1 CHRISTOPHER FROST (SBN 200336) chris@frostllp.com BEN KASSIS (SBN 298844) ben@frostllp.com SYDNEY LUJAN (SBN 361587) sydney@frostllp.com FROST LLP 10960 Wilshire Boulevard, Suite 2100 5 Los Angeles, California 90024 Telephone: (424) 254-0441 6 Facsimile: (424) 600-8504 Assigned for All Purposes Attorneys for Plaintiff Judge Craig Griffin EDWARD "BUTCH" TWINING 8 SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 COUNTY OF ORANGE, NORTH JUSTICE CENTER 10 11 EDWARD "BUTCH" TWINING, an Case No. 30-2025-01529039-CU-DF-NJC 12 individual. **COMPLAINT FOR:** 13 Plaintiff. 1. DEFAMATION PER SE 14 VS. 2. FALSE LIGHT INVASION OF 15 **PRIVACY** GINA CLAYTON TARVIN, an individual, Defendant. 16 **DEMAND FOR TRIAL BY JURY** 17 18 19 20 21 22 23 24 25 26 27 28

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Plaintiff Edward "Butch" Twining ("Plaintiff" or "Twining"), for his complaint against Defendant Gina Clayton-Tarvin ("Defendant" or "Tarvin") alleges as follows:

INTRODUCTION

- 1. This case arises from Defendant Gina Clayton-Tarvin's sustained and coordinated campaign to publicly brand Plaintiff Edward "Butch" Twining—a sitting Huntington Beach City Councilmember—as a white supremacist and extremist. What began as a public vigil was swiftly weaponized by Defendant into a digital smear campaign against Twining, carried out across multiple social media platforms and community forums. Central to that campaign were Defendant's repeated knowingly false statements that Twining "gleefully chanted" with white supremacists, "participated in a white supremacy rally," and "marched" alongside extremist groups at the September 10, 2025 vigil.
- 2. In the modern political landscape, reputations built over years of public service can be destroyed in hours. Defendant's statements did not merely express her opinion or criticism of Twining; they asserted false statements of fact, accusing Plaintiff of marching and chanting alongside white supremacists. These allegations are demonstrably and unequivocally false.
- 3. On the night of September 10, 2025, Twining and other attendees assembled at the Huntington Beach Pier to celebrate the life of Charlie Kirk. Twining carried a candle in one hand and an American flag in the other. The group sang biblical hymns and said "Charlie" in unison. Shortly after the vigil began, the solemn event was hijacked by a small group of bad faith opportunists with a bull horn. The opportunists started chanting "White men fight back" through the bull horn.
- 4. Twining was horrified that a peaceful vigil would be tainted by such hateful speech. Eyewitnesses and independent news reporting confirmed that Twining left the Huntington Beach Pier as soon as the racist chant began. Twining did not participate in the chant or march alongside the racist opportunists. Twining condemns white supremacy in all of its forms. Despite that Twining fled the event as soon as the chanting began, Twining's unequivocal public statements of this fact, and eye witness corroboration of the same by at least a dozen witnesses, Defendant has repeatedly defamed Twining on social media platforms, stating that he marched and chanted

alongside the racist opportunists on September 10, 2025. Defendant did so while invoking her platforms as a public school board trustee, deliberately leveraging her perceived authority to lend credibility and reach to attack Twining and destroy his reputation.

- 5. Regrettably, Defendant's defamation of Twining follows years of escalating defamatory conduct against Twining and other public figures in the Orange County community. While Defendant has long been a prolific poster of misinformation designed to cause reputational harm, her more recent posts about Twining and others read increasingly manic and reckless, as if the author is, not only lying, but also losing touch with reality.
- 6. Among other things, Defendant's lies have resulted in Twining receiving at least three threats on his life. Defendant's reputation in his community, which he built up over years and naturally leverages for business and political advancement, has been irreversibly and seriously damaged. Add to that the emotional toll this entire episode has taken on Plaintiff and his family. Defendant's conduct has left Twining with no choice but to bring this action to halt the ongoing reputational and civic harm, to vindicate his name, and to hold Defendant accountable for her knowing and malicious defamation and therefore Twining is seeking damages in an amount no less than \$25,000,000. Actions have consequences, and Defendant should be held to account for the damage caused by her reckless public character assassination.

THE PARTIES

- 7. Plaintiff Edward "Butch" Twining is, and at all relevant times mentioned herein was, an individual residing in the State of California, County of Orange.
- 8. Defendant Gina Clayton-Tarvin is, and at all relevant times mentioned herein was, an individual residing in the State of California, County of Orange.

JURISDICTION AND VENUE

- 9. Jurisdiction is proper in the Superior Court of the State of California for the County of Orange pursuant to California Code of Civil Procedure Section 410.10.
- 10. Venue is proper in Orange County, California pursuant to California Code of Civil Procedure Section 392, *et seq.* because Defendant resides/conducts business in Orange County and the damage to Plaintiff occurred in Orange County.

