

8. Other contents of the hatbox included my passport, photographs from my youth, and two other video recordings that were also stored on miniDV cassettes.

9. One of the other two videos was authored by me in October 2006 and includes footage of an interview I conducted during the Edwards presidential campaign. The final video was authored by me in December 2006 and includes footage of the Edwards campaign's announcement tour.

10. For a period of time in 2007, I physically lived in a house in the Governor's Club in Chatham County, North Carolina. My personal possessions, including the hatbox were stored in that residence.

11. In 2008, I shared a residence with Andrew Young and Cheri Young (hereafter sometimes referred to as the "Youngs") and their children in Santa Barbara, California.

12. At the Santa Barbara residence, the Youngs had access to my personal possessions that were at that house, including my laptop computer and my digital camera. During the time that I was in Santa Barbara, many of my personal possessions, including the hatbox, remained at the Governor's Club residence in North Carolina.

13. The last date on which I saw that the three video recordings were located in the hatbox was December 2007, when I physically moved from the Governor's Club residence to Santa Barbara.

14. Andrew Young rented the Governor's Club residence for me. The Youngs had the passcode to access the garage in my residence, they key to the house, or both. They were able through using that passcode or by use of a key to gain access to that residence.

15. In August 2008, I was preparing to take a trip that would require use of a passport, but I was not in North Carolina at that time. Because I needed my passport to take the trip, the Youngs were asked to go to my Governor's Club residence and retrieve it. They were made aware of the location of the hatbox containing the passport, and shortly thereafter the passport was delivered to me.

16. I learned the video recordings were missing in September or October of 2008, in conjunction with a move of my personal belongings.

17. I have not authorized either Andrew Young or Cheri Young at any time to take possession of any of the three video recordings, nor did I ever provide the Youngs with a copy.

18. Andrew Young has claimed publicly to have taken my "mangled tape," altered its condition and to be in possession of the Video.

19. The Youngs had access to my personal belongings from the time I last know the video recordings were stored there (December 2007) until I confirmed that the video recordings were missing. The Youngs had such access at both the Santa Barbara residence and at the Governor's Club residence.

20. While I had heard rumors that Andrew Young had possession of a personal video recording of me, the description of materials did not match my recollection of the Video.

21. However, news reports state that in his upcoming book, Young claims he found a "mangled videotape" that he claims I left behind at the Santa Barbara, California residence, and that he repaired it and watched it with his wife. A copy of such an article, dated 27 January 2010 and appearing on the website of the New York Daily News, is attached as Exhibit A. The "mangled videotape" described in Exhibit A matches my recollection of the appearance of the miniDV cassette containing the Video after I cracked the cassette open and pulled the video tape out of the cassette.

22. I believe that the Youngs or one of them in fact have possession of the Video and/or one or more copies of the Video.

23. I also believe that Andrew and/or Cheri Young have downloaded copies of photographs from my computer or my digital camera, without my authorization. On 19-21 March 2008, I took eight photographs that included my daughter, who at the time was a young infant (the "Photographs").

24. Copies of the Photographs were stored on my laptop computer and/or my digital camera, including when they were stored in the Santa Barbara residence that I share with the Youngs. Neither my laptop computer nor my digital camera were password protected or otherwise secured.

25. I never provided copies of the Photographs to the Youngs, nor did I ever authorize the Youngs to download or otherwise obtain possession of copies of the Photographs.

26. I have heard accounts that Andrew Young possessed copies of the Photographs and provided at least some of them to one or more third parties in connection with his book proposal.

27. I now believe that Andrew and/or Cheri Young downloaded or obtained copies of the Photographs some time between 23 March 2008 and 4 June 2008, from either my laptop computer or my digital camera.

28. Andrew Young has authored a book about himself, Edwards, and me, among other things, titled "The Politician." The book is scheduled to be released on 30 January 2010. A website describing the book is attached as Exhibit B.

