



NEWS RELEASE

Newsmax Files Lawsuit Against Fox News

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Landmark Federal Antitrust Case Seeks Significant Damages

BOCA RATON, FL / [ACCESS Newswire](#) / September 3, 2025 / Newsmax Inc. (NYSE:NMAX) ("Newsmax" or the "Company") announced today that the Company's subsidiary, Newsmax Broadcasting, LLC, has filed a major federal antitrust lawsuit against Fox Corporation and Fox News Network, LLC (collectively, "Fox") in the United States District Court for the Southern District of Florida.

The suit, led by prominent antitrust litigators at Kellogg, Hansen, Todd, Figel & Frederick, P.L.L.C., accuses Fox of engaging in an extensive and unlawful campaign to block competition in the market for right-leaning pay television news, including Newsmax.

Newsmax's action seeks damages under Sections 1 and 2 of the Sherman Act, the Florida Antitrust Act, and the Florida Deceptive & Unfair Trade Practices Act. Under federal law, any damages awarded in this case will be trebled - meaning Fox faces significant financial liability if Newsmax prevails.

The complaint alleges that Fox has abused its dominance in the right-leaning pay TV news market for years by coercing distributors into unfair carriage agreements designed to exclude or marginalize competitors like Newsmax.

Fox News, described in the complaint as a "must-have" channel for distributors, leverages its market power to impose restrictions that harm consumers, stifle competition, and drive up costs across the pay TV ecosystem.

Among the exclusionary tactics detailed in the complaint:

- No-Carry Provisions: Fox conditions access to Fox News on agreements by distributors not to carry or to

restrict competing right-leaning news channels.

- Financial Penalties: If distributors carry Newsmax, Fox forces them to also carry low-demand channels like Fox Business or Fox Sports 2 in their most widely viewed tiers - triggering potentially tens of millions in extra fees.
- Confidential Drag-Down Provisions: These clauses penalize distributors for placing Newsmax in basic packages by requiring simultaneous promotion of Fox's less popular channels.
- Intimidation Campaigns: Fox has allegedly pressured its guests to not appear on Newsmax, as well as has run online smear campaigns and hired private investigators targeting Newsmax executives to damage the Company's credibility.

The result, the complaint asserts, is that Fox has deliberately blocked Newsmax's growth in critical distribution platforms such as Hulu, Sling, Fubo, and other major platforms.

Internal Fox communications cited in the complaint reveal that senior executives and talent saw Newsmax as a competitive threat following the 2020 election. Texts, emails, and memoranda show Fox leaders acknowledging that Newsmax's growing audience could "drastically change the landscape" of cable news, including:

- Then-Fox host Tucker Carlson warned that "an alternative like Newsmax could be devastating to us."
- Fox News President Jay Wallace told CEO Suzanne Scott that Fox was on "war footing" over Newsmax's rise.
- Fox Chairman Rupert Murdoch instructed Fox News CEO Suzanne Scott that Newsmax "should be watched" as a result of press stories about the network.
- Other executives tracked Newsmax's bookings and content, openly strategizing about ways to contain the new competitor.

Harm to Competition and Consumers

The lawsuit alleges that Fox's exclusionary conduct has had far-reaching consequences:

- Higher Prices: By blocking competition, Fox has extracted supracompetitive carriage fees - charging distributors nearly \$2.20 per subscriber per month, double CNN's fees and six times MSNBC's. These inflated costs have been or likely will be passed on to consumers.
- Reduced Consumer Choice: Millions of right-leaning viewers who want an alternative have been denied access

to Newsmax on affordable basic packages, leaving Fox as the only viable option.

- Delayed Growth of Newsmax: Fox's practices have prevented Newsmax from reaching critical mass with distributors, advertisers, and audiences, costing the Company hundreds of millions in lost carriage fees and advertising revenue.

"Fox has sought to protect and expand its monopoly power in the right-leaning pay TV news market by engaging in a suite of anticompetitive behaviors," the complaint states. Fox's unlawful and exclusionary conduct "has harmed not just Newsmax and other competitors," but also "consumers and competition itself."

Newsmax is represented by Kellogg, Hansen, Todd, Figel & Frederick, P.L.L.C., and Sperling Kenny Nachwalter, LLC, two of the nation's premier antitrust litigation firms.