GENERAL ALLEGATIONS

- 11. Plaintiff Edward "Butch" Twining is an elected member of the Huntington Beach City Council. He is a well-known public servant in his community, with a reputation for civic involvement, community presence, and responsible public leadership.
- 12. On September 10, 2025, Twining attended a public vigil held at the Huntington Beach Pier in memory of the late Charlie Kirk. The vigil was peaceful and attended by hundreds of local residents, public officials, and community members.
- 13. Later in the evening, a small group of unaffiliated individuals arrived and began chanting, including the phrase "white men fight back." Twining did not participate in any chanting and did not affiliate with the individuals who initiated it. Twining, his wife, and several others immediately left once the chanting began.
- 14. Portions of video capturing Twining's brief appearance at the vigil, and taken before he promptly left once the chanting began, were circulated online without context. Defendant Gina Clayton-Tarvin seized upon that footage and falsely asserted that Twining "participated in" and "gleefully chanted" alongside white supremacists.
- 15. On September 13, 2025, Defendant posted on Instagram that Twining was "participating in a white supremacy rally" and was "starring in an all-out hate rally." A true and correct copy of Defendant's Instagram postdated September 13, 2025 is attached hereto as **Exhibit 1** and incorporated herein by reference.
- 16. That same day, Defendant posted on X/Twitter: "Huntington Beach councilman Butch Twining was there gleefully chanting amongst alt-right white supremacists." A true and correct copy of Defendant's X/Twitter postdated September 13, 2025 is attached hereto as **Exhibit 2** and incorporated herein by reference.
- 17. Defendant repeated and expanded upon these statements in additional posts, stating publicly: "I exposed Councilman Butch Twining on multiple platforms for his marching and chanting while amongst white supremacists at the pier two nights ago." A true and correct copy of Defendant's Facebook postdated September 14, 2025 is attached hereto as **Exhibit 3** and incorporated herein by reference.

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- 18. These statements are false. Twining did not chant, march, endorse, support, or align himself with white supremacists or any extremist group. Twining has publicly denounced such ideologies.
- 19. Twining publicly corrected the record immediately. On Surf City Sentinel's public Facebook forum, Twining wrote that he and others "left when they started chanting." Defendant personally replied, acknowledging Twining's correction, and then repeated the same false allegations again. A true and correct copy of the Surf City Sentinel Facebook thread reflecting Twining's correction and Defendant's reply is attached hereto as **Exhibit 4** and incorporated herein by reference.
- 20. On September 16, 2025, during a Huntington Beach City Council meeting, Twining publicly stated that he left the vigil when chanting began. At least a dozen other witnesses also unequivocally testified during public comment that Twining left immediately when chanting began, leaving no question about what occurred on the evening in question. Defendant frequents the City Council meetings, which are televised live. Upon information and belief, Plaintiff was watching the September 16 meeting.
- 21. On September 17, 2025, the Los Angeles Times reported that Twining left the vigil upon the emergence of white supremacist rhetoric and condemned hate groups in his public remarks. Defendant was aware of this reporting. A true and correct copy of the Los Angeles Times article dated September 17, 2025 is attached hereto as **Exhibit 5** and incorporated herein by reference.
- 22. Despite direct clarification through (1) Twining's own statements, (2) multiple eyewitness accounts, and (3) independent news reporting, Defendant continued to publicly and openly assert as fact that Twining marched and chanted with white supremacists, and encouraged others to share and spread those claims. And despite Defendant's outrageous behavior, Twining even gave her an opportunity to retract; he contacted Defendant, reminded her of the mountain of evidence contradicting her statements, and asked politely that she withdraw her assertions. Others who mistakenly reported on the vigil when presented with the facts have retracted. Defendant refuses.
 - 23. Defendant's conduct was not careless, misinformed, or accidental. Defendant has a

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documented history of publicly targeting political opponents in Huntington Beach, including repeatedly labeling Councilmember Gracey Van Der Mark a "Neo-Nazi" and "white supremacist." Following that public vilification, Councilmember Van Der Mark was subjected to threats, harassment, and even a drive-by BB gun shooting of her home. The relationship between Defendant's rhetoric and increased harassment was widely discussed in the community.

- 24. Defendant's hostility toward Twining did not stop with her social media posts about the September 10 vigil. On November 16, 2025, during an episode of the publicly available podcast "Vitamin OC," Defendant again referenced Twining by name and grouped him with what she called "seven bigots" on the Huntington Beach City Council. Defendant stated that these officials were "anti everybody," and claimed that if a person was not a Republican, conservative, MAGA supporter, or if they were "brown, black, or LGBTQ," these officials would "profile" and "discriminate against" them. Defendant further described Twining and others as "liars" and "manipulators." These statements reflect Defendant's continued animus and illustrate her intent to portray Twining as racist, discriminatory, and unfit for public service, further demonstrating her motive and malice in publishing the false allegations at issue.
- 25. Given this pattern of conduct, Defendant knew before making the statements that falsely branding a public official as a white supremacist causes serious reputational harm, community hostility, and even endangerment. She also knew that falsely claiming a public official marched and chanted with white supremacists would have the same effect. Defendant nevertheless chose to repeat and amplify the false allegations about Twining with actual malice, that is, with knowledge of falsity or reckless disregard for the truth.
- 26. As a direct and foreseeable result of Defendant's conduct, Twining has suffered severe reputational harm, emotional distress, and damage to his standing in the community he serves.

