

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

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|-------------------------|---|----------------------------------|
| QASIM RASHID, |) | |
| |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 1:21-cv-00615 (LMB/IDD) |
| |) | |
| JOSEPH CECIL VANDEVERE, |) | |
| |) | |
| Defendant. |) | |

CONSENT JUDGMENT

WHEREAS, this lawsuit arises from a dispute between Plaintiff Qasim Rashid and Defendant Joseph Cecil Vandevere concerning Plaintiff Rashid’s allegation that Defendant Vandevere made online threats and harassing religious comments against him in violation of Virginia Code Annotated § 8.01-42.1; and

WHEREAS, Defendant Vandevere has agreed to accept liability under § 8.01-42.1 as described below, to have the Court enter this Consent Judgment against him as a matter of public record, and to pay a stipulated damages award to resolve the above-captioned case; and

WHEREAS, Plaintiff Rashid has agreed to accept this Consent Judgment against Defendant Vandevere and the stipulated damages award as full and final settlement of the above-captioned case.

THEREFORE, in accordance with Rules 52 and 58 of the Federal Rules of Civil Procedure, the Court adopts the Findings of Fact stipulated to by the parties, makes appropriate Conclusions

of Law, and hereby makes this Adjudication against Defendant Vandevere, awarding damages to Plaintiff Rashid as described below.

FINDING OF FACTS

1. Plaintiff Qasim Rashid, an attorney and licensed member of the Virginia Bar, is an observant Muslim—a follower of the religion of Islam.

2. In March 2018, Plaintiff Rashid maintained a verified Twitter account, listing his name as “Qasim Rashid Esq.” and using the handle “@MuslimIQ”. Plaintiff Rashid used that account to speak out on various religious freedom and human rights issues.

3. In March 2018, Defendant Vandevere maintained an anonymous Twitter account with the handle “@DaDUTCHMAN5”.

4. On March 13, 2018, Defendant Vandevere used his @DaDUTCHMAN5 account to anonymously send to Plaintiff Rashid the following communication: “HI PEDOPHILE PROPHET MUHAMMAD CUBE WORSHIPING INBRED MUSLIM SCUM LETS MEET SO YOU CAN RUN THAT COWARD MOUTH TO MY FACE..PLEASE...VIEW YOUR DESTINY.”

5. Defendant Vandevere accompanied that message to Plaintiff Rashid with the following photograph of the 1915 lynching of Leo Frank.



6. At the time Defendant Vandevere sent the March 13, 2018 Tweet and accompanying image, he knew that Plaintiff Rashid is Muslim.

7. By communicating the March 13, 2018 Tweet to Plaintiff Rashid, Defendant Vandevere subjected Plaintiff Rashid to acts of intimidation or harassment.

8. In communicating the March 13, 2018 Tweet, Defendant Vandevere was motivated by religious animosity towards Muslims.

9. In an attempt to avoid Defendant Vandevere's acts of intimidation and harassment, Plaintiff Rashid blocked future Tweets from Defendant Vandevere from being delivered.

10. Even after being blocked, however, Defendant Vandevere continued to send Plaintiff Rashid additional Tweets in the same vein.

11. On March 21, 2018, Defendant Vandevere used his @DaDUTCHMAN5 account to anonymously Tweet at Plaintiff Rashid: "ATTENTION ALL PEDOPHILE PROPHET MUHAMMAD CUBE WORSHIPING CHILD RAPING INBRED MUSLIMS: SHARIA LAW

IS TREASON...AND THE PENALTY FOR TREASON IS DEATH BY EXECUTION. AS PER US LAW...GET OUT OR FACE THE PENALTY.”

12. On March 21, 2018, Defendant Vandevere used his @DaDUTCHMAN5 account to anonymously Tweet at Plaintiff Rashid, for a second time that day: “GO EAT SOME PORK...SCUM.”

13. On March 21, 2018, Defendant Vandevere used his @DaDUTCHMAN5 account to anonymously Tweet at Plaintiff Rashid, for a third time that day: “REPORT YOUR LIPS UPON MI DOGS ASSSSSS!!”

14. Finally, on March 21, 2018, Defendant Vandevere—for a fourth time that day—used his @DaDUTCHMAN5 account to anonymously Tweet at Plaintiff Rashid: “I WAITING FOR YOU TO NAME THE TIME AND PLACE YOU CUBE WORSHIPING PEDOPHILE PROPHET MUHAMMAD MOTHERLESS SON OF A SACK OF RAT SHIT BASTARD.”

15. By communicating the four March 21, 2018 Tweets to Plaintiff Rashid, Defendant Vandevere subjected Plaintiff Rashid to additional acts of intimidation or harassment.

16. In communicating the March 21, 2018 Tweets, Defendant Vandevere was motivated by religious animosity towards Muslims.

17. Defendant Vandevere is deeply remorseful and accepts responsibility for the harm he has caused to Plaintiff Rashid and his family.

CONCLUSIONS OF LAW

This Court concludes as a matter of law that:

a. This Court has jurisdiction over both the subject matter of this case and over each of the Parties, and Defendant Vandevere has received proper notice of Plaintiff Rashid’s claim for violation of under § 8.01-42.1.

b. By admitting to subjecting Plaintiff Rashid to the acts of intimidation and harassment described above, and by admitting being motivated by religious animosity, Defendant Vandevere is liable to Plaintiff Rashid for damages under Virginia Code Annotated § 8.01-42.1.

ADJUDICATION

IT IS THEREFORE, BY CONSENT, ORDERED AND ADJUDGED that:

1. Defendant Vandevere shall pay to Plaintiff Rashid a compensatory damages award of \$10,000 inclusive of all costs.
2. This Court maintains jurisdiction to enforce this Consent Judgment.
3. If Defendant Vandevere fails to comply fully with the terms of this Consent Judgment, Defendant Vandevere shall be responsible for (and shall reimburse) any attorneys' fees and costs incurred by Plaintiff Rashid in bringing and pursuing a contempt motion before this Court.
4. Plaintiff Rashid's claim of intentional infliction of emotional distress is voluntarily dismissed with prejudice.

It is SO ORDERED.

ENTERED: March 2, 2022

lsl LMB

Leonie M. Brinkema
United States District Judge