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1200 Ontario Street  
Cleveland, Ohio 44113

**Court of Common Pleas**

**GENERAL PLEADING**  
**June 2, 2026 09:51**

By: SUBODH CHANDRA 0069233

Confirmation Nbr. 3871142

MAX MILLER

CV 26 138810

vs.

EMILY MORENO, ET AL

**Judge: JOY KENNEDY**

**Pages Filed: 14**

IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

<p>MAX MILLER</p> <p><i>Plaintiff,</i></p> <p>v.</p> <p>EMILY MORENO, <i>ET AL.</i></p> <p><i>Defendants.</i></p>	<p>Case No. CV-26-138810</p> <p>Judge Joy Kennedy</p>
<p>DEFENDANT EMILY MORENO'S SUPPLEMENT TO HER MOTION FOR EXPEDITED RELIEF UNDER UPEPA (R.C. 2747.01 <i>ET SEQ.</i>)</p>	

Defendant Emily Moreno respectfully submits this supplement to her motion for expedited relief.

As that motion explains, the Uniform Public Expression Protection Act's (UPEPA's) purpose is to protect speech on matters of public concern—and to shield those who engage in it from retaliatory Strategic Lawsuits Against Public Participation (SLAPPs).

Since Ms. Moreno filed that motion, more evidence emerged about Plaintiff Congressman Max Miller's vindictive, retaliatory motive for suing. This behavior, detailed below, was exactly that from which UPEPA was designed to protect defendants, like Ms. Moreno. Ms. Moreno brings this behavior to the Court's attention both to further support her UPEPA argument and to alert the Court of Congressman Miller's continued abusive behavior.

**First**, in the former couple's domestic-relations-court proceedings, Congressman Miller withdrew his quest for a protective order on May 26, 2026, claiming that he just wants to focus on the best interest of his child. *Max Miller v. Emily Moreno*, No. 26-DV-408367, Notice of Voluntary Dismissal (May 26, 2026 Cuyahoga Comm. Pleas Dom. Rel. Div.). And yet, he

maintains this legally infirm lawsuit against her mother.

**Second**, Cleveland.com's editor confirmed that reports about Congressman Miller's physical abuse of his ex-wife are matters of public concern:

Also of note here is that Moreno is the second former partner of Miller to accuse him of abuse. This also is the second time Miller has sued a former partner for accusing him of abuse. *Again, that is information voters deserve to know.*

Chris Quinn, *Why we waited to report abuse allegations against Max Miller: Letter from the Editor*, Cleveland.com (May 30, 2026), at <https://www.cleveland.com/news/2026/05/why-we-waited-to-report-abuse-allegations-against-max-miller-letter-from-the-editor.html>

(emphasis added) (attached as Ex. J) This observation from the top editor of Northeast Ohio's media outlet of record reinforces Ms. Moreno's UPEPA argument that her alleged comments are of public concern.

**Third**, Mr. Quinn added that Miller is on a vindictive public-relations rampage against his ex-wife:

After I thought I had completed this column, on Thursday, Miller offered an interview to our veteran Washington D.C. reporter, Sabrina Eaton. She agreed to talk to him, interested in his thoughts on the court filings but also hoping to get insight into the challenges of campaigning these days as a Donald Trump disciple, given the president's unpopularity. Miller used the interview to further disparage his former wife.

Sabrina wrote up a story for editors to consider about Miller's statements. We, however, are not a campaign publicity arm for any candidate. No one gets a free swing like that, *especially when the statements could be defamatory*. Miller made his case in his lawsuit. Moreno responded. If Miller chooses to rebut Moreno's claims in court, we will cover it.

When the Miller campaign was informed we would not publish a story, his representative notified us that they might release a transcript of Sabrina's interview. I saw that as further evidence that Miller was just trying to use us to further criticize his ex-wife.

*Id.* This highlights Congressman Miller's retaliatory mentality and underscores the need for expedited dismissal.

**Fourth**, Ms. Moreno has learned that Congressman Miller now has a private investigator calling people with whom Ms. Moreno worked years ago and with whom she hasn't spoken in years. This is in addition to Miller spreading rumors he knows to be false about Ms. Moreno. Supplemental Affidavit of Emily Moreno ¶¶ 6–7, attached as Ex. K. This obsessive campaign, again, reinforces the retaliatory nature of Miller's conduct.