29. I understand that Andrew Young is attempting to engage in activities to generate publicity in connection with publication of "The Politician." Once such activity is a scheduled interview on the ABC television program "20/20" scheduled to air on the evening of Friday, 29 January 2010. I have read a news report that a video containing personal content with respect to me will be discussed during the "20/20" interview. A copy of an article I read on the Politics Daily website discussing the "20/20" interview is attached as Exhibit C.

30. I have also heard accounts that Andrew Young has previously discussed the Video or its contents with others, and is doing so now in connection with the publicity efforts related to his book.

31. I believe that Andrew Young may publish the Video to others, including potentially to members of the media.

32. I believe that Andrew Young is presently engaged in efforts to sell the Video or a copy of the Video to others, and that various media outlets and other sources are attempting to acquire the Video from Young.

33. I also believe that Andrew Young is willing to sell or otherwise distribute the two other video recordings and the Photographs, and that he may do so in connection with the publicity efforts related to his book.

34. The Video is a private matter that should not be distributed in any manner. If it were distributed, it would be for me a highly offensive intrusion into a private matter.

35. The two other video recordings were also not meant for distribution in any manner at the time I stored them.

36. The Photographs contain depictions that are personal to me and my daughter. The Photographs were not meant to be distributed to others.

37. I previously asked, through counsel, for Andrew Young to return any and all photographs and video tape materials. Andrew Young has not done so.

38. Neither the three videos nor the Photographs were intended or expected by me to be used in any manner in connection with publicity or promotion for Andrew Young's book.

39. I have never consented to Andrew Young and/or Cheri Young retaining or distributing the three videos, any copies thereof, any depictions of my likeness, or the Photographs. I have also never consented to Andrew Young and/or Cheri Young distributing any likeness of me in connection with his commercial efforts, such as potentially selling the Video or promoting his book.

FURTHER AFFIANT SAYETH NOT.

This the 27th day of January, 2010.




Rielle Hunter

STATE OF NORTH CAROLINA
MECKLENBURG COUNTY

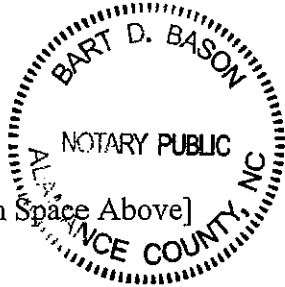
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Rielle Hunter.

Today's Date: 27 January 2010


[Notary's signature as name appears on seal]

BART D. BASON
[Notary's printed name as name appears on seal]

My commission expires: 9-18-2012



[Affix Notary Seal in Space Above]

Exhibit A

NYDailyNews.com

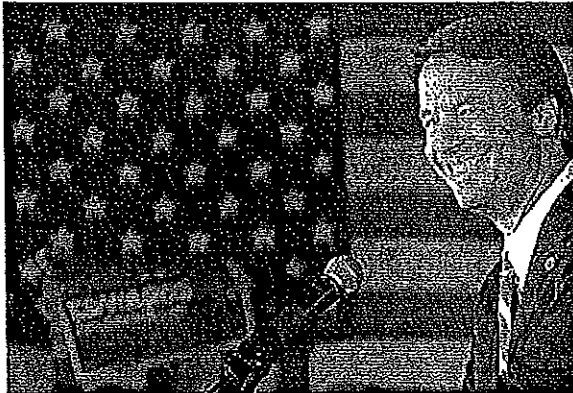
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John Edwards exposed as cheating lowlife, serial liar in book 'The Politician' by Andrew Young

BY Michael Saul AND Celeste Katz
DAILY NEWS STAFF WRITERS

Wednesday, January 27th 2010, 4:00 AM



Senne/AP John Edwards shacked up with Rielle Hunter at hotels across the country, and even slept with his mistress in his marital bed in Chapel Hill, N.C., according to book by Andrew Young.

Disgraced presidential wanna-be John Edwards slept with his kooky lover in his wife's bed and made a sex tape with her, a

shocking new book claims.

In "The Politician," Andrew Young - the aide who once claimed Edwards' love child was his - says the ambitious ex-senator stopped at nothing to hide his indiscretions, including urging his girlfriend to abort their child.

