

Highlights in the 2025-2 Release

- In *Salaam v. Trump*, the court rejected a substantial truth defense interposed by then-candidate (and former and future) President Donald Trump arising from his attacks on the “Central Park Five,” teenagers wrongfully convicted of crimes in Central Park in New York in 1989, who were exonerated in 2002.
- In *Polak v. Ramirez-Diaz*, the Vermont Supreme Court held that certain allegedly defamatory statements arising from a neighborhood dispute and an alleged assault and gun threatening incident were not made in connection with a public issue of the sort that triggered heightened First Amendment standards.
- In *Harvey v. Netflix*, the court held that material from the assertedly fictional Netflix series Baby Reindeer sufficiently identified the plaintiff to be actionable as defamation.
- In *Bean Maine Lobster, Inc. v. Monterey Bay Aquarium Foundation*, the court allowed a defamation claim brought by several lobster fisheries in Maine against the Monterey Bay Aquarium Foundation in which the Aquarium urged consumers to cease buying lobsters fished off Maine waters on the theory that lobster fishing endangered North Atlantic Right Whales, an assertion the plaintiffs alleged was entirely false.
- In *Roe v. Patterson*, the Supreme Court of Texas clarified the rules governing defamation liability of a person who supplies defamatory material to another for publication of the defamatory material.
- In *Murphy v. Rosen*, the Supreme Court of Connecticut ruled that labeling someone a “white supremacist” did not convey an objective fact but was rather a nonactionable opinion.
- In *Oskouei v. Matthews*, the Supreme Court of Georgia held that establishing abuse of a common-law conditional privilege in Georgia does not require a plaintiff to demonstrate actual malice in the First Amendment sense. It is enough to defeat a conditional privilege under Georgia law by establishing that the defendant’s claim of privilege is a sham and that he made the allegedly defamatory statement with ill will toward the plaintiff or with an intent to injure him.