FIRST CAUSE OF ACTION

(Defamation Per Se)

(Plaintiff Twining Against Defendant Tarvin)

27. Plaintiff incorporates herein by reference the allegations contained in Paragraphs 1 through 27, inclusive, as though set forth in full.

- 28. Defendant knowingly and intentionally published false statements of fact about Plaintiff, including but not limited to the following:
- 29. On September 13, 2025, Defendant stated publicly on X/Twitter: "Huntington Beach councilman Butch Twining was there gleefully chanting amongst alt-right white supremacists."
- 30. On the same date, Defendant stated on Instagram that Twining was "participating in a white supremacy rally" and "starring in an all-out hate rally."
- 31. On September 14, 2025, Defendant stated on Facebook: "I exposed Councilman Butch Twining on multiple platforms for his marching and chanting while amongst white supremacists at the pier two nights ago."
- 32. On September 11, 2025, Defendant stated publicly on Surf City Sentinel's Facebook page: "Keep up the good work exposing these bigots on our city council."
 - 33. These statements assert verifiable factual claims that Twining:
 - chanted extremist slogans,
 - marched with white supremacists,
 - and is a "bigot" and participant in white nationalist activity.
- 34. These statements are false. Twining did not chant, march, or participate in any extremist or white supremacist activity. Twining left the event immediately when chanting began. Twining has publicly and consistently denounced hate groups and extremist ideology. Independent eyewitnesses and public reporting corroborate this.
- 35. Defendant made these statements despite knowing they were false or with reckless disregard for the truth, because:
 - Twining publicly corrected the record on multiple platforms;
 - Eyewitnesses publicly confirmed Twining left when chanting began;
 - The Los Angeles Times reported that Twining left the event and denounced hate groups;
 - Twining reiterated this at a public City Council meeting, with additional witness testimony confirming his departure; and
 - Defendant personally responded to Twining's correction and nevertheless

repeated the allegations again.

- 36. Defendant further invoked her public office by identifying herself as "Trustee, Ocean View School District" when making and promoting the defamatory statements, intentionally using her government title to lend credibility, authority, and amplification to the accusations.
- 37. Defendant's statements constitute libel per se under California Civil Code §45, because falsely accusing a person, especially an elected official, of participating in racist or white supremacist conduct inherently exposes that person to hatred, contempt, ridicule, and public disgrace.
- 38. Defendant's statements were widely disseminated across multiple social media platforms used by community members, local activists, media observers, and political constituents, and were intended to and did reach a broad audience.
- 39. As a direct and proximate result of Defendant's conduct, Twining has suffered severe reputational harm, humiliation, emotional distress, and damage to his standing in the Huntington Beach community. Twining has been subjected to hostility, public condemnation, and targeted harassment.
- 40. Defendant acted with actual malice, as that term is defined under *New York Times v*. *Sullivan*, 376 U.S. 254 (1964), because she knew her statements were false or acted with reckless disregard for their truth or falsity. Defendant intentionally sought to injure Twining's reputation, damage his credibility as a public official, and incite public hostility toward him.
- 41. Defendant's conduct was malicious, oppressive, and fraudulent within the meaning of California Civil Code §3294, entitling Twining to an award of punitive damages in an amount sufficient to punish and deter such conduct.
- 42. Unless enjoined, Defendant will continue to publish these defamatory statements, causing further irreparable harm. Twining therefore seeks preliminary and permanent injunctive relief prohibiting Defendant from continuing to publish these false statements.

Defendant made these statements while invoking her authority as an elected school

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1	board trustee, intending that her statements be taken as credible, authoritative, and reliable by the	
2	public, and intending to amplify the reputational harm inflicted upon Twining.	
3	S 51. As a direct and foreseeable result of Defendant's conduct, Twining ha	s suffered
4	severe emotional distress, humiliation, loss of reputation, and damage to his stand	ng in the
5	community he serves. For his claims, Twining seeks compensatory damages in an amou	ınt no less
6	6 than \$25,000,000.	
7	Defendant's conduct was malicious, oppressive, and fraudulent within th	e meaning
8	of California Civil Code § 3294, entitling Plaintiff to an award of punitive damages to punish an	
9	deter such conduct.	
10	PRAYER PRAYER	
11	WHEREFORE, Plaintiff prays for judgment against Defendant, as follows:	
12	1. For actual and compensatory damages in an amount to be proven at trial;	
13	2. For exemplary and punitive damages in an amount to be determined at the	time of
14	4 trial;	
15	3. For attorney's fees and costs as permitted by applicable law;	
16	4. For pre-judgment and post-judgment interest at the maximum legal rate; a	nd
17	5. For such other and further relief as the Court may deem just and proper.	
18	B DATED: November 24, 2025 FROST LLP	
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20	By:	
21	CHRISTOPHER FROST	
22	BENJAMIN KASSIS SYDNEY LUJAN	
23	Attorneys for Plaintiff EDWARD BUTCH TWINING	
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DEMAND FOR JURY TRIAL

By:

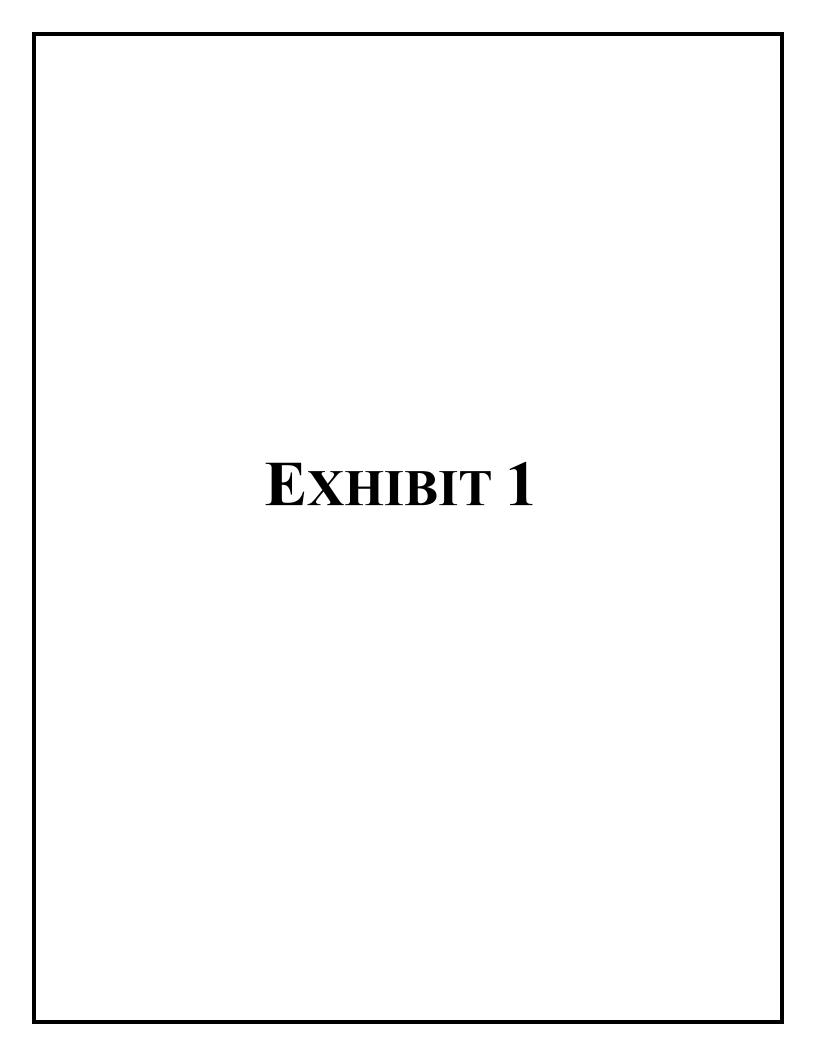
Plaintiff hereby demands a trial by jury on all issues and causes of action triable by a jury.

