



BULLETIN

LDRC MOTION TO DISMISS STUDY Motions to Dismiss in Libel, Privacy, and Related Actions, 1981-1995

1996 Issue No. 2
April 30, 1996
ISSN 0737-8130

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I. EXECUTIVE SUMMARY

1. The new LDRC study systematically examined fifteen years of decisions, reported between 1981 and 1995, on motions to dismiss by media defendants in libel, privacy, and related actions.
2. The results of dismissal motions were compiled from 468 cases — 373 new cases (152 federal, 221 state) from 1983–95, combined with 95 cases (32 federal, 63 state) from 1981–83, previously reported by LDRC in its initial study of motions to dismiss.
3. Outright dismissals were granted in 72.7% of the 1981–95 cases studied. Even where dismissals were not granted in their entirety, partial grants, dismissing some claims or some defendants, were secured in an additional 8.5% of cases during the fifteen-year study period. When these partial grants are included, media defendants were successful in securing dismissal at least in part in more than four out of five cases (81.2%).
4. At the trial court level, over the fifteen-year period, the reported cases evidenced a 76.7% success rate. During the 1981–89 period, the media success rate was 77.6%, falling slightly to 75.0% in the 1990–95 period.
5. On appeal from grants or denials of motions to dismiss, media defendants fared significantly better than plaintiffs by every measure. Between 1981 and 1995, appellate courts affirmed trial court grants of motions to dismiss in 71.7% of plaintiffs' appeals while reversing trial court grants in only 20.9% of appeals. By contrast, during the same period only 24.3% of trial court denials of motions to dismiss were upheld on appeal, with defendants obtaining reversals in 70.3% of appeals.
6. Media motions to dismiss were ultimately granted in a slightly higher percentage of cases where the plaintiff was a public figure than when the plaintiff was a private figure — a 70.1% defense success rate in public figure cases versus a 66.7% success rate for private figure cases during the entire study period.
7. As to issues considered most often on motions to dismiss, the most frequently litigated issue over the entire period was defamatory meaning, with defendants winning on this issue in 69.0% of the cases in which it was presented. The next most frequently considered motion was opinion, as to which defendants won in 71.3 % of the cases in which it was decided.
8. The issues with the highest percentage of grant rates were statute of limitations (93.3% defense success rate); followed by "of and concerning" (72.2% defense success); opinion (71.3%); and fair report (69.4% success). Issues on which defendants were less successful, and were less frequently raised, at the motion to

dismiss stage included actual malice (41.2%) and plaintiff status as a public figure (45.5%).

9. Finally, defendants' percentage success rate on related claims was generally even higher than was reported for libel claims. Claims asserting one of the privacy torts were dismissed in between 79% (false light and misappropriation) and 92.0% (private facts) of cases. The next most frequently asserted ancillary claim was intentional infliction of emotional distress, which was dismissed in 87% of cases in which it was alleged. Defendants were least successful defeating claims for tortious interference with business relations (68.4%) and unfair competition (40%), although these were alleged in a smaller number of cases.

II. INTRODUCTION

A. BACKGROUND

In recent years, much of the procedural focus of defense strategy in libel, privacy, and related cases has come to be concentrated on motions for summary judgment. Doubtless there were good reasons for this. In the early years after *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), a growing number of courts held that the special constitutional regime instituted by *New York Times* implied as well a constitutional rule favoring summary judgment in defamation cases governed by First Amendment principles.¹ Even when the suggestion of a rule favoring summary judgment was called into some question,² summary judgment practice continued to dominate the attention of litigants and courts at all levels of the state and federal systems — up to and including the U.S. Supreme Court.³ LDRC studies, too, have focused predominantly on motions for summary judgment, LDRC having published several reports on the subject over a period of nearly a decade and a half.⁴

This focus on summary judgment — while certainly not unjustified — should not obscure the fact that there is a second procedure that has been of significance in the arsenal of media libel defendants. That is, the early motion to dismiss (or in some jurisdictions, the demurrer).

¹See, e.g., *Bon Air Hotel v. Time*, 426 F.2d 858, 864-65 (5th Cir. 1980); *Washington Post Co. v. Keogh*, 365 F.2d 965, 968 (D.C. Cir. 1966), *cert. denied*, 385 U.S. 1011 (1967); *Meeropol v. Nizer*, 381 F. Supp. 29, 32 (S.D.N.Y. 1974), *aff'd*, 560 F.2d 1061 (2d Cir. 1977), *cert. denied*, 434 U.S. 1013 (1978). *Oliver v. Village Voice*, 417 F. Supp. 235 (S.D.N.Y. 1976).

²See *Hutchinson v. Proxmire*, 443 U.S. 111, 120 n.9 (1979); *Calder v. Jones*, 465 U.S. 783, 790 (1983).

³See *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242 (1986).

⁴See LDRC BULLETIN No. 4 (Part 2), at 2-35 (Sept. 15, 1982); LDRC BULLETIN No. 12, at 1-37 (Dec. 31, 1984); LDRC BULLETIN No. 19 at 1-45 (May 31, 1987); LDRC BULLETIN 95(3) (July 31, 1995).