Young portrays Edwards as a self-obsessed, all-around creep in a copy of the book obtained by the Daily News.

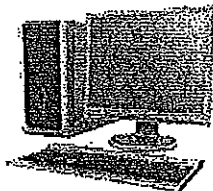
Even as he cheated on his wife Elizabeth with campaign videographer Rielle Hunter, Young says, Edwards refused to consider a divorce - partly because he still loved his wife, and partly because voters did, too.

Young says he went along with the paternity scheme out of a cultish loyalty to the candidate - and because he believed Edwards would save his career even as Elizabeth Edwards trashed him. In short, he writes, "I was f---ed."

In 2006, with his wife away, Edwards brought Hunter to the couple's home, Young writes. There, Edwards told her they'd one day marry on a Manhattan rooftop and form a new family.

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Hunter told Young she slept in the Edwards' bed that night, and the two "made love" after he took his kids to school.

Young reveals Hunter also woke up in Edwards' bed after he kicked off his campaign in New Orleans. She told Young she felt "just like his First Lady."

Hunter gave frequent, cringe-inducing accounts of sex with the man she called "Love Lips." And she became increasingly demanding as she went into hiding to bear Edwards' child, Young writes in the book, out Tuesday from Thomas Dunne Books.

Young describes Edwards as "barely under control" the first time the two men discussed Hunter's pregnancy.

Edwards called Hunter a "crazy slut" and questioned who fathered the baby. He asked Young to help talk her into an abortion, but she wanted the baby. She believed the child was the reincarnated spirit of a Buddhist monk who would rescue the world.

With the National Enquirer on the story, Young writes, Edwards pleaded with him to claim he'd fathered the child and take off

with Hunter.

Hunter initially resisted, but soon signed on, disappearing into a life of luxury on cash provided by an Edwards friend.

In December 2007, the entire crew headed west to California, where Hunter gave birth to a girl.

Edwards met up with Hunter and saw the baby - but still asked Young to swipe a diaper to send for a DNA test, the book says. Young said he also talked about having a fake DNA test "prove" he didn't father the child.

By mid-2007, Young says he'd clashed with his boss about escaping the whole bizarre scene. Edwards shut him down.

Going through the junk Hunter left behind at their California hideout, Young writes, he found a mangled videotape, repaired it and watched.

He and his wife were treated to footage of Edwards and a pregnant woman he believed to be Hunter, right in the middle of a "sexual encounter."


Edwards went into free fall when the

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Enquirer ran pictures of him visiting Hunter and their child at a Beverly Hills hotel.

A tearful Edwards called his longtime aide, reporting: "They caught me. It's all over."

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Exhibit B

"The greatest political saga, the one that has it all, that gets to the real heart of American politics, is the John Edwards story... This isn't just politics, it's literature. It's the great American novel, the kind that isn't written anymore." --Michael Wolff on John Edwards's trajectory, on *VanityFair.com*

The underside of modern American politics -- raw ambition, manipulation, and deception -- are revealed in detail by Andrew Young's riveting account of a presidential hopeful's meteoric rise and scandalous fall. Like a non-fiction version of *All the King's Men*, *The Politician* offers a truly disturbing, even shocking perspective on the risks taken and tactics employed by a man determined to rule the most powerful nation on earth.

Idealistic and ambitious, Andrew Young volunteered for the John Edwards campaign for Senate in 1998 and quickly became the candidate's right hand man. As the senator became a national star, Young's responsibilities grew. For a decade he was this politician's confidant and he was assured he was 'like family.' In time, however, Young was drawn into a series of questionable assignments that culminated with Edwards asking him to help conceal the Senator's ongoing adultery. Days before the 2008 presidential primaries began, Young gained international notoriety when he told the world that he was the father of a child being carried by a woman named Rielle Hunter, who was actually the senator's mistress. While Young began a life on the run, hiding from the press with his family and alleged mistress, John Edwards continued to pursue the presidency and then the Vice Presidency in the future Obama administration.

