
Christopher Swanson,

Court File No. _____

Plaintiff,

v.

SUMMONS

John L. Ramos and Duluth Monitor LLC,

Defendants.

THIS SUMMONS IS DIRECTED TO: DEFENDANT JOHN L. RAMOS, 1820 W. 3RD ST., DULUTH, MINNESOTA 55806-2107.

1. YOU ARE BEING SUED. The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this Summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this Summons.

2. YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS. You must give or mail to the person who signed this summons a **written response** called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this Summons located at:

Brendan R. Tupa, Esq.
DROEL, PLLC
7900 Xerxes Avenue South, Suite 1930
Bloomington, MN 55431

3. YOU MUST RESPOND TO EACH CLAIM. The Answer is your written response to the Plaintiff's Complaint. In your Answer, you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS. If you do not answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the Complaint. If you do not want to contest the claims stated in the Complaint, you do not need to

respond. A default judgment can then be entered against you for the relief requested in the Complaint.

5. LEGAL ASSISTANCE. You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

6. ALTERNATIVE DISPUTE RESOLUTION. The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

Dated: April 18, 2022

DROEL, PLLC

By: s/Brendan R. Tupa
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**ATTORNEY FOR PLAINTIFF
CHRISTOPHER SWANSON**

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF LAKE

SIXTH JUDICIAL DISTRICT

Case Type: Civil Other/Misc.

Christopher Swanson,

Court File No. _____

Plaintiff,

v.

COMPLAINT

John L. Ramos and Duluth Monitor LLC,

Defendants.

Plaintiff Christopher Swanson, as and for his Complaint against Defendants John L. Ramos and Duluth Monitor LLC, states and alleges as follows:

1. Plaintiff is a natural person and resident of Lake County, Minnesota.
2. Defendant John L. Ramos is a natural person and resident of St. Louis County, Minnesota.
3. Defendant Duluth Monitor LLC is a Minnesota limited liability company with a principal place of business located in St. Louis County, Minnesota.
4. Defendants publish an online blog called *Duluth Monitor*, which is found at <www.duluthmonitor.com>.
5. On or about March 9, 2021, Defendants published a false and defamatory article titled *Mayor Swanson promoted own business 97 times on city Twitter account* (the "Article"). A true and correct copy of the Article is attached hereto as **Exhibit A** and incorporated herein by reference.
6. Defendants, through the Article, falsely and maliciously published in reference to Plaintiff, these words:

- a. "Mayor Swanson promoted own businesses 97 times on city Twitter account."
- b. "Nowhere on his official mayoral Twitter account does Mayor Swanson mention that he is fundraising for his own company."
- c. "Furthermore, when the good Dr. Thomson enthused, "I completed my #findthekindchallege! VIDEO posted, DONATION made! BOOM," he neglected to mention that he was donating money to himself."
- d. "Thus, in that single month, Mayor Swanson highlighted his own businesses 91 times."
- e. "In the remained of his Twitter feed, the mayor is more reserved, but he does manage to mention PureDriven once more, Find-the-Kind once more, his company Garage Starts 3 times, and his daughter's company Lou's Fish once, for a self-promoting message grand total of 97."

7. The above-described statements are false and defamatory and tend to injure Plaintiff's reputation, lower the regard in which he is held in the community, deter third persons from associated or dealing with him, injure his character, subject him to ridicule, contempt, or distrust, and degrade or disgrace him in the eyes of others.

8. The above-described statements were intentionally published with actual malice, for purposes of injuring Plaintiff, and made with ill will and improper purposes, without cause and without regard for the consequences.

9. On March 26, 2022, Plaintiff served upon Defendants a notice to cease and desist with a demand for retraction and correction.

10. Defendants refused to retract or correct any of the defamatory statements.

11. Plaintiff has suffered in his reputation as a result of these defamatory statements.

DEFAMATION PER SE

12. Plaintiff restates and realleges the allegations contained in the above-preceding paragraphs.

13. Defendants made non-privileged, defamatory statements concerning Plaintiff.

14. These statements were false and defamatory.

15. These statements were published and communicated to a third-party.

16. These statements were made with actual malice, for purposes of injuring Plaintiff, and made with ill will and improper purposes, without cause and without regard for the consequences.

17. These statements directly accused Plaintiff of committing malfeasance, using his official office for pecuniary gain, or other unlawful or wrongful conduct that infringes upon the rights of others.

