

## NEWS & INSIGHTS

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### LIGHTFOOT'S JT THOMPSON AND JONATHAN LITTLE SECURE DISMISSAL OF PUBLIC FIGURE DEFAMATION LAWSUIT AGAINST AL.COM

August 28, 2018

BIRMINGHAM, Ala. (August 29, 2018) — Lightfoot, Franklin & White LLC attorneys **JT Thompson** and **Jonathan R. Little** recently secured a significant victory for AL.com, the state's largest online and print media outlet, in a high-profile defamation lawsuit.

The lawsuit, filed in Montgomery County Circuit Court, was brought by a public official who alleged that she was defamed in an online column that criticized statements she made at a public meeting. The public official claimed that her reputation had been damaged and that she had been the subject of a petition to remove her from office as a direct result of the column.

In response, Thompson and Little moved to dismiss the complaint, arguing that there could be no actionable defamation claim because the online column was an opinion piece. Further, they argued that the public official failed to sufficiently plead actual malice, which she was required to do in light of the 1964 United States Supreme Court decision, *New York Times Co. v. Sullivan*, a landmark case which originated when a public official filed a defamation lawsuit in Montgomery County, Alabama, during the Civil Rights era.

The court granted Lightfoot's motion and found that the online column was an opinion piece based upon disclosed, non-defamatory facts, and that, as a public official, the plaintiff was subject to such criticisms. Although the case was only at the Rule 12 stage, the court held that there was no defamation claim as a matter of law.

Thompson, a partner, and Little, an associate, both devote a significant amount of their practice to defending media and communications clients.