In sum, Congressman Max Miller wants the media to help him attack the woman he spent years abusing and whom he's continued to harass since their divorce. He's using his vast resources to try to dig up dirt on her that doesn't exist. He invoked his daughter's privacy and well-being when he voluntarily sought to dismiss his protective-order proceedings against her, yet—not content to have physically and emotionally abused her during their marriage—he continues his relentless efforts to hurt Ms. Moreno. The Court should recognize from the Congressman's behavior that this lawsuit is but one more weapon in a campaign of retaliation for her perceived speech.

So it must fall.

Dated: June 2, 2026

Respectfully submitted,

/s/ Subodh Chandra

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### Certificate of Service

I certify that on June 2, 2026, my office filed the above document electronically with the Clerk of Court, which is serving all counsel of record through its electronic-filing system, and emailed courtesy copies to the following counsel of record:

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*One of the attorneys for Defendant Emily Moreno*

# Why we waited to report abuse allegations against Max Miller: Letter from the Editor

Updated: May. 30, 2026, 4:56 p.m. | Published: May. 30, 2026,  
8:07 a.m.



The filing from Emily Moreno includes photos of what she says are injuries caused by her ex-husband, U.S. Rep. Max Miller, physically abusing her. Emily Moreno



**By Chris Quinn, Editor, cleveland.com/The Plain Dealer**

I heard from some readers in recent weeks asking why our newsroom was not reporting the anonymously sourced domestic abuse allegations against Congressman Max Miller that were published by some tabloids.

Then, this week, I heard from a few readers who wanted to know why our newsroom did report those abuse allegations when Miller's ex-wife, Emily Moreno, made them in affidavits filed in court.

This case is an ideal example for illustrating some basic journalism and defamation principles.

Miller and Moreno are involved in a bitter child custody case. Divorced couples often make ugly accusations against each other during and after the collapse of their marriages, and journalists know to be wary in covering them.

The central allegation is that Miller threw scalding water at Moreno from a pan on the stove when she told him two years ago that she was leaving him. She says she fell to the floor in a fetal position, and Miller then used the spray hose from the kitchen sink to aim more water at

her.

The allegations were reported earlier this year in the Daily Mail and other outlets based on unnamed sources. When we learned of them, we checked for police reports and anything in the court record, but Moreno now says she didn't report the hot water incident to police because she did not think anyone would believe her.

Consequently, we did not have any sources – let alone reliable sources – saying Miller had physically abused Moreno. And even if we had the anonymous sources used elsewhere, we likely still would not have reported the allegations.

Accusing someone falsely of domestic violence is defamatory. If we reported based on anonymous sources that Miller abused Moreno, he could sue us for defamation. And if we, in defending ourselves, could not produce a witness to affirm the allegations on the record, we would, quite likely, lose the defamation case.

There's also the fairness issue. Is it fair to report allegations of domestic violence against Miller without saying where those allegations originate? How can he defend himself against an anonymous accuser?

But, like I said, we didn't even have an anonymous source. The only way we could have reported the allegations when the tabloid did would have been to attribute the claims to the tabloid. That would have been irresponsible without knowing their sources.

We did eventually report the allegations, with almost no detail, when Miller sued Moreno for defamation, accusing her of telling the tabloids about the abuse allegations. We did not repeat the details of those allegations, though, because we had no source to base them on and Miller, in his lawsuit, flatly denied them.

What changed this week was that Moreno filed a 110-page response to Miller's defamation suit, going on the offensive. It included details of the hot water incident, photos she took of what she said documented his abuse on her belly, arm and neck and a hand-written apology letter by Miller. It also includes a Bay Village police report on an interview with a Cuyahoga County child protection worker and Moreno, in which Moreno told the officer of multiple instances of abuse, including that Miller had held a gun to her head. (Moreno's and Miller's names are blacked out in the report, but Moreno says in her affidavit that it is about her and her ex-husband.) In her filing, Moreno also denies speaking with the any reporters about the abuse.

Suddenly, we not only had a source for the allegations, we had the actual accuser on the record, in sworn affidavits, with supporting material. The filing included an affidavit from a witness who said Moreno told her about the hot water incident not long after it happened.

We don't publish many stories about domestic violence accusations. Because these allegations are against a sitting member of Congress who is seeking re-election, they are news. Voters deserve to know the details and decide for themselves whether they believe them.

Also of note here is that Moreno is the second former partner of Miller to accuse him of abuse. This also is the second time Miller has sued a former partner for accusing him of abuse. Again, that is information voters deserve to know.

After I thought I had completed this column, on Thursday, Miller offered an interview to our veteran Washington D.C. reporter, Sabrina Eaton. She agreed to talk to him, interested in his thoughts on the court filings but also hoping to get insight into the challenges of campaigning these days as a Donald Trump disciple, given the president's unpopularity. Miller used the interview to further disparage his former wife.