18. As a result, Plaintiff has suffered damages, the exact amount to be determined at trial.

WHEREFORE, Plaintiff prays the Court grant him the following relief:

1. Judgment against Defendants, jointly and severally, in an amount in excess of \$50,000;

2. Injunctive relief ordering Defendants to remove any defamatory statements currently posted online.

3. That Plaintiff be awarded reasonable costs and disbursements; and

4. Such other relief as the Court may deem just and equitable.

Dated: April 18, 2022

DROEL, PLLC

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**ATTORNEY FOR PLAINTIFF
CHRISTOPHER SWANSON**

EXHIBIT A

Mayor Swanson promoted own businesses 97 times on city Twitter account

On March 9, 2022

By John Ramos



The first tweet on the official Twitter account of Two Harbors Mayor Chris Swanson is a pun. It appeared on April 5, 2017, shortly after Swanson took office. "Hey Two Harbors, Minnesota. Our town rocks! #agates," the mayor tweeted cheerfully.

Swanson posted four more tweets in 2017, passing along upbeat mayoral observations like "Two Harbors celebrates hitting 1 Million in their community fund!" (Oct. 8) and "It's fun watching a town come alive" (Nov. 14).

In January of 2018, Swanson's Twitter account became more active, with tweets about the Minnesota Vikings and a Civility Summit, which was being held at the Two Harbors High School on Jan. 26, 2018. This day-long event was sponsored by the local chapter of the Distributive Education Club of America (DECA), a national group whose purpose is to cultivate business and leadership skills in young people. The club invited 16 other high schools to the event, featuring Dr. Mike Thomson, a motivational speaker from Ohio. Six hundred people (including business leaders and political candidates) packed the high school auditorium. Mayor Swanson proclaimed the day Two Harbors Civility Day. "Wonderful job, @drmikethomson!" he tweeted on Jan. 26, 2018.

Mayor Swanson's Twitter feed then fell silent until Sept. 17, 2018, when he returned to promote his State of the City Address. He followed that up with a few tweets about fall colors, car shows, and local sports teams. And then, on Dec. 31, 2018, all hell broke loose.

"Blown away by the Two Harbors DECA students and what they are working on," Swanson tweeted. "Can't wait to participate in the #findthekindchallenge @drmikethomson @lcnewschronicle @northlandfdn @2_Harbors"

In an effort meant to spread random acts of kindness in the world, challenge participants were asked to film themselves performing an act of kindness and then post the video to social media, while challenging three more people to do the same. Mayor Swanson was so excited by the good citizenship that he began tweeting with tremendous energy, challenging everyone in the twitterverse to participate and tagging news organizations left and right.

“Pretty awesome what this group of students has accomplished!” he tweeted on Jan. 5. “Being intentional about kindness! Please take a look. findthekind.us @findthekindus”

In a video tweeted on Jan. 5, the mayor described the act of kindness he had engaged in. “Yesterday, I had a friend call and we started talking about things with his business that he was struggling with, and you know what? I got a chance to encourage him.” The mayor proceeded to challenge three more people (including his daughter, Callie Swanson) to participate in the challenge. He wrapped up the video with a fundraising pitch. “Please go to FindtheKind.us and make a donation to the National Civility Association for civility summits throughout the United States.”

The mayor also recruited the previous year’s Civility Summit speaker, Mike Thomson. “High School Students for the greater good? Awesome!” Swanson tweeted on Jan. 5. “I challenge @drmikethomson to ‘Find the Kind.’ You can learn more about taking the challenge here. findthekind.us/participate”

Thomson leaped at the opportunity. His Jan. 11 tweet was retweeted by Swanson that same day: “@findthekindus @raise_it @mayorswanson @thhs_deca—I completed my #findthekindchallenge! VIDEO posted, DONATION made! BOOM So proud of everything this initiative stands for! Findthekind.us”

The campaign greatly appealed to politicians and news organizations alike. On Jan. 10, County Commissioner Rich Sve and Two Harbors City Councilor Jackie Rennwald posted a video of themselves at the Lake County Developmental Achievement Center, announcing that they had completed their Act of Kindness

(giving cookies and juice to the people in the building). Mayor Swanson retweeted the video on Jan. 12, commenting, "Very cool @rich_sve @findthekindus @RaiseFast @nca_civility"

The Find-the-Kind Challenge hit the big time on Jan. 28, 2019, when Mayor Swanson and a group of DECA kids took a trip to St. Paul and convinced Governor Tim Walz and Lieutenant Governor Peggy Flanagan to take part. A video posted to Twitter features Gov. Walz wandering around the Capitol, sharing doughnuts with security guards and receptionists.

