

10 CV 000147

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

ORANGE COUNTY

SUPERIOR COURT DIVISION

2010 JAN 28 A H: 10 10 CVS _____

RIELLE HUNTER,

ORANGE COUNTY, N.C.S.C.

Plaintiff,

BY _____

v.

**AFFIDAVIT OF
RIELLE HUNTER**

ANDREW YOUNG and CHERI
YOUNG,

Defendants.

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

Ex. A

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

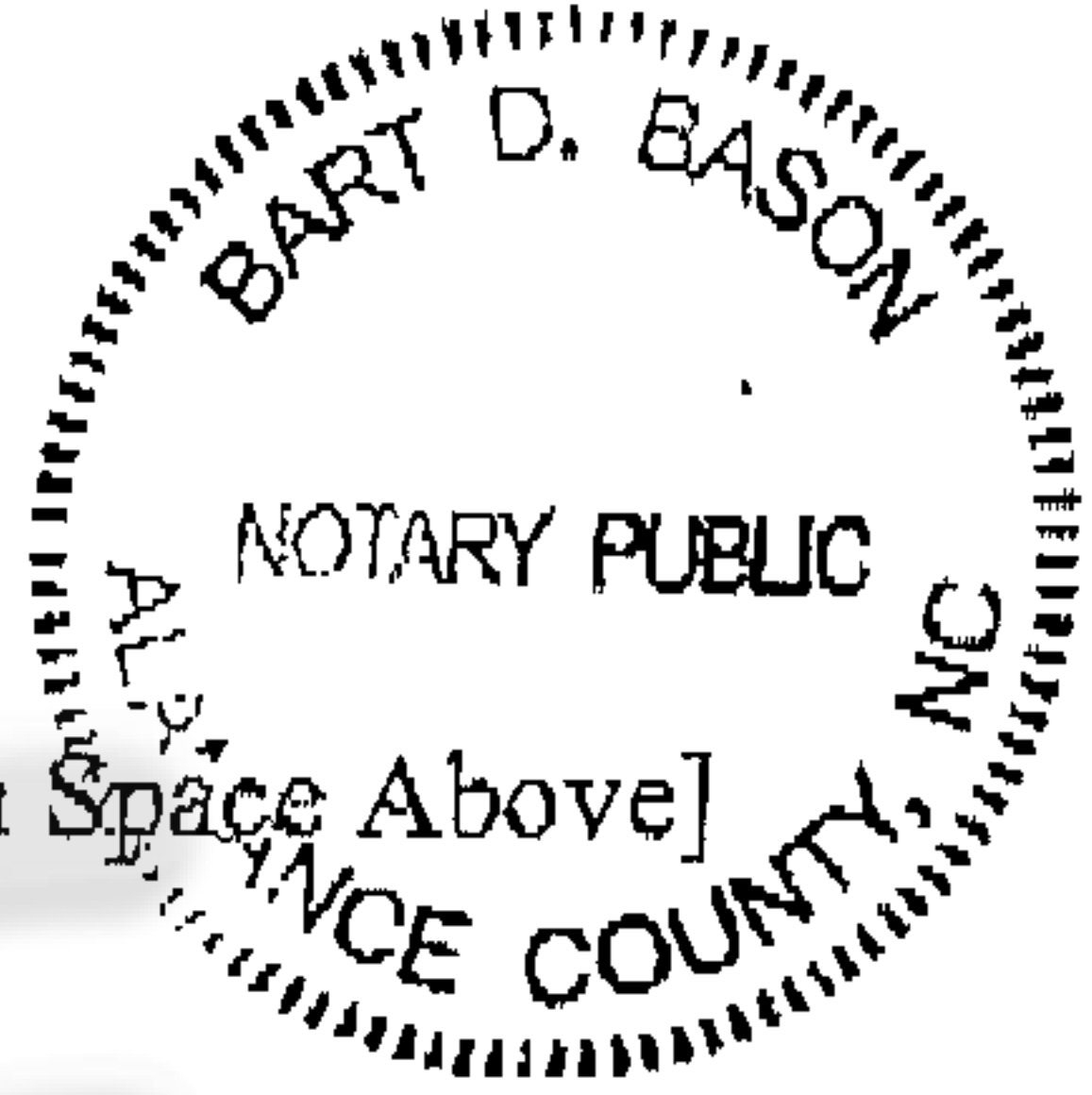
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Rielle Hunter.

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]