LDRC has not completely ignored this other procedure in its prior thinking. Thus, in 1983 LDRC studied 95 motions to dismiss over a period of two and one half years.⁵ That initial LDRC study found that the motion to dismiss procedure is an important one for media defendants. In the great majority of the cases LDRC studied, the motion resulted in either dismissal of the case in its entirety or else in the exclusion of key claims, parties or issues from the case. At the trial court level, just under three out of four of the dismissal motions studied were granted, with an overall dismissal rate, after the effects of appeals, at more than two out of three motions granted in their entirety and more than three out of four motions resulting in at least partial dismissal of some claims, issues or parties.

In concluding its first study of motions to dismiss LDRC urged media defense attorneys to do more to work toward expanding the availability of early dismissal "both as a matter of the substantive law pertaining to various legal issues and as a matter of First Amendment procedure," recognizing that this requires the adoption of a judicial attitude — even at the earliest stages — sensitive to the appropriateness of dismissal "in order to avoid the chilling effects of libel and privacy litigation on freedom of the press and the public's right to know."⁶

More than a dozen years have passed since that initial LDRC study. In order to bring that early study up to date, and in order to assay just how significant motions to dismiss have continued to be in media libel, privacy, and related litigation, LDRC has now completed a comprehensive new study of motions to dismiss (or demurrers) decided between mid-1983 and the end of 1995.

B. OVERVIEW OF THE NEW STUDY

As with the original study, LDRC drew its pool of cases from those reported in the *Media Law Reporter*. LDRC recognizes the limits imposed on any analysis based upon published decisions, regardless of the source(s). Many state courts do not publish decisions and many do not afford a regular opportunity for appeal from the denial of interlocutory motions. We believe an analysis of what is available for review is valuable regardless, for its window into the procedure and the success of various issues at the motion to dismiss stage. Given the limits, we are impressed by the number of motions to dismiss in media cases we were able to identify in the study, suggesting that such motions are indeed a worthwhile procedural tool for media defendants.

Cases for the new LDRC Motion to Dismiss study were selected from volumes 9–24 (issue no. 13) of the *Media Law Reporter*. The study was limited to motions to dismiss made by media defendants in cases involving libel, privacy, or a related claim.

Because in many instances there were published decisions at more than one level of the

⁵See LDRC BULLETIN No. 8 (Sept. 30, 1983).

⁶*Id.* at 1.

litigation, two databases were developed, the first containing only the highest-level decision in a particular case and the other containing both the trial court and appellate decision in cases in which appeals were taken.⁷ Where a published appellate decision referred to an unpublished and previously unidentified trial court decision, the trial court result was entered in the database containing both levels of decisions.

The initial database, containing only the highest level decision reported in each case, includes 373 decisions (152 federal, 221 state) reported between mid-1983 and 1995. The larger database, containing decisions at all levels of a particular case, includes 588 decisions, 404 at the trial court level and 184 appeals. Additionally the results of 95 cases taken from the prior LDRC study covering 1981 through mid-1983 were added to the results of the new study.⁸

A complete listing of each of the reported decisions between 1983 and 1995 appears in Appendix B, organized alphabetically within each federal circuit or state. Included in the listing are case name and full citation, result, plaintiff status, issues considered, and — when present — related claims made.

Tables 1–17 report the results of the cases and decisions studied, broken into two study periods, one covering the period of the 1980s for which data were available and the other covering the 1990s. Tables 1–5 report on the *ultimate* disposition of defendants' motions to dismiss, that is, the final determination in the case after all considerations of the motion and any appeals have been resolved; Tables 6–10 report on the initial disposition of defendants' motions to dismiss *at the trial court level*; and Tables 11–15 report on the *appellate review* of lower court rulings on these motions.⁹

Table 16 examines the court's disposition of the various *legal issues* considered on the motion to dismiss in each case and Table 17 examines the disposition of *other claims and causes of action*.¹⁰

Finally, in order to facilitate the spotting of trends, year-by-year data for selected variables

⁷If there was more than one decision at a particular level, only the final decision at that level was included in the larger database. For example, if a trial court partially granted the defendant's motion to dismiss and in a subsequent granted it entirely, only the latter decision was included. Similarly if an appeal was taken through two layers of appellate courts, only the decision of the highest-level appellate court was included.

⁸Of the 95 motions analyzed in the prior study, 49 were reported at the trial court level and 46 were appellate decisions; and 32 were made in federal court and 63 in state court. In order to permit annual comparisons, the 26 cases (13 federal, 13 state) from 1983 included in the previous LDRC study were combined with the 8 new cases (5 federal, 3 state) from the remainder of 1983 that were identified in the new study.

⁹Because not all the variables were charted at each stage of litigation during the earlier LDRC study, some data for the 1980s are reported for 1983–89 rather than 1981–89.

¹⁰Chief among the other causes of action were the privacy torts, intentional and negligent infliction of emotional distress, tortious interference with business relations, trade disparagement/injurious falsehood, unfair competition (including Lanham Act claims), eavesdropping, and trespass.

are presented in a series of line graphs. Figure 1 charts the ultimate disposition of all cases, Figure 2 charts the ultimate disposition comparing results in federal and state courts, Figure 3 charts the disposition of motions made to trial courts, and Figure 4 charts the disposition on appellate review.