CHRISTOPHER FROST **BENJAMIN KASSIS**

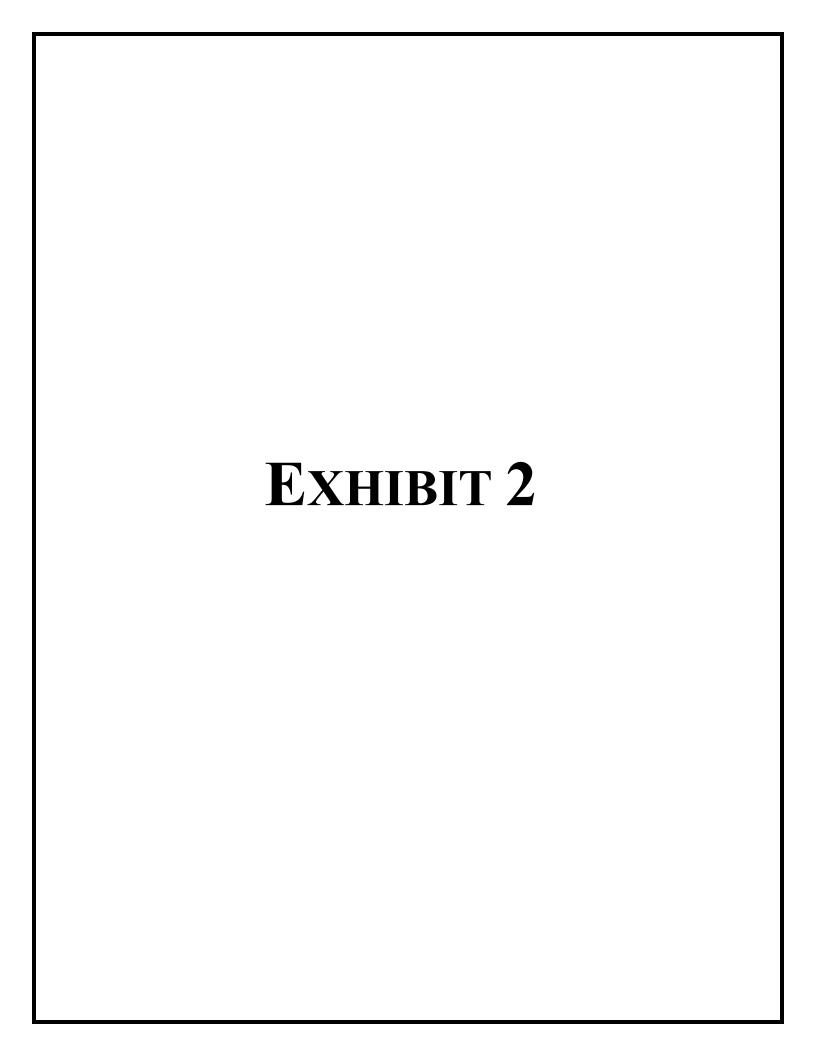
EDWARD BUTCH TWINING

SYDNEY LUJAN Attorneys for Plaintiff

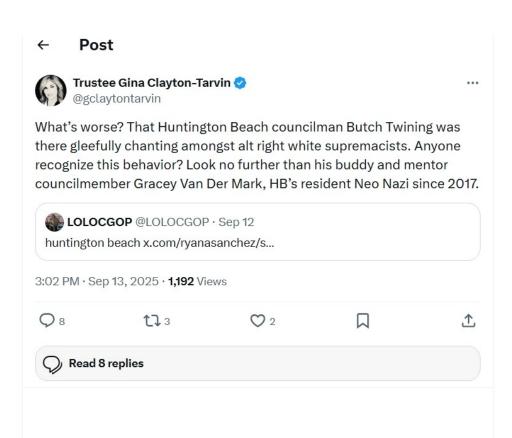
DATED: November 24, 2025 FROST LLP

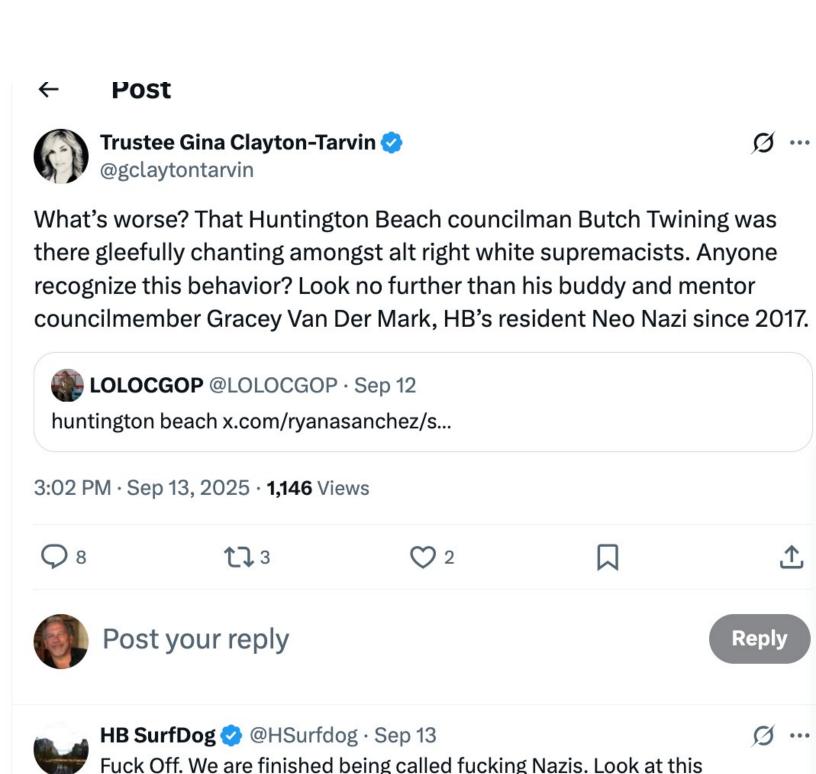












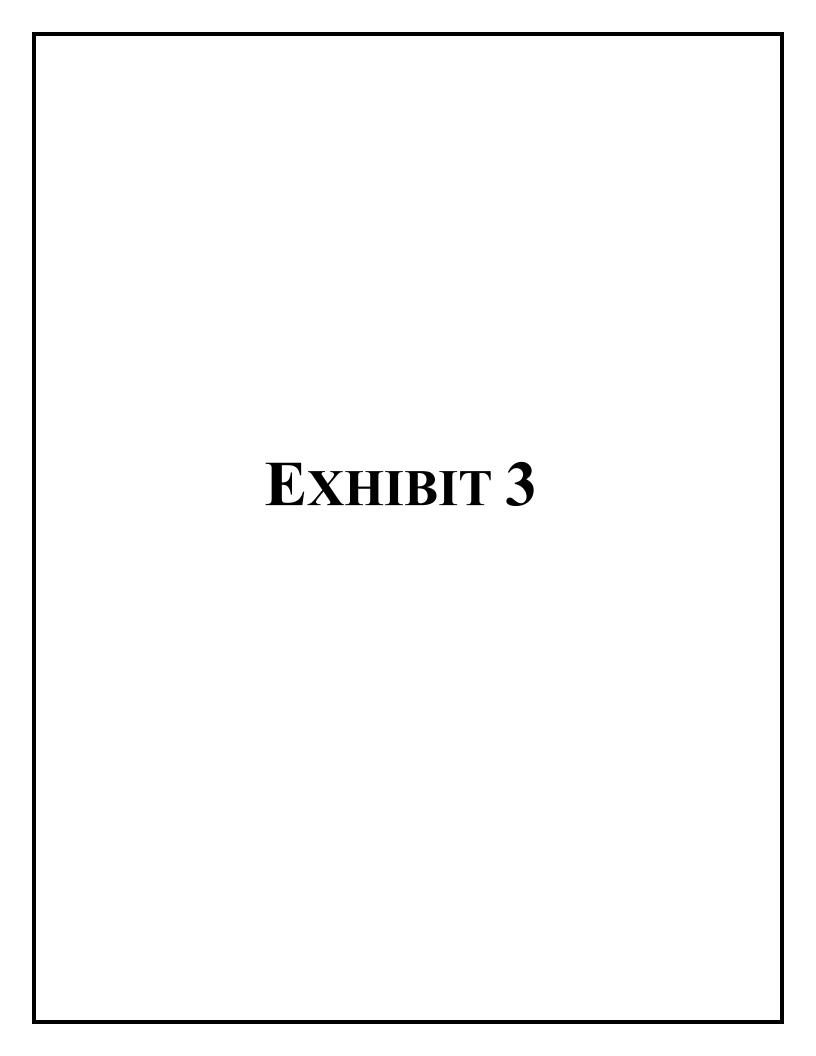
@ChefGruel. Gina spreading HATE, like most of the Democrats have done.

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YOU, Gina, are part of the reason @charliekirk11 is NOW dead.

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Anna Shelley

Figures the city can't call out the Nazi groups but not surprising they won't. It is who they are and surround themselves with.

Like 6w





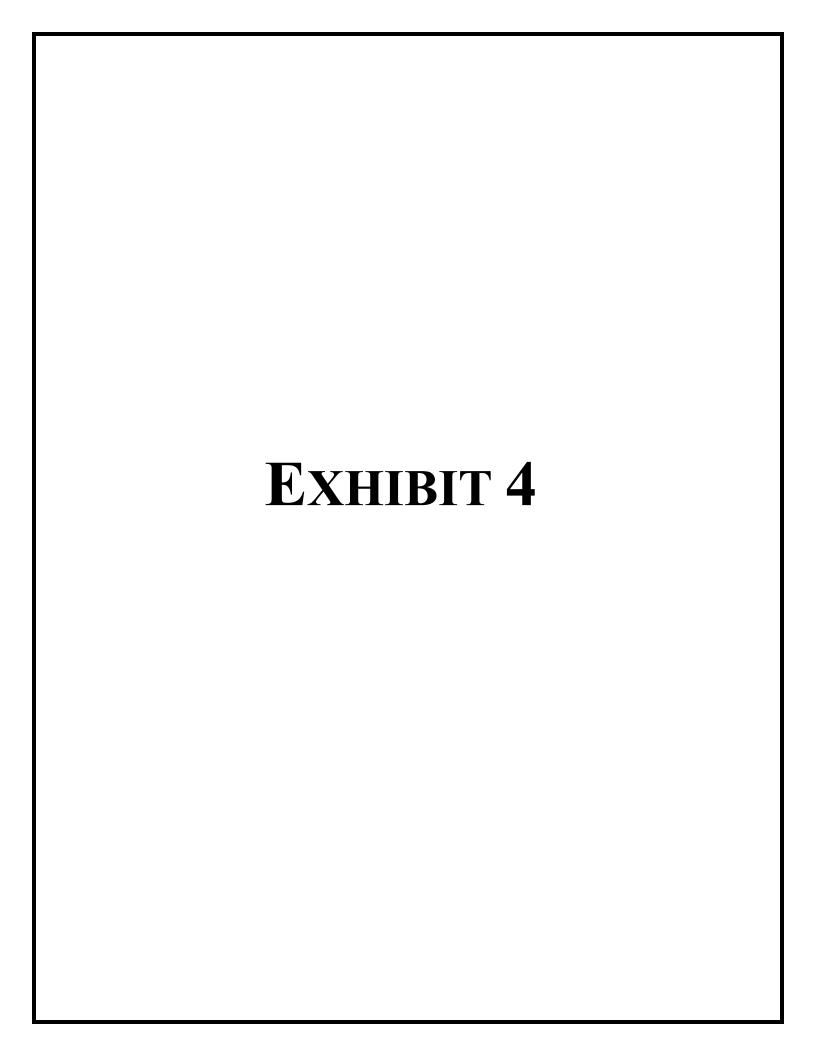
Trustee Gina Clayton-Tarvin, Ocean View School District 🤡

They just can't help themselves to attack me. Yes, it was me who called Gracey Van Der Mark what she is. If she doesn't want to be known for what she has been doing for almost a decade, she needs to denounce her associations. She has been a longtime Neo Nazi sympathizer exacting repulsive attacks on Jews, African Americans, Latinos and Muslims. She's symbolizes the epitome of bigotry on this city council. If the Council isn't careful with their words, I can display the full dessier of her dark deeds. I can and will lay it all out again. Also, I exposed Councilman Butch Twinning on multiple platforms for his marching and chanting while amongst white supremacists at the pier two nights ago. The mayor is living a lie and I won't allow it. See Butch Twinings response to me calling him out below.