Young had been the senator's closest aide and most trusted friend. He believed that John Edwards could be a great president, and was assured throughout the cover-up that his boss and friend would ultimately step forward to both tell the truth and protect his aide's career. Neither promise was kept. Not only a moving personal account of Andrew Young's political education, *THE POLITICIAN* offers a look at the trajectory which made John Edwards the ideal Democratic candidate for president, and the hubris which brought him down, leaving his career, his marriage and his dreams in ashes.

About the Author(s)

Andrew Young

After earning a bachelors degree at the University of North Carolina at Chapel Hill and a law degree at the Wake Forest University School of Law, Andrew Young was a volunteer for John Edwards' winning campaign for U.S. Senate. Hired in 1999, Young became Edwards' longest serving and most trusted aide. He raised more than \$10 million for the politician's various causes and played a key role in Edwards' efforts to become President of the United States. Now a private citizen, he lives in Chapel Hill with his wife Cheri and their three children.

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Exhibit C

<http://www.politicsdaily.com/2010/01/25/john-edwards-sex-tape-with-rielle-hunter-exposed-in-andre...>

John Edwards Sex Tape with Rielle Hunter Alleged in Andrew Young Book

John Edwards' former staffer Andrew Young supposedly has a sex tape made by Edwards and Rielle Hunter, according to Gawker.

Let's face it, Young has lied before: He previously claimed paternity of Edwards' daughter with Hunter, and if we believe him now, was willing to drive his own life over a cliff to cover up for his boss. But he now insists that he became disillusioned when he discovered the sex tape in 2007...in his friend Hunter's home. (Gee, was it hidden on the coffee table, along with an open box of chocolates?)

Doubtless the motivation of a book contract had nothing to do with Young's disillusionment...but he's threatening to reveal more gory details of Edwards and Hunter's affair in his new book, *The Politician*, which will be released February 2. Oh, and those who do not want to hear another word about the contents of the (purported?) sex tape should NOT tune in for his interview Friday on ABC's *20/20*.

Hunter was paid by the Edwards presidential campaign to make videos of the candidate, but no one suspected she was making one of them having sex. The tape reportedly shows Hunter "behind the camera at first" and then the two of them engaging in "several sex acts." The New York Daily News reported last June that Young's book proposal mentioned a sex

tape, as did the National Enquirer in July.

One of Gawker's sources said Young saw the sex tape as "kind of the last straw for people who had sacrificed savings and jobs to lie for John."

But why would that turn him against his boss? At that point, Young had already helped Edwards cheat on his cancer-stricken wife, and helped him deny his own flesh and blood. Yet something on a sex tape made him wake up and smell the mendacity? Right.

If such a tape does exist, whether Young got hold of it by accident or design is also unclear. The Enquirer reported that he found it while helping Hunter unpack when they lived together — along with Young's own wife and children — in the hideaway house in California. Gawker cites that Young found it in a stack of DVDs in Hunter's house by accident.

The ick-factor is compounded by the Enquirer's report that 'John and Rielle think Andrew concocted the story that he *'found'* the tape. They think he may have been the one responsible for recording it, "divulged the close source."

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STATE OF NORTH CAROLINA

File No.

Orange County

In The General Court Of Justice
District Superior Court Division

FILED

Name Of Plaintiff 1
Rielle Hunter

Tax ID/SSN

Name Of Plaintiff 2

Tax ID/SSN

Name Of Plaintiff 3

Tax ID/SSN

VERSUS

Name Of Defendant 1
Andrew Young

Tax ID/SSN Summons Submitted
Yes No

Name Of Defendant 2
Cheri Young

Tax ID/SSN Summons Submitted
Yes No

Name Of Defendant 3

Tax ID/SSN Summons Submitted
Yes No

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Initial Appearance in Case Change of Address

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Jury Demanded In Pleading
Complex Litigation

Amount in controversy does not exceed \$15,000
Stipulate to arbitration

TYPE OF PLEADING

CLAIMS FOR RELIEF FOR:

- (check all that apply)
Amended Answer/Reply (AMND-Response)
Amended Complaint (AMND)
Answer/Reply (ANSW-Response)
Complaint (COMP)
Confession of Judgment (CNFJ)
Counterclaim vs. (CTCL)
Crossclaim vs. (List on back) (CRSS)
Extend Statute of Limitations, Rule 9 (ESOL)
Extend Time For Answer (MEOT-Response)
Extend Time For Complaint (EXCO)
Rule 12 Motion In Lieu Of Answer (MDLA)
Third Party Complaint (List Third Party Defendants on Back) (TPCL)
Other: (specify)

- Administrative Appeal (ADMA)
Appointment of Receiver (APRC)
Attachment/Garnishment (ATTC)
Claim and Delivery (CLMD)
Collection on Account (ACCT)
Condemnation (CNDM)
Contract (CNTR)
Discovery Scheduling Order (DSCH)
Injunction (INJU)
Medical Malpractice (MDML)
Minor Settlement (MSTL)
Money Owed (MNYO)
Negligence - Motor Vehicle (MVNG)
Negligence - Other (NEGO)
Motor Vehicle Lien G.S. 44A (MVLN)
Limited Driving Privilege - Out-of-State Convictions (PLDP)
Possession of Personal Property (POPP)
Product Liability (PROD)
Real Property (RLPR)
Specific Performance (SPPR)
Other: (specify) Invasion of privacy

NOTE: Small claims are exempt from cover sheets.

Date
1-28-10

Signature Of Attorney/Party
Alan W. Devoreen / by Stephen M. Russell, Jr.

NOTE: The initial filing in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts, and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must either include a cover sheet or the filing must comply with G.S. 7A-34.1.

STATE OF NORTH CAROLINA

File No.

10 CVS

ORANGE County

FILED

In The General Court of Justice

District Superior Court Division

Name of Plaintiff

RIELLE HUNTER

280 JUN 03 AM 11:00

CIVIL SUMMONS

Address

c/o Smith Moore Leatherwood LLP, Post Office Box 21927

ORANGE COUNTY, C.S.C.

Alias and Pluries Summons

City, State, Zip

Greensboro, NC 27420

G.S. 1A-1, Rules 3, 4

VERSUS

Name of Defendant(s)

ANDREW YOUNG and CHERI YOUNG

Date Original Summons Issued

Date(s) Subsequent Summon(es) Issued

To Each of The Defendant(s) Named Below:

Name And Address of Defendant 1

ANDREW YOUNG
5016 THOMAS BERRY WAY
CHAPEL HILL, NC 27516

Name And Address of Defendant 2

CHERI YOUNG
5016 THOMAS BERRY WAY
CHAPEL HILL, NC 27516

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address of Plaintiff's Attorney (If None, Address of Plaintiff)

Alan W. Duncan and Allison O. Van Laningham
Smith Moore Leatherwood LLP
Post Office Box 21927
Greensboro, NC 27420

Date Issued

1-28-10

Time

11:00

AM

PM

Signature

[Handwritten Signature]

Deputy CSC

Assistant CSC

Clerk of Superior Court

ENDORSEMENT

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date of Endorsement

Time

AM

PM

Signature

Deputy CSC

Assistant CSC

Clerk of Superior Court

NOTE TO PARTIES: Many Counties have MANDATORY ARBITRATION programs in which most cases where the amount in controversy is \$15,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

ORANGE COUNTY

10 CVS _____

RIELLE HUNTER,

ORANGE COUNTY, C.S.C.

BY _____)

Plaintiff,)

v.)

ANDREW YOUNG and CHERI
YOUNG,)

Defendants.)

COMPLAINT

(Jury Trial Demanded)

Plaintiff Rielle Hunter, through counsel and pursuant to Rules 3 and 8 of the North Carolina Rules of Civil Procedure, hereby complains of Defendants as follows:

PARTIES

1. Plaintiff Rielle Hunter ("Hunter") is a citizen and resident of Mecklenburg County, North Carolina.
2. Upon information and belief, Defendants Andrew Young and Cheri Young (collectively the "Youngs"), husband and wife, are citizens and residents of Orange County, North Carolina.