III. FINDINGS OF THE LDRC MOTION TO DISMISS STUDY

A. ULTIMATE DISPOSITION OF MOTIONS TO DISMISS (TABLES 1-5)

In presenting data on the ultimate disposition of defendants' motions to dismiss, Tables 1-6 treat each case as having a single discrete result, categorized as either "defendant prevails," "plaintiff prevails," or "partial."

A defendant was considered to have prevailed if a trial court dismissal was not appealed or was finally affirmed, if a trial court denial of a motion to dismiss was reversed and the case dismissed, or if a trial court denial was reversed and remanded and no further information was available.

Conversely, a case was classified as "plaintiff prevails" if a trial court denial of a motion to dismiss was not appealed or was finally affirmed or a trial court grant of a motion to dismiss was finally reversed.

In the data from the earlier LDRC study, "plaintiff prevails" also encompassed decisions in which defendants failed to fully obtain the relief requested. In the current study, the category "partial" was added to include decisions in which a dismissal was granted with respect to one or more claims or one or more media defendants.

1. Aggregate Results — Ultimate Disposition (Table 1, Figure 1)

During 1981-95, LDRC found that media defendants' motions to dismiss were granted in 72.7% of the reported cases studied.¹¹

The ultimate results were relatively stable over the two study periods, with defendants prevailing in 73.7% of reported cases in 1981-89 and 70.9% of cases in 1990-95. Additionally, defendants obtained partial dismissals — that is, dismissals of either some claims or some defendants — in 7.2% of motions reported during the period 1981-89, 10.9% of motions reported during the 1990s, and 8.5% of motions reported during 1981-95. Thus plaintiffs were successful in entirely defeating media defendants' motions to dismiss in only 19.1% of cases in 1981-89, 18.3% of cases during the 1990s, and 18.8% of cases over the entire study period.

¹¹This was only slightly below the 75.9% incidence of favorable decisions reported by LDRC for summary judgment motions decided during 1980-94. See 1995 LDRC BULLETIN 95(3), at 10. This supports the informal evaluation of panelists who took part in the LDRC Summary Judgment Roundtable, most of whom indicated that they had been equally successful whether moving for dismissal or for summary judgment. See 1995 LDRC BULLETIN 1995(2), at 9-13.

Figure 1 tracks both the number of motions to dismiss reported each year and the defendants' success rate on such motions. The number of motions reported annually declined steadily between 41 in 1984 and 20 in 1991, and then increased sharply in the 1990s.

Initially, at least, there was an inverse relationship between the number of motions to dismiss and the outcome of these motions, with defendants' success rate rising from 61.8% in 1983 to 83.3% in 1988 at the same time the number of motions was falling. After 1988, however, the success rate generally tracked the number of motions reported, plunging to 52.4% in 1990 (the year in which the second fewest number of motions was decided) and then rising relatively steadily in the 1990s, to 71.4% in 1995, with a high of 80% in 1993.

2. Public Versus Private Figure — Ultimate Disposition (Table 2)

Defendants' motions to dismiss were ultimately granted in a slightly higher percentage of the cases studied when the plaintiff was identifiable as a public figure or official ("public plaintiff") as opposed to a private figure. Thus, over the entire 1981–95 period, defendants obtained dismissals in 70.1% of public plaintiff cases versus 66.7% of private plaintiff cases.

Although the relatively limited number of cases in each study period in which it was possible to determine plaintiff status¹² makes it difficult to draw any broad conclusions from these data, the overall trend has been for defendants to be increasingly successful in cases involving public plaintiffs. Thus, while the dismissal rate in public plaintiff cases rose from 68.3% in the 1981–89 period to 74.1% in the 1990s, it fell sharply, from 73.6% to 43.8%, in private figure cases between the two periods.

Consequently defendants were markedly more successful in cases involving public as opposed to private plaintiffs in the 1990s (74.1% dismissal rate, versus 43.8% in private figure cases) while they were slightly less successful in such cases in the 1980s (68.3% dismissal rate, versus 73.6% in private figure cases).

3. State Versus Federal Court — Ultimate Disposition (Table 3, Figure 2)

During 1981–89, defendants prevailed on 76.9% of the reported motions to dismiss in state court, versus a success rate of 68.5% in federal court. This difference was even more pronounced during the 1990s, with defendants prevailing on only 56.2% of motions to dismiss in federal court versus 81.4% of motions in state court. Over the entire period studied defendants succeeded in 78.5% of motions to dismiss reported from state court versus 63.6% of motions reported from federal court.

¹²As the plaintiff's status is not always clear from the reported decisions, data on plaintiff status are limited to cases in which the status could be definitively determined. Insofar as fault is infrequently resolved at the motion to dismiss stage, plaintiffs' status assumes less significance in these cases than it does, for example, in motions for summary judgment. Consequently plaintiff status was determined in far fewer decisions in this study than in the prior summary judgment study. See LDRC BULLETIN 95(3). Thus, in this study the plaintiff's status was identifiable in only 156 of the 399 cases, whereas in the summary judgment study it was identifiable in 310 of 553 cases. *Id.* at 11 n.4.

