

THE SANDY HOOK LITIGATION



Combatting Cyber/Media Abuse through The Civil Justice System

WHO IS ALEX JONES?



MARCH 4, 2019 DEPOSITION



MARCH 4, 2019 DEPOSITION

- Created admissions regarding actual malice
- Demonstrated Mr. Jones' lack of credibility
- Established a pattern of harassing behavior and false statements



OUR CLIENTS

- Veronique De La Rosa
 - Leonard Pozner
 - Neil Heslin
 - Scarlett Lewis
-

TWO VEHICLES TO ADDRESS FALSE REPORTING

- Defamation
 - Intentional Infliction of Emotional Distress
-

DEFAMATION & ANTI-SLAPP

To survive a motion to dismiss, a defamation plaintiff must show *prima facie* evidence of the following:

- (1) a publication of a false statement of fact to a third party that was defamatory concerning the plaintiff,
- (2) with the requisite degree of fault, and
- (3) damages.

Exxon Mobil Corp. v. Rincones, 520 S.W.3d 572, 579 (Tex. 2017).

The statements must be assertions of fact.

The statements must be susceptible of a
defamatory meaning.

A crime victim should not be considered a public figure.

Proving actual malice is not an
insurmountable obstacle.

INTENTIONAL INFLICTION & ANTI-SLAPP

To survive a motion to dismiss on a claim for IIED based on speech, the complaining party must show prima facie evidence of conduct that:

1. was intentional or reckless;
2. was extreme and outrageous; and
3. caused severe emotional distress.

GTE Sw., Inc. v. Bruce, 998 S.W.2d 605, 611 (Tex. 1999).

An IIED claim is not required to show the publication referred to the plaintiff.

Holloway v. American Media

Rich v. Fox News Networks