The National Civility Association

All of the sugar and smiling was as heartwarming and inspiring as one might expect—but the uplifting musical flourishes came to a screeching halt when I discovered that the organization Mayor Swanson was fundraising for was the National Civility Association, with an office address registered at 719 3rd Avenue, in Two Harbors—Mayor Swanson's home.

According to Minnesota state business filings, the National Civility Association was created on May 4, 2018, with four people serving on the board of directors: Mayor Chris Swanson; Lake County Chamber of Commerce President Janelle Jones; famed motivational speaker Dr. Mike Thomson; and Jay Belcastro, then-principal of Two Harbors High School.

The website for the Find-the-Kind Challenge identifies Chris Swanson, Janelle Jones, Jay Belcastro, Mike Thomson, Dan Ross and Holly Thompson as their "incredible National Civility Association and FindTheKind team." The origin story of the Find-the-Kind Challenge, as posted on their website, follows here:

In 2017, the Two Harbors High School DECA chapter in Minnesota needed to come up with an idea for a group project. We decided we wanted to get as many people as possible to do acts of kindness. We felt if there was a challenge involved we could get more engagement from others too, so we formed the kindness challenge called "Find the Kind Challenge." We then decided that 100% of the donations raised would go to the National Civility Association. Their primary mission is to host Civility Summits in high schools nationwide.

Nowhere on his official mayoral Twitter account does Mayor Swanson mention that he is fundraising for his own company. Furthermore, when the good Dr. Thomson enthused, "I completed my #findthekindchallenge! VIDEO posted, DONATION made! BOOM," he neglected to mention that he was donating money to himself.

Between Dec. 31, 2018 and Jan. 30, 2019, Mayor Swanson mentioned the Find-the-Kind Challenge 77 times and the National Civility Association 5 times. He also mentioned another of his companies, PureDriven, in a tweet on Jan. 5: "I challenge @puredrivenco to 'Find the Kind'. You can learn more about taking the challenge here. Findthekind.us/participate".

The mayor also mentioned another company 8 times: Raiseit, which was apparently doing logistical and fundraising work for Find the Kind. There are no listings for Raiseit on the Secretary of State's website, but the [Dun & Bradstreet business profile](#) for Raiseit lists the president as Matt Barrett, who also happens to be the Director of Operations at PureDriven. The address listed for Raiseit is 719 3rd Avenue—Mayor Swanson's home.

When I called the phone number listed for Raiseit, I reached the voicemail of Steven Rockwood. According to LinkedIn, Rockwood worked for PureDriven from 2015 to 2020, most recently as Marketing Manager. He did not respond to my voicemail message.

Thus, in that single month, Mayor Swanson highlighted his own businesses 91 times.

In the remainder of his Twitter feed, the mayor is more reserved, but he does manage to mention PureDriven once more, Find-the-Kind once more, his company Garage Starts 3 times, and his daughter's company Lou's Fish once, for a self-promoting message grand total of 97.

The only other local business which seems to have attracted Mayor Swanson's attention is Castle Danger Brewery, which received 9 tweets over four years. Since November of 2021, he has been filling his Twitter feed with enthusiastic proposals to convert the town to cryptocurrency.

Most of the National Civility Association's effort since 2019 has seemed to involve posting uplifting news stories and inspirational memes on Facebook. Their last post was a Winnie-the-Pooh meme from Jan. 12, 2022. As for their goal of hosting Civility Summits, I was able to locate a single Facebook post about another Summit being held, featuring a picture of kids sitting in a room, in January of 2020, in Northridge, Ohio.

The Secretary of State currently lists the NCA's status as Inactive. A note on the NCA's website indicates that they are no longer accepting donations.

An email sent to Mayor Swanson, requesting comment, was not answered.

When I tried to reach Janelle Jones, I was told she was in St. Paul, lobbying legislators.

Email and phone messages left for Jay Belcastro (who is currently Superintendent of the Lake Superior School District) were not returned.

Also unavailable for comment was Dr. Mike Thomson, deceased.

[Update, 2022-03-09. Superintendent Jay Belcastro has contacted the Monitor and answered all questions asked of him. His comments will feature in a follow-up article.]

[Edit, 2022-03-09: Added the words "city" and "account" to the headline]