The line graph in Figure 2, which tracks these data on a year-by-year basis during 1983–95, reveals a plunge in the grant rate in federal court in the early 1990s, with the incidence falling from 75% in 1989 to 33.3% in 1990. In the 1990s, the success rate in federal court was under 57% in four of six years and over 70% in only one year. By contrast, the success rate in state court was above 75% in all but one of the six years charted in the 1990s and all but one of the 7 years charted in the 1980s.

A word of caution in drawing broad conclusions from the federal–state data is appropriate. One possible explanation for defendants’ apparently higher success rate in state court may be an undercounting of unfavorable state court rulings. Unlike federal courts, which frequently publish their significant substantive decisions, in many states no trial court decisions are published. Even in those states that do publish trial court decisions, it is likely that more state trial judges deny motions to dismiss informally, without written opinion, than do federal district court judges.

It is worth noting, perhaps, the result LDRC obtained from New York, one of the states that permits interlocutory appeals. Undoubtedly for that reason and because of the size and scope of the state and its media, LDRC found 82 cases from New York courts, which represented over one third of the total cases identified from state courts. The overall success rate for defendants in New York was higher than the national average.

Moreover, the incidence of partial grants on motions to dismiss is an additional factor that must be considered when comparing the results in state and federal court. During 1981–95, federal courts awarded partial grants — that is, granted dismissals as to either some claims or some media defendants — nearly three times as often as did their state counterparts (14.1% versus 4.9%). If the results are viewed from the standpoint of the plaintiff’s ability to completely deflect a motion to dismiss, the gap between defendants’ success rate in federal and state court is significantly narrowed, with motions to dismiss being completely denied in 16.5% of cases brought in state court, versus 22.3% of cases brought in federal court.

On the other hand, however, within each system, the data do show a favorable trend for defendants in state court and an unfavorable trend in federal court. Thus, defendants’ success rate in federal court fell from 68.5% in 1981–89 to 56.2% in 1990–95 while rising in state court from 76.9% in 1981–89 to 81.4% in the 1990–95 period.

4. Circuit-by-Circuit — Ultimate Disposition (Table 4)

Because data on the individual circuits were not compiled for the 1981–82 study period, and were sparse when the 1983–89 and 1990–95 periods are considered separately, Table 4 presents the circuit-by-circuit results only for the aggregated 1983–95 period.

Among the circuits presented with the greatest number of appeals, defendants’ ultimate success rates ranged from barely over 50% in the Second Circuit (51.6%) and Seventh Circuit (56.5%) to nearly 90% in the Sixth Circuit (89.5%) and nearly 80% in the Fifth Circuit (77.8%). The low success rates in the Second and Seventh Circuits are partly attributable to the high incidence of

partial grants in these circuits (19.4% and 30.4%, respectively). If partial grants are considered, plaintiffs were successful in fully deflecting media defendants' motions to dismiss in only 13% of cases brought in the Seventh Circuit, an even lower success rate for plaintiffs than in the Fifth Circuit (16.7%).

5. State-by-State — Ultimate Disposition (Table 5)

Because data on the individual states were not compiled for the 1981–82 study period, and were sparse when the 1983–89 and 1990–95 periods are considered separately, Table 5 presents state-by-state results only for the aggregated 1983–95 period. Additionally there were many states in which no motions to dismiss were identified, and these have been eliminated from the table.

In states with the greatest number of decisions, motions to dismiss were granted most frequently in California (91.9%), Pennsylvania (84.6%), and New York (81.7%). Because denials of motions to dismiss are treated as non-appealable interlocutory orders in both California and Pennsylvania, the defendants' actual success rate in these jurisdictions is overstated to the extent that it fails to include unappealed and unpublished denials of defendants' motions to dismiss.

On the other hand, New York allows nonfinal orders to be appealed as of right, so that the relatively high incidence with which motions to dismiss are reported to have been granted in New York is probably an accurate reflection of defendants' success rate on such motions and provides some confirmation of New York's reputation as being a jurisdiction favorable to libel and privacy defendants.

B. MOTIONS TO DISMISS AT THE TRIAL COURT LEVEL (TABLES 6–10)

Tables 6–10 report on the number and percentage of grants, partial grants,¹³ and denials of motions to dismiss in 459 motions to dismiss at the trial court level, both as to aggregate results and with respect to variables such as plaintiff status and venue. In some instances, cases were unreported at the trial court level but identified in reported appellate decisions. In order to better reflect the incidence and results of motions to dismiss at the trial court level, these unreported decisions were also entered into the database used to generate Tables 6–10.

1. Aggregate Trial Court Results (Table 6, Figure 3)

At the trial court level, defendants' success rates were relatively stable over the entire period studied, with trial courts granting 77.6% of media defendants' motions to dismiss during 1981–89, 75.0% of such motions in 1990–95, and 76.7% over the entire study period.

The line graph in Figure 3, which tracks these data on a year-by-year basis during 1983–95,

¹³Partial grants were defined as cases in which a motion to dismiss was granted either on one or more issues or as to one or more media defendants.

reveals that the incidence with which motions to dismiss were granted was also relatively stable over this period, the one exception being a sudden drop to 60% in 1990, followed by a sharp increase to 81.0% in 1991. Other than in 1990, the success rate never deviated more than 7% from its median value of 76.9%.