FACTUAL ALLEGATIONS

3. John Edwards ("Edwards") was a United States Senator for the State of North Carolina from 1999 to 2005, a declared candidate for the Democratic Party nomination for President of the United States during the 2004 campaign, the Democratic Party nominee for Vice-President of the United States during the 2004 campaign, and a declared candidate for the Democratic Party nomination for President of the United States during the 2008 campaign.

4. For a period of time including the years 2006 and 2007, Andrew Young acted as an aide and assistant to Edwards and his 2008 presidential campaign.

5. In 2006, Hunter and Edwards were having an intimate relationship.

6. For a period of time from July/August 2006 through December 2006, Hunter worked with a political action committee regarding what became Edward's 2008 campaign for president as a videographer.

7. In or about September 2006, Hunter authored a personal video recording depicting matters of a personal nature (the "Video").

8. The Video was recorded using recording equipment owned by Hunter.

9. Hunter had the only copy of the Video.

10. The Video was stored by Hunter at her residence in the Governor's Club community in Chatham County, North Carolina.

11. The Video was stored in a box also containing, among other things, Hunter's passport, childhood photographs of Hunter, and two other video recordings authored by Hunter.

12. One of the two other video recordings contained footage shot by Hunter during the Edwards campaign's announcement tour in December 2006. The final video recording contained footage shot by Hunter of an interview conducted by Hunter in October 2006.

13. For a period of time, Hunter, Andrew Young, Cheri Young, and the Youngs' children lived in a home in Santa Barbara, California. The Youngs had access to the home and to Hunter's possessions during that time. During the time that she was physically in Santa Barbara, some of Hunter's possessions, including the hat box and its contents continued to be stored at the Governor's Club residence in North Carolina.

14. Andrew Young also had access to the Governor's Club residence and Hunter's possessions in that location. Andrew Young rented the Governor's Club residence for Hunter, and he had the passcode to enter its garage, a key, or both. Upon information and belief, Cheri Young also had access to the residence and Hunter's possessions.

15. In or about August 2008 the Youngs were asked to retrieve Hunter's passport from the Governor's Club residence, in connection with a trip Hunter was preparing to undertake that required the use of a passport. The Youngs retrieved the passport as Hunter requested.

16. Upon information and belief, Andrew Young and/or Cheri Young surreptitiously took possession of the Video and the two other video recordings.

17. Hunter no longer has possession of the Video or the two other video recordings.

18. Hunter learned that the three video recordings were missing in or about September or October 2008.

19. Hunter is not aware of anyone other than the Youngs who had access to and in fact did access the box containing Hunter's passport, the Video, and the two other video recordings, during the time in which the video recordings were removed from Hunter's possession.

20. Hunter did not authorize the Youngs, or either of them, or any other person, to obtain possession of the Video or the two other video recordings.

21. Hunter did not consent to the Youngs, or either of them, or any other person, obtaining possession of the Video or the two other video recordings.

22. Upon information and belief, when the Youngs, or either of them, obtained possession of the three video recordings, they intended to permanently deprive Hunter of the use and possession of said property.

23. Upon information and belief, the Youngs, or one of them, are presently in possession of the Video and the two other video recordings.

24. Upon information and belief, the Youngs, or either of them, have altered the condition of the Video.

25. Upon information and belief, the Youngs, and particularly Andrew Young, discussed the Video or its contents with one or more third parties.

26. Andrew Young has announced that he has authored a book titled "The Politician" that, upon information and belief, will include references to the Video or its contents according to reports that Hunter has recently seen. "The Politician" is presently scheduled to be released on or about 30 January 2010.

27. Andrew Young is scheduled to be interviewed on the ABC television program "20/20" on 29 January 2010.

28. Upon information and belief, it is believed that one topic of the interview will be the Video or its contents.

29. Upon information and belief, Andrew Young is discussing and/or intends to discuss the Video or its contents in the course of garnering publicity for "The Politician."