Sabrina wrote up a story for editors to consider about Miller's statements. We, however, are not a campaign publicity arm for any candidate. No one gets a free swing like that, especially when the statements could be defamatory. Miller made his case in his lawsuit. Moreno responded. If Miller chooses to rebut Moreno's claims in court, we will cover it.

When the Miller campaign was informed we would not publish a story, his representative notified us that they might release a transcript of Sabrina's interview. I saw that as further evidence that Miller was just trying to use us to further criticize his ex-wife. We live in a time when many voters look past serious questions about a candidate's conduct and decide that party loyalty matters more. Quite possibly, some voters will care only that Miller is a Republican and vote based on that.

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## **MORE BY CHRIS QUINN**

**After a dreary winter and spring, Northeast Ohioans are ready to make summer memories: The Readers Write** [Jun. 1, 2026, 5:30 a.m.](#)

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**We made a mistake. Here's what it took to fix it: Letter from the Editor** [May. 23, 2026, 8:04 a.m.](#)

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I do believe, however, that for many voters in Northeast Ohio, the character of a candidate matters. Those voters will have to decide whether Moreno's allegations against Miller raise enough questions about Miller to lose their votes. Our job is not to decide that question for them. Our job is to make sure they have the documented facts they need before they vote.

Thanks for reading.



Chris Quinn

Chris has spent more than 4 decades in journalism, 3 of them in Cleveland, Ohio, working as a reporter, line editor and newsroom leader. He writes a weekday text message to subscribers to his free text account...more

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IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

MAX MILLER

*Plaintiff,*

v.

EMILY MORENO, ET AL.

*Defendants*

Case No. CV-26-138810

Judge Joy Kennedy

AFFIDAVIT OF EMILY MORENO

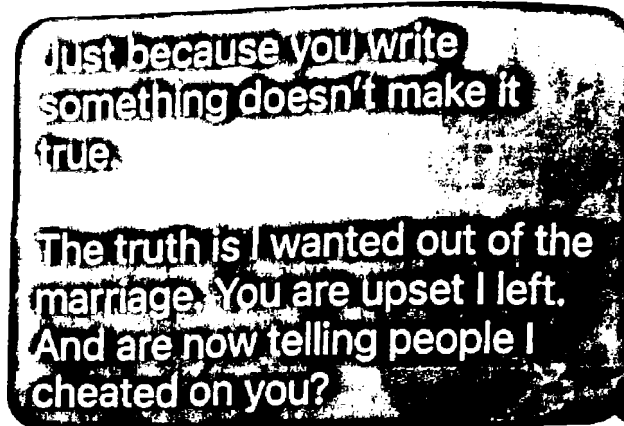
I, Emily Moreno, being duly sworn according to law, testify as follows:

1. I am over the age of 18. I have personal knowledge of and am competent to testify regarding the matters discussed below.
2. I am a defendant in *Max Miller v. Emily Moreno et al.*, Cuyahoga County Common Pleas Case No. CV-26-138810.
3. I was married to Plaintiff Congressman Max Miller from August 2022 until June 2025.
4. On May 27, 2026, my counsel filed on my behalf a motion for expedited relief through dismissal and request for expedited hearing under the Uniform Public Expression Protection Act seeking to dismiss Congressman Miller's lawsuit against me.
5. On Saturday, May 30, 2026, an individual reached out to me and informed me of a private investigator who is making calls to my former work colleagues, including ones with whom I have not worked in six years. This is in addition to the same private investigator, identified as working for Congressman Miller, calling one or more friends in February 2026.
6. On or before Monday, June 1, 2026, an individual contacted me after Congressman Miller began to tell people that I had an affair. This is gross and false. This is not the first time that the Congressman has spewed this hurtful gossip. On December 27, 2025, I sent the Congressman a text message after hearing this rumor, and he acknowledged in his reply to me that I never cheated on him. That text exchange is embedded below.

1:17



M Miller



1 Reply

Haha who did you cheat on me with?? Hahaha

This is new

**That's what YOU are saying.**

Haha awesome

No chance

I don't think you cheated on me at all

What else am I saying 🤔🤔

I affirm the above to be true to the best of my knowledge under penalty of perjury.

Emily Moreno  
Emily Moreno

Sworn to and subscribed before me this 1 day of June 2026 in Cuyahoga County,  
Ohio.



[Signature]  
Notary Public, State of Ohio

My commission expires: \_\_\_\_\_