2. Public Versus Private Figure — Trial Court Results (Table 7)

At the trial court level, the number of reported cases during 1983–95 that involved public plaintiffs was substantially larger than those involving private plaintiff (62 versus 37), and the number of wins for media defendants in public plaintiff cases was correspondingly larger (45 to 28). On a percentage basis, however, motions to dismiss were granted slightly more often in cases involving private plaintiffs than in cases involving public plaintiffs, with defendants obtaining dismissals in 75.7% of private plaintiff cases, versus 72.6% of public plaintiff cases, between 1983 and 1995..

Despite the closeness of the results over the entire study, there was a relatively wide disparity within the two periods. Thus, during 1983–89 motions to dismiss were granted significantly more often in case involving private plaintiffs (85.7%, versus 70.6% of public figure cases). The reverse held during 1990–95, however, with motions granted in only 62.5% of private figure cases, versus a 75.9% grant rate in public plaintiff cases.

3. State Versus Federal Court — Trial Court Results (Table 8)

LDRC found a total of 220 reported state decisions and 160 federal decisions reported at the trial court level between 1983 and 1995. As was true with respect to ultimate disposition, *see* Table 3, at the trial court stage defendants fared significantly better in state than in federal court.

Over the entire 1983–95 period, defendants obtained dismissals in 83.2% of the state court motions, versus 68.8% of cases in federal court. *See* Table 8. This divergence has become more pronounced during the 1990s, widening from less than 5% (80.6% in state versus 75.9% in federal court) in the 1983–89 period to more than 25% (86.8% versus 60.3%) in the 1990–95 period.

To a large extent, the divergence between state and federal trial court results is probably a function of undercounting of state court denials of motions to dismiss in unpublished, unappealed (and thus unknown) rulings. Nevertheless the widening gap in the 1990s appears to reflect increasing success in state court (with the incidence of grants rising from 80.6% in 1980–89 to 86.8% in 1990–95) and decreasing success in federal court (with the incidence of grants declining from 75.9% in the earlier to 60.3% in the more recent period).

On the other hand, the nearly fourfold greater incidence of partial grants in federal court (13.1% versus 3.6%) somewhat narrows the gap between federal and state defense success rates. Thus plaintiffs were successful in completely defeating media defendants' motions to dismiss in 13.2% of cases in state court versus 18.1% of cases in federal court.

4. Circuit-by-Circuit — Trial Court Results (Table 9)

Because data on the individual circuits were not compiled for the 1981–82 study period, and were sparse when the 1983–89 and 1990–95 periods are considered separately, Table 9 presents the circuit-by-circuit results only for the aggregated 1983–95 period.

Among the circuits in which the most cases were identified, trial courts in the Second and Third Circuits appear least hospitable to defendants' motions to dismiss (with a grant rate of 51.6% and 57.1%, respectively). At the other end of the spectrum, trial courts in the Sixth Circuit granted 95% of defendants' motions to dismiss.

5. State-by-State — Trial Court Results (Table 10)

Because data on the individual states were not compiled for the 1981–82 study period, and were sparse when the 1983–89 and 1990–95 periods are considered separately, Table 10 presents state-by-state results only for the aggregated 1983–95 period. Additionally there were many states in which no motions to dismiss were identified, and these have been eliminated from the table.

Among the states, there was a broad range of results in the trial courts. As noted previously, however, in many instances the success rates are overstated to the extent that they do not include unpublished decisions. Because most states do not allow appeal as a right from an interlocutory judgment, it would have been impossible to learn of these rulings by means of a subsequent published appeal.

By contrast, New York does permit appeal as of right from denials of motions to dismiss, so that unpublished denials at the trial court level were likely to have been identified on appeal. Thus the grant rate in New York, 70.5%, is probably an accurate reflection of the incidence with which defendants' motions to dismiss are granted.

C. APPELLATE REVIEW OF MOTIONS TO DISMISS (TABLES 11–15)

The appellate review tables (Tables 11–15) report the results of 187 plaintiffs' appeals and 37 defendants' appeals and then combine these results to obtain an overall success rate on motions to dismiss.

Tables 11A–13A report *plaintiffs'* appeals of trial court grants of motions to dismiss. Tables 11B–13B report *defendants'* appeals of trial court denials of such motions. Finally, Tables 11C–13C, 14, and 15 combine these data to obtain *overall appellate disposition*.

Defendants were considered to have “prevailed” on appeal when a trial court grant of a motion to dismiss was affirmed or a trial court denial of a motion to dismiss was reversed and either dismissed or remanded. Conversely, plaintiffs were considered to have prevailed when a trial court denial of a motion to dismiss was affirmed or a trial court grant of a motion to dismiss was reversed.

Partial affirmances and reversals appear under partial results.

1. Aggregate Appellate Results (Tables 11A–11C, Figure 4)

Tables 11A–11C report the aggregate results of 187 plaintiffs' appeals from grants or partial grants of defendants' motions to dismiss and 37 defendants' appeals from denials or partial denials of such motions during 1981–95. Plaintiffs thus appealed slightly less than half of the 381 reported grants and partial grants reported by trial courts. *See* Table 6.