Edited Like Reply 6w











Butch Twining · 5w

Let's this comment serve as my "final warning" to remove these libelous and slanderous statements by Bixby and Tarvin. There will be no further warnings. Jeff Pearlman, add your name to this list. Remove immediately or suffer the consequences. FAFO







Scott Brewsaugh · 5w

Butch Twining were you not on video standing right next to those guys chanting "white men fight back?"







Butch Twining · 5w

Scott Brewsaugh nope, I left when they started chanting as did at least 10-12 others. I've repeatedly said that as has my wife. Those that left with me will make great eyewitnesses to the truth in court





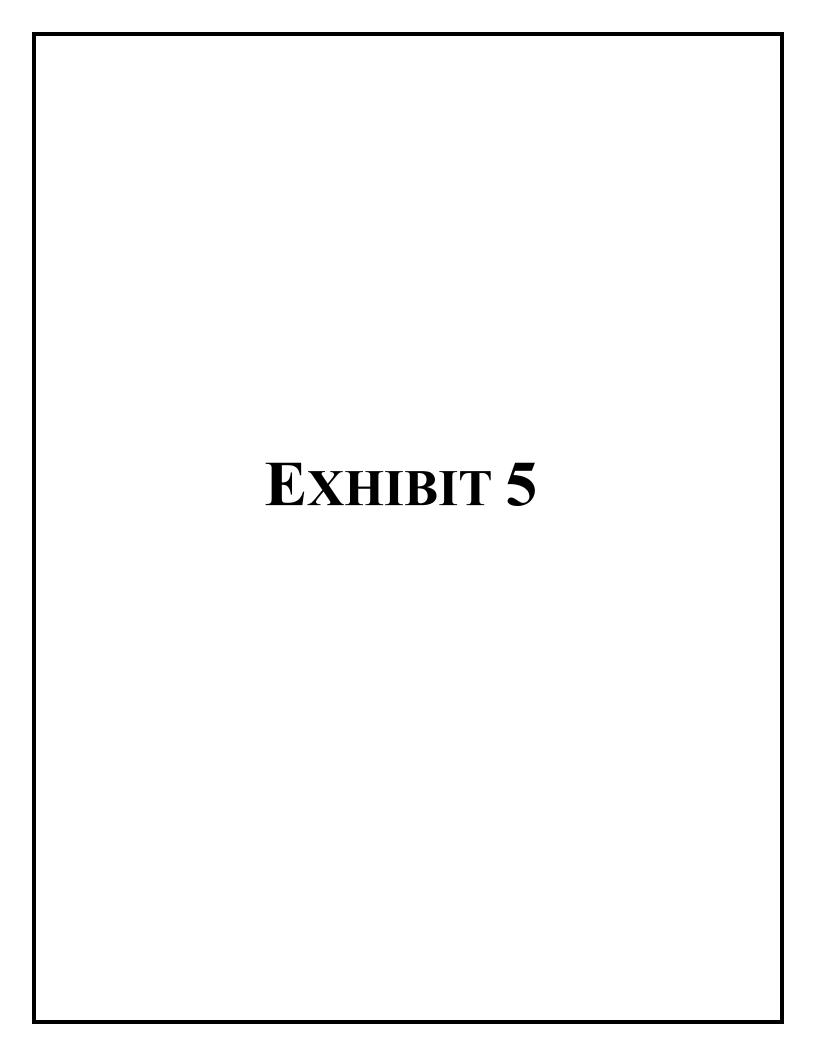


Trustee Gina Clayton-Tarvin, Ocean View School District 5 · 5w

Butch Twining I'm still waiting to "FAFO", tough guy. I'll summarily anti-SLAPP your feeble case into



Surf City Sentinel limited who can comment on this post.



NEWS

Huntington Beach councilman denounces hate groups after series of Charlie Kirk vigils



A woman paints an image of Charlie Kirk during a vigil for the slain conservative activist Sunday night at Pier Plaza. (Heather Byrnes / Davini Photography)



Sept. 17, 2025 4:25 PM PT

Huntington Beach City Councilman Butch Twining denounced hate groups during a statement at Tuesday night's meeting of the council, six days after he was seen at a vigil for the late Charlie Kirk that turned dark with a group chanting "White man fight back."

That gathering, which took place the same day that the conservative activist and founder of Turning Point USA was <u>assassinated in Utah</u>, was the first of several that have taken place at Pier Plaza over the last week.

Twining, shown on <u>a video that went viral</u>, said Tuesday night that he and his wife left after the vigil, organized by a local Republican group, turned violent when "self-described white supremacists" intruded, he said.

"Their presence was not an act of solidarity, but a calculated attempt to weaponize the event for extremist purposes," Twining said. "As soon as their motives became clear, I immediately left, because this is not what I came for, nor what the vigil represented."