30. Upon information and belief, the Youngs, or one of them, may publish the Video to one or more third parties, including one or more members of the media.

31. Upon information and belief, the Youngs, or one of them, are presently engaged in efforts to sell the Video or a copy thereof to one or more third parties for further distribution or dissemination.

32. Hunter also believes that the Youngs, or one of them, obtained copies of a series of photographs taken by Hunter, without Hunter's authorization.

33. The photographs were stored on Hunter's laptop computer and on her camera, and depicted, among other persons, Hunter's infant daughter (the "Photographs"). There were approximately eight such photographs.

34. At the time the Photographs were made, Hunter's daughter was a young infant.

35. Upon information and belief, the Youngs, or either of them, made copies of these photographs between 23 March 2008 and 4 June 2008.

36. During the time that Hunter and the Youngs resided together in Santa Barbara, Hunter's laptop computer was not password protected, and the Youngs, or either of them, would have had access to that computer and her personal camera at any time that Hunter left the house.

37. Upon information and belief, the Youngs, or either of them, provided copies of the Photographs to one or more third parties in connection with his book proposal.

38. Hunter never gave copies of the Photographs to Andrew Young or Cheri Young, and never authorized either of them to obtain possession or any copies of the Photographs.

39. Upon information and belief, Andrew Young is seeking or may seek to use or sell the Photographs for personal gain.

FIRST CLAIM FOR RELIEF
(Conversion)

40. The allegations of the preceding paragraphs are incorporated by reference as if fully set forth herein.

41. Hunter was the lawful owner of the Video, the two other video recordings, and the Photographs at the time the Youngs, or either of them, obtained possession.

42. Hunter was entitled to immediate possession of the Video, the two other video recordings, and the Photograph at the time the Youngs, or either of them, took possession.

43. The Youngs have, or one of them has, engaged in the unauthorized exercise of a right of ownership over the Video, the two other video recordings, and the Photographs.
44. The Youngs have, or one of them has, engaged in the unauthorized exclusion of Hunter's right of ownership over the Video, the two other video recordings, and the Photographs.
45. The Youngs have, or one of them has, altered the condition of the Video.
46. The Youngs, or one of them, converted the Video, the two other video recordings, and the Photographs to their, or one of their's, own use.
47. Among other things, the conversion of the Youngs, or one of them, prevents Hunter from exercising her right to register copyrights in the video recordings of which she has been deprived and otherwise securing and enforcing her copyright in the video recordings.
48. As a proximate and foreseeable result of the conversion of the Video, the two other video recordings, and the Photographs, Hunter has suffered damages in an amount to be determined at trial in excess of \$10,000.00.
49. As a result of the conduct described herein, Hunter is entitled to recover punitive damages from the Youngs pursuant to N.C. Gen. Stat. § 99A-1 and/or any other applicable statute or provision.

SECOND CLAIM FOR RELIEF
(Invasion of Privacy – Intrusion Upon Seclusion and Private Concerns)

50. The allegations of the preceding paragraphs are incorporated by reference as if fully set forth herein.
51. The Video included information about Hunter of a sensitive and personal nature.
52. The Photographs included information about Hunter and her daughter of a sensitive and personal nature.

53. The Youngs, or one of them, intentionally intruded upon the solitude and seclusion of Hunter in her private concerns by engaging in the following activities:

- a. Upon information and belief, obtaining the Video without Hunter's authorization;
- b. Upon information and belief, obtaining copies of the Photographs without Hunter's authorization;
- c. Upon information and belief, publishing the Video to one or more third parties;
- d. Upon information and belief, publishing the Photographs to one or more third parties;
- e. Upon information and belief, discussing the Video or its contents with one or more third parties;
- f. Upon information and belief, authoring references to the Video or its contents in "The Politician";
- g. Upon information and belief, selling or attempting to sale the Video or a copy thereof to one or more third parties; and
- h. Upon information and belief, using or attempting to use the Photographs for personal gain.

