



Written by [Bob Adelman](#) on August 9, 2017

Brady Campaign Hangs Anti-gun Couple Out to Dry When They Lose Lawsuit

Three years after Jessica Ghawi was gunned down by mental case James Holmes in an Aurora, Colorado, theater, her parents, at the urging of the Brady Campaign to Prevent Gun Violence (aka the Brady Center), filed suit against the dealer, Lucky Gunner, who sold Holmes his ammunition. In August 2015, the judge [threw out their case](#) and required them to pay the gun dealer's legal fees:



It is apparent that this case was filed to pursue the political purposes of the Brady Center and, given the failure to present any cognizable legal claim, bringing these defendants [Lucky Gunner] into the Colorado court ... appears to be more of an opportunity to propagandize the public and stigmatize the defendants than to obtain a court order.

It wasn't supposed to happen that way, and now Brady is leaving Ghawi's parents, Lonnie and Sandy Phillips, to pay Lucky Gunner's legal fees.

The Phillipses knew exactly what they were doing, as revealed by their comments published by the online Huffington Post in September 2015:

Attorneys at Arnold and Porter and the Brady Center to Prevent Gun Violence brought the lawsuit for us, pro bono [without charge].

We knew the risks of bringing the case. We knew that Colorado and Congress have given special protection to the gun industry, and we knew that under Colorado law we could even be ordered to pay attorneys' fees [incurred by Lucky Gunner] because of those special protections.

But we thought it was important to take a stand, to fight to prevent other families from suffering as we have....

One of the ways that we can level the playing field is to create precedents in our court rooms that make gun and ammunition dealers pay a price for conduct that contributes to gun violence.

The Phillipses pledged their continued loyalty to Brady even after the judge tossed their frivolous lawsuit:

The law says we are responsible for these fees, which we recognize. We do not have the money to pay this amount [\$203,000]. The judge insinuated in his order that Brady should pay since he said they were the instigators. If this was a ploy designed to give the appearance that Brady was responsible and turn us against each other, it did not work.

Brady is still [as of September 2016] fighting for us, pro bono, and we see no evidence that Brady ... will not help us raise funds if and when that time comes.

That was then. This is now: On July 20 Sandy [poured her anguish](#) into the willing ears of a reporter for the anti-gun *Mother Jones* magazine, and complained that because they still don't have the money to



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pay Lucky Gunner's legal fees, nor has Brady offered to help pay them, they had to file for bankruptcy:

[The] judge dismissed our case. Gun dealers are shielded by the Protection of Lawful Commerce in Arms Act, a controversial law that protects them from liability when crimes are committed with their products. [Note: The PLCAA is not controversial but protects firearms manufacturers and gun dealers from being held liable when a crime is committed with their products — just as car dealers are not held liable when their products are used to kill.]

Worse, in accordance with the law, the judge ordered us to pay more than \$200,000 in legal fees to the defendants [Lucky Gunner]. In part because of that ruling, Lonnie and I were forced this year to file for bankruptcy.

What? Brady hasn't stepped to the plate to bail out the Phillipses? Brady, with revenues of \$25 million in 2014-2015, couldn't do the right thing and at least organize a fundraiser for the couple? The judge thinks they should have:

It may be presumed that whatever hardship is imposed on the individual plaintiffs [the Phillipses] by these awards against them may be ameliorated by the sponsors of this action in their name....

Those who ignite a fire should be responsible for the cost of suppressing it before it becomes a conflagration. The Brady Center may be pursuing a righteous cause, but the defendants should not have to bear the burden of defending themselves in this inappropriate forum.

Jay Caruso at *National Review* is persuaded that Brady won't be stepping to the plate to bail out the Phillips because it wouldn't serve their interests:

For political purposes, it's better for them if they do not. What better way for Brady to play up the martyr angle for the Phillipses than by decrying the gun dealer who "bankrupted" them for wanting said dealer to take some "responsibility" for their actions? In the long run that's a much better story for the Brady Campaign to weave than paying the legal costs associated with a failed lawsuit they encouraged.

Image: Screenshot of a [Brady Campaign ad](#)

An Ivy League graduate and former investment advisor, Bob is a regular contributor to The New American magazine and blogs frequently at [LightFromTheRight.com](#), primarily on economics and politics. He can be reached at badelmann@thenewamerican.com.



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