By all measures, defendants fared significantly better than plaintiffs upon appellate review. Thus, appellate courts affirmed trial court grants of motions to dismiss in 71.7% of plaintiffs' appeals and reversed the trial court grant in only 20.9% of such appeals during 1981–95. *See* Table 11A. By contrast, only 24.3% of trial court denials of motions to dismiss were upheld on appeal, with defendants obtaining reversals in 70.3% of appeals taken during 1981–95. *See* Table 11B.

When characterized on the bottom line frequency with which defendants "prevailed" on appeal, the results were relatively consistent over the 15-year study period, although slightly more favorable in the more recent period. That is, defendants prevailed on 70.5% of appeals during 1981–89, 73.5% of appeals during 1990–95, and 71.4% of appeals over the 1981–95 period. *See* Table 11C.

Figure 4 provides a line graph of these data on an annual basis. Over the 1983–95 period, defendants' success rate on appeal steadily increased from 53.3% in 1983 to 100% in 1988 (prevailing on all 16 appeals), dropping back to 75% in 1989 and remaining above 72% through 1994 before declining to 55.6% in 1995.

2. Public Versus Private Figure — Appellate Results (Tables 12A–12C)

In cases in which public versus private plaintiff status could be determined, defendants fared significantly better on appeal in cases involving public plaintiffs (prevailing in 70.6% of such appeals, versus 54.5% of appeals in cases involving private plaintiffs). *See* Table 12C. This was true during both study periods, with defendants prevailing in 65.0% of appeals involving public plaintiff versus 57.1% of private plaintiff appeals during 1981–89 and 78.6% of appeals involving public plaintiffs versus 64.0% of private plaintiff appeals during 1990–95.

The higher incidence of favorable results in public plaintiff cases applied both to plaintiffs' and defendants' appeals. Thus over the 1983–95 period, trial court dismissals were affirmed in 70.4% of plaintiffs' appeals in public plaintiff cases, versus 61.1% of private plaintiff cases. *See* Table 12A. Over the same period, trial court denials of motions to dismiss in the far fewer number of defendants' appeals were reversed in all five appeals in public plaintiff cases, versus only one of two appeals in private plaintiff cases. *See* Table 12B.

3. State Versus Federal Court — Appellate Results (Tables 13A–13C)

As noted previously, the more favorable results reported for state versus federal courts in Tables 3 and 8 probably reflect an undercounting of unpublished and unappealable denials of defendants' motions to dismiss in state court. Because appellate decisions are more likely to be reported, however, the data in Table 13 probably more accurately reflect the respective treatment of motions to dismiss by appellate courts.

Perhaps not surprisingly, the gap was not only narrowed but actually favored the federal venue. Thus, over 1983–95, defendants prevailed upon appellate review in 75% of appeals brought in federal court, versus 72.7% of state court appeals. *See* Table 13C. On plaintiffs' appeals, trial court grants of motions to dismiss were affirmed in 75.4% of plaintiffs' appeals in state court, versus 75% of appeals in federal court. *See* Table 13A.

Because denials of motions to dismiss are considered non-appealable interlocutory rulings in federal court, defendants' appeals could be charted only in those state courts where interlocutory appeals are permitted. Overall, in 25 appeals from trial court denials of defendants' motions to dismiss, appellate courts affirmed 8 (32%) and reversed 15 (60%), with partial affirmances in the remaining 2 cases (8%). *See* Table 13B. Although the small number of cases makes it difficult to draw any broad conclusions, defendants were less successful in the 1990–95 period, obtaining reversals in 50% of appeals, versus 69.2% of appeals in the 1980–89 period.

4. Circuit-by-Circuit — Appellate Results (Table 14)

Because data on the individual circuits were not compiled for the 1981–82 study period, and were sparse when the 1983–89 and 1990–95 periods are considered separately, Table 14 presents the circuit-by-circuit results only for the aggregated 1983–95 period.

Even aggregating the data in this fashion, no circuit has more than ten appeals identified in this period, however, making it difficult to draw meaningful conclusions from these data.

5. State-by-State — Appellate Results (Table 15)

Because data on the individual states were not compiled for the 1981–82 study period, and were sparse when the 1983–89 and 1990–95 periods are considered separately, Table 15 presents state-by-state results only for the aggregated 1983–95 period. Additionally there were many states in which no motions to dismiss were identified, and these have been eliminated from the table.

In those states in which a sufficient number of appeals were reported to draw conclusions,

defendants were most successful in California, prevailing on 26 of 29 appeals (89.7%).¹⁴ In other states in which a significant number of appeals were reported, defendant prevailed in 22 of 31 appeals (71.0%) in New York and 14 of 20 appeals (70%) in Illinois.

D. ISSUES CONSIDERED ON MOTIONS TO DISMISS (TABLE 16)

In the Summary Judgment Roundtable published as part of the 1995 LDRC BULLETIN, one of the topics of discussion was whether and when it was preferable to move immediately to dismiss as opposed to first taking discovery and then moving for summary judgment.¹⁵ Among issues identified by panelists as most ripe for disposition on a motion to dismiss were defamatory meaning, opinion, "of and concerning," privilege, or procedural issues such as statute of limitations or lack of personal jurisdiction. Not surprisingly, in the new study these were the issues most frequently litigated at the motion to dismiss stage.