54. Hunter did not consent to the Youngs, or either of them, intruding upon her solitude and seclusion in her private concerns.

55. Hunter had a reasonable expectation of privacy with respect to the Video and its contents.

56. Hunter had a reasonable expectation of privacy with respect to the Photographs and their contents.

57. The conduct set forth above would be highly offensive to a reasonable person in Hunter's circumstances.

58. As a proximate and foreseeable result of the intrusion upon Hunter's solitude and seclusion in her personal concerns, Hunter has suffered damages in an amount to be determined at trial in excess of \$10,000.00.

59. As a result of the conduct described herein, Hunter is entitled to recover punitive damages from the Youngs pursuant to any applicable statute or provision.

THIRD CLAIM FOR RELIEF
(Invasion of Privacy – Misappropriation of Likeness for Commercial Use)

60. The allegations of the preceding paragraphs are incorporated by reference as if fully set forth herein.

61. The Youngs, or one of them, have misappropriated Hunter's likeness for his own commercial use and benefit by engaging in the following activities:

- a. Upon information and belief, selling or attempting to sale the Video or a copy thereof to one or more third parties;
- b. Upon information and belief, including references to the Video or its contents in materials submitted to one or more book publishers;
- c. Upon information and belief, authoring references to the Video or its contents in his book "The Politician"; and
- d. Upon information and belief, discussing the Video or its contents with one or more third parties in connection with the garnering of publicity for "The Politician."

62. Hunter did not consent to the Youngs' misappropriation of her likeness.

63. As a proximate and foreseeable result of the misappropriation of Hunter's likeness for commercial use, Hunter has suffered damages in an amount to be determined at trial in excess of \$10,000.00.

64. As a result of the conduct described herein, Hunter is entitled to recover punitive damages from the Youngs pursuant to any applicable statute or provision.

FOURTH CLAIM FOR RELIEF
(Unfair and Deceptive Trade Practices)

65. The allegations of the preceding paragraphs are incorporated by reference as if fully set forth herein.

66. The conduct described above and herein was in or affecting commerce.

67. The conduct described above and herein constitutes unfair and deceptive trade practices as set forth in N.C. Gen. Stat. § 75-1.1, *et seq.*

68. As a proximate and foreseeable result of the conduct described above and herein, Hunter has suffered damages in an amount to be determined at trial in excess of \$10,000.00.

69. As a result of the conduct described above and herein, Hunter is entitled to recover treble damages and reasonable attorneys' fees from the Youngs.

WHEREFORE, Plaintiff Rielle Hunter respectfully prays the Court for the following relief:

1. That the Video, the two other video recordings, the Photographs, and any copies thereof, in whole or in part, made by or otherwise in the possession or control of Defendants (including any such materials stored electronically in any form), be immediately returned to Plaintiff's possession;

2. That the Defendants be preliminarily and permanently enjoined from possessing, using, publishing, selling, and/or disseminating the Video, the two other video recordings, the Photographs, the contents thereof and any copies thereof, in whole or in part.

3. That Plaintiff have and recover compensatory damages of Defendants in an amount to be determined at trial in excess of \$10,000.00;

4. That Plaintiff have and recover treble damages of Defendants;

5. That Plaintiff have and recover punitive damages of Defendants


6. That Plaintiff have and recover her reasonable attorneys' fees to the extent provided by law;

7. That the costs of this action be taxed to Defendants;

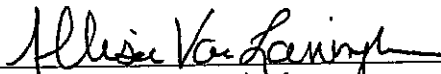
8. That Plaintiff have a trial by jury on all issues so triable; and

9. That the Court grant such other and further relief as the Court may deem just and proper.

This the 28th day of January, 2010.



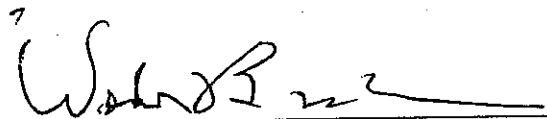
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