People attend a vigil for the late Charlie Kirk on Sunday night in Huntington Beach. (Heather Byrnes / Davini Photography)

Some had called for his resignation when the video surfaced, <u>including Ocean View School District Trustee Gina Clayton-Tarvin</u>. During his comments, Twining referenced her critiques and also referred to Mark Bixby, the owner of the online publication Surf City Sentinel, who posted the now-viral video.

"As a leader in this community, I will not allow my voice to be twisted for extremism," Twining said, adding that he and his wife had been accosted after the video was made public.

Bixby declined to comment Tuesday night. Clayton-Tarvin issued on a statement on Wednesday, saying she was sworn to uphold the 1st Amendment as an elected official and wouldn't be silenced when Twining threatened to sue her and others <u>on a Sentinel</u> <u>post</u> if they didn't remove their statements.



Butch Twining, shown participating in a city council candidates forum last year, denounced hate groups at Tuesday night's council meeting. (Don Leach / Staff Photographer)

"When one elected leader threatens another with a lawsuit simply for engaging in open criticism, it crosses a dangerous line," she said. "Such actions chill free speech, erode public trust and undermine the democratic process we are all sworn to protect. I will not be silenced."

At the onset, the council meeting featured each of the MAGA Huntington Beach council members making comments about the vigils and in support of Twining.

Sunday night vigil draws thousands

The biggest Huntington Beach vigil for Kirk was held at Pier Plaza on Sunday night. James Klug, a local conservative YouTube creator who works occasionally with Kirk's <u>Turning Point USA</u>, organized that event.

Klug estimated that up to 4,000 people attended the vigil, adding that he saw no disturbances.

"The community really showed up for Charlie Kirk," Klug said in an email to the Daily Pilot. "The vigil started around 6 p.m. and was packed with prayer, music, family time and speeches from some local community leaders and people who knew Charlie. I don't think it could have been a better evening to honor Charlie and the work that he did for our country."

Huntington Beach resident Heather Byrnes, who attended and took photographs at the vigil, called it a blessed event.

"[Kirk] was a Godly man," Byrnes said. "He was serving his purpose. There's been a lot of hate ... but he didn't hate anybody. He didn't hate the trans community, he just doesn't agree with that lifestyle, or homosexual, and that's OK. He believes in the Bible and God. I don't understand why things that have been around forever, now we're getting yelled at for it."



A woman holds a candle at a vigil for the late Charlie Kirk on Sunday night in Huntington Beach. (Heather Byrnes / Davini Photography)

Huntington Beach Mayor Pat Burns said no arrests were made in association with the weekend's vigils.

"The city reiterates its firm condemnation of dangerous political rhetoric and affirms its ongoing partnership with law enforcement to safeguard public safety," Burns said in a statement Monday night. "We commend our residents and visitors for showing the spirit of Huntington Beach by coming together in a safe and civil manner while honoring the life of Mr. Kirk."

In a previous statement the city <u>released Sunday afternoon</u>, Burns said Huntington Beach "unequivocally condemns all forms of violence and violent rhetoric, as well as the spread of false and inflammatory statements that undermine the safety of our community."

Taryn Palumbo, who announced as a 2026 candidate for the Huntington Beach City Council on Monday and spoke at Tuesday night's meeting, said in an interview that she felt that the mayor's statements fell short.

"I would expect our city council to clearly call out the language that was being used and denounce it," she said. "Unfortunately, the statement that was put out does not address the big issue, which was the presence of white nationalists in our community causing a scene."



Candles spell out the name of Charlie Kirk at a vigil on Sunday night in Huntington Beach. (Courtesy of Rebecca Grudt)

White nationalists returned Saturday

Sunday's peaceful gathering was in contrast to the scene Saturday night, when Huntington Beach resident Jerry Geyer said he used his bike to try to stop white nationalists from walking down Main Street toward the pier.

Geyer said the group of men were each wearing white gaiters, many wearing blue or black shirts and khakis. At the rally at the pier, they were shown waving flags associated with <u>Patriot Front</u>, a known white nationalist and neo-fascist group.



A Huntington Beach resident said the group of men were each wearing white gaiters, many wearing blue or black shirts and khakis. At the rally at the pier, they were waving flags associated with the neo-fascist Patriot Front. Above, members of Patriot Front are shown lined up to march on Jan. 21, 2022 in Washington, DC. (Kent Nishimura / Los Angeles Times)

"Our jaws were on the ground," Geyer said. "We couldn't believe what we were watching in person. It was straight out of 1930s Germany, what it looked like when they were chanting 'White men fight back.' We all know what that is, that's white supremacy. There's no sugar-coating that."

Geyer said several of the men eventually came back up the street being chased by another man, before they started to jump on them.

Geyer said the question he is asking is simple — why are white supremacists coming to Huntington Beach? He called it the path of least resistance.

"No one is stopping them," he said. "That's the truth."



A photo of Charlie Kirk is displayed at a vigil in Huntington Beach on Sunday night. (Heather Byrnes / Davini Photography)



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Matt Szabo covers the city of Huntington Beach and sports for the Daily Pilot. A Southern California native and Cal Poly San Luis Obispo graduate, he has been working for L.A. Times Community News since 2006 and still loves talking to people about their hopes and dreams.

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