Table 16 provides a breakdown of all significant¹⁶ substantive issues considered in the course of disposing of each motion to dismiss reported in 399 cases between 1983 and 1995. In cases in which both a trial court and appellate level decision were reported, only the issues litigated in the latter decision are charted in Table 16.

Because multiple issues are often presented in the course of considering such motions, the number of issues identified in Table 16 is greater than the number of cases studied. Similarly, success on an issue is not necessarily the equivalent of success on the motion; some favorable rulings on particular issues do not necessarily result in a grant, or a complete grant, of a motion to dismiss. Conversely, failure on a particular issue does not preclude the possibility that the defendant obtained either a full or partial dismissal based on other issues raised in the motion to dismiss.

The most frequently litigated issue on motions to dismiss was defamatory meaning, with defendants winning on this issue in 78 of the 113 (69.0%) cases in which it was presented.¹⁷

¹⁴Again a caveat is appropriate insofar as many of the California appellate decisions included in *Media Law Reporter* were designated as "unreported." Assuming that unpublished dispositions unfavorable to defendants were less likely to have been forwarded to *Media Law Reporter*, the defendants' success rate in California may be overstated to some degree.

¹⁵See 1995 LDRC BULLETIN 95(2), at 9-13.

¹⁶In the prior motion to dismiss study, only those issues characterized as "dispositive" — i.e., those whose resolution directly affected the outcome of the motion — were charted. Because this characterization was often quite subjective, and because this approach tended to preclude the tracking of other significant issues, the new study was modified as described.

¹⁷In the 78 cases, the win on the issue of defamatory meaning resulted in a complete dismissal in 73 cases and a partial dismissal in 4 cases. Only in one case was the motion to dismiss wholly denied. Conversely, in the 31 cases in which defendants lost on the issue of defamatory meaning they nevertheless obtained partial dismissals, based on other issues, in 11 cases.

The next most frequently litigated issue was opinion, with defendants' winning on the issue in 62 of the 87 (71.3%) cases in which it was presented.¹⁸ In many of the opinion cases, courts examined whether the challenged statement was merely hyperbole (25 cases) or whether incapable of being proven false (13 cases). Courts found that the allegedly defamatory statement was hyperbole in 19 of the 25 (76%) cases in which the issue was litigated.¹⁹ In an additional 9 cases in which the issue was presented, the court held that the plaintiff was unable to meet the burden of proving that the challenged statement was false.²⁰

The related issue of parody was presented in six cases, with defendants prevailing on the issue and obtaining complete dismissals in all six cases.

Other than the perfect win rate on parody, defendants were most successful in obtaining dismissals based on a limitations bar, with the motion to dismiss granted in 28 of 30 cases (93.3%).²¹

On the issue of personal jurisdiction, defendants won on 21 of the 31 (67.7%) cases in which it was presented.²²

Because issues such as fault and plaintiff status are difficult to resolve solely on pleadings it was not surprising that these were among the least frequently raised in motions to dismiss and yielded the lowest success rates. Thus, plaintiff status was litigated in only 11 motions, with defendants prevailing on 5 (45.5%). And of the 17 instances in which actual malice was litigated, defendants prevailed in only 7 (41.2%) cases. Finally, negligence was considered in only four instances, with defendants prevailing in 2 (50%) cases.

E. OTHER CLAIMS OR CAUSES OF ACTION CONSIDERED ON MOTIONS TO DISMISS (TABLE 17)

In addition to substantive issues considered, the new study also tracked the results of motions to dismiss in media cases presenting claims or causes of action in addition to defamation. *See* Table 17. Such claims and causes of action were tracked if related in one fashion or another to the editorial activities of the media. For the most part such causes of action were pleaded as ancillary to the

¹⁸The 62 wins on opinion resulted in 60 complete dismissals, 1 partial dismissal, and only 1 complete denial of defendants' motion to dismiss. Conversely, in the 22 cases in which defendants lost on the issue of opinion, a complete dismissal was nevertheless obtained on other issues in 3 cases and a partial dismissal was obtained in 4 cases.

¹⁹In 18 of the 19 cases in which defendants won on the issue of hyperbole, the claim was dismissed entirely and in the other case the defendant obtained a partial dismissal.

²⁰In all nine cases in which the court held the allegedly defamatory statement incapable of being proven false, it dismissed the plaintiff's claim.

²¹These 28 wins on the issue of statute of limitations resulted in 27 complete dismissals and one partial dismissal.

²²These 21 wins on the issue of personal jurisdiction resulted in 18 complete dismissals and 3 partial dismissals.

primary claim of defamation; however, in a small number of cases, claims for invasion of privacy or related torts were the only causes of action asserted and thus the only issues decided on the motion to dismiss.

Defendants' success rates on motions to dismiss that addressed other claims or causes of actions were even higher than their success rates on defamation-related claims and issues, with an 81.2% grant rate overall.

In the area of traditional invasion of privacy torts, grant rates ranged from more than 78% to 92%. Defendants' success rates were highest with respect to claims of publication of private or embarrassing facts, with 23 out of 25 motions granted (92.0%), followed by intrusion claims, with motions granted in 18 out of 20 decisions (90.0%). Finally, motions challenging misappropriation (or right of publicity) claims were granted in 41 of 52 decisions (78.8%) and false light invasion of privacy motions were granted in 44 out of 56 decisions (78.6%).