Both firms have extensive experience taking on monopolistic conduct and have successfully litigated complex cases involving dominant players in telecommunications, media, pharmaceuticals, and technology.

"Fox's behavior represents a textbook abuse of monopoly power," said Michael J. Guzman, lead counsel for Newsmax at Kellogg Hansen. "The law is clear: competition, not coercion, should decide what news channels Americans can watch. By leveraging its must-have status, Fox has blocked new voices, suppressed consumer choice, and extracted excess profits."

"Fox may have profited from exclusionary contracts and intimidation tactics for years, but those days are over," said Christopher Ruddy, Newsmax CEO. "This lawsuit is about restoring fairness to the market and ensuring that Americans have real choice in the news they watch. If we prevail, Fox's damages could be tripled under federal law - an outcome that would send a powerful message to any company that thinks it can monopolize public discourse."

The complaint underscores that Fox's conduct harms not just Newsmax, but the competitive process itself. By keeping rivals off affordable distribution packages, Fox has denied millions of Americans the diversity of viewpoints that a healthy marketplace of ideas requires.

"American democracy depends on a vibrant and competitive media landscape," Ruddy added. "Fox has acted as a gatekeeper, silencing emerging voices and overcharging consumers. Our lawsuit seeks not only justice for Newsmax, but also to protect the rights of viewers who deserve choice and fair pricing."

Newsmax is asking the federal court to:

- Declare Fox's conduct unlawful under federal and state antitrust laws.

- Award monetary damages as permitted by law.
- Enjoin Fox from continuing exclusionary contracts and monopolistic practices.
- Order equitable relief to restore competition in right-leaning pay TV news.

Additional information regarding the suit is available here:

<https://www.newsmax.com/Newsmax/media/PDFs/NewsmaxFoxComplaint.pdf>

About Newsmax

Newsmax Inc. is listed on the NYSE (NMAX) and operates, through Newsmax Broadcasting LLC, one of the nation's leading news outlets, the Newsmax channel. The fourth highest-rated network is carried on all major pay TV providers. Newsmax's media properties reach more than 40 million Americans regularly through Newsmax TV, the Newsmax App, its popular website [Newsmax.com](https://www.newsmax.com), and publications such as Newsmax Magazine. Through its social media accounts, Newsmax reaches 20 million combined followers. Reuters Institute says Newsmax is one of the top U.S. news brands and Forbes has called Newsmax "a news powerhouse."

For more information, please visit [Investor Relations | Newsmax Inc.](#)

Forward-Looking Statements

This communication contains forward-looking statements. From time to time, we or our representatives may make forward-looking statements orally or in writing. We base these forward-looking statements on our expectations and projections about future events, which we derive from the information currently available to us. Forward-looking statements can be identified by those that are not historical in nature. The forward-looking statements discussed in this communication and other statements made from time to time by us or our representatives, may not occur, and actual events and results may differ materially and are subject to risks, uncertainties and assumptions about us. Newsmax does not guarantee future results, performance or achievements. Moreover, neither we nor any other person assumes responsibility for the accuracy or completeness of any of these forward-looking statements. Forward-looking statements should not be relied upon as predictions of future events. We are under no duty to update any of these forward-looking statements after the date of this communication to conform our prior statements to actual results or revised expectations, and we do not intend to do so. Factors that may cause actual results to differ materially from current expectations include various factors, including but not limited to the timeline or outcome relating to litigation against Fox, our ability to change the direction of Newsmax, our ability to keep pace with new technology and changing market needs, the competitive environment of our business changes in domestic and global general economic and macro-economic conditions and/or uncertainties and factors set forth in the sections entitled "Risk Factors" in Newsmax's Annual Report on Form 10-K for the twelve months ended December 31, 2024, Newsmax's Quarterly Report on Form 10-Q for the three months ended March 31, 2025, and

other filings Newsmax makes with the Securities and Exchange Commission. Nothing in this communication should be regarded as a representation by any person that the forward-looking statements set forth herein will be achieved or that any of the contemplated results of such forward-looking statements will be achieved. Undue reliance should not be placed on forward-looking statements in this communication, which speak only as of the date they are made and are qualified in their entirety by reference to the cautionary statements herein.

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