A plethora of less common causes of action were also tracked, including intentional and negligent infliction of emotional distress, product disparagement and injurious falsehood, unfair competition, fraud, eavesdropping, trespass, tortious interference with business relations, and unfair competition and Lanham Act claims.

The most frequently asserted of these claims was intentional infliction of emotional distress, in which defendants obtained dismissals on 40 of 46 motions (87.0%). Although negligent infliction of emotional distress was less frequently asserted, defendants achieved a 100% dismissal rate on this claim, winning in all nine cases in which it was asserted. Defendants also achieved a perfect dismissal rate on RICO claims, which were dismissed in all four cases in which they were asserted, and eavesdropping claims, which were dismissed in all six cases in which they were asserted.

Defendants' success rate on tortious interference with business or contractual relations was somewhat lower, with such claims dismissed in 13 of the 18 cases (72.2%) in which they were asserted.²³ Defendants had least success with unfair competition and Lanham Act claims, obtaining dismissals in only 4 of the 10 cases (40%) in which they were alleged.

Less commonly asserted claims, including negligent publication, product liability, promissory estoppel, breach of contract, conversion, conspiracy, and § 1983 violation, were grouped together as "other." Taken collectively, defendants obtained dismissals on 22 of 26 (84.6%) of these claims.

²³Of the 18 cases in which tortious interference was found, all but three were alleged with libel, trade libel, invasion of privacy, and other claims asserting that a publication caused the harm. One of the three remaining cases was based upon an alleged breach of a publication agreement, *see Conniff v. Dodd*, Mead, 593 F. Supp. 266, 10 Media L. Rep. 2272 (S.D.N.Y. 1984), and one upon an alleged breach of copyright, *see Maheu v. CBS, Inc.*, 201 Cal.App.3d 662, 247 Cal.Rptr. 304, 15 Media L. Rep. 1548 (Cal. Ct. App. 1988), each of which caused damages to the author/copyright owner. The third case, while asserting a libel claim arising out of a broadcast, also alleged that the program producer induced the breach of confidentiality agreement between plaintiff and a program guest. The claims were dismissed. *See Huggins v. Whitney*, 24 Media L. Rep. 1088 (N.Y. Sup. Ct. 1995).

F. MOTIONS TO DISMISS AND THE FIRST AMENDMENT

In its initial study of motions to dismiss, published more than a dozen years ago, LDRC noted the general perception, notwithstanding the special solicitude often evidenced toward free speech in the context of motions for summary judgment, that special First Amendment rules or protections are not available to media defendants at the stage of early motions to dismiss. Despite this perception, LDRC urged litigators and courts to keep in mind the development of a more forthcoming attitude toward early dismissal in the light of the potential chill of extended libel litigation — a concern certainly applicable to dismissal motions where costs can be reduced even below those normally incurred on motions for summary judgment.

The results of LDRC's new study now confirm two things with regard to motions to dismiss and the First Amendment. First, only in rare instances in the ensuing years have courts expressly adverted to constitutional considerations at the motion to dismiss stage, although when they did the defense success rates on such motions was even higher than on average. Thus, of the 683 combined trial court and appellate decisions, only in 10 instances did a court refer to First Amendment considerations in motions to dismiss. In eight of these cases the defendant's motion to dismiss was granted in full, in one case it was partially granted, and only in one case was it denied.²⁴

Nonetheless, much like the results LDRC has previously documented on motions for summary judgment where a "neutral" standard is applied, in the area of motions to dismiss the results — as opposed to the rhetoric — suggest that in fact courts are displaying an awareness that dismissal is very much an appropriate remedy that should be — and frequently is — granted in media defamation, privacy, and related cases. The availability of many preliminary defenses and privileges, perhaps in combination with an underlying, albeit, unstated recognition of the constitutional sensitivities and interests at stake, have assured that in practice motions to dismiss are a potent remedy for media defendants that should be exploited at all appropriate opportunities with or without any additional First Amendment protections being superimposed.

²⁴The motion to dismiss was granted in *Robins v. National Enquirer*, 23 Media L. Rep. 2562 (D.S.C. 1995); *Taylor v. National Broadcasting Co. Inc.*, 22 Media L. Rep. 2433 (Cal. Super. Ct. 1994); *Amcort Investment Corp. v. Cox Arizona Publications*, 158 Ariz. 566, 16 Media L. Rep. 1059 (Ariz. Ct. App. 1988); *O'Donnell v. Field Enterprises*, 145 Ill.App.3d 1032, 491 N.E.2d 1212, 12 Media L. Rep. 1927 (Ill. Ct. App. 1986); *Gutter v. Dow Jones*, 22 Ohio St.3d 286, 490 N.E.2d 898, 12 Media L. Rep. 1999 (Ohio 1986); *Dworkin v. Hustler Magazine*, 634 F. Supp. 727, 12 Media L. Rep. 2162 (D. Wyo. 1986); *Baker v. Los Angeles Herald Examiner*, 42 Cal.3d 254, 721 P.2d 87, 228 Cal.Rptr. 206, 13 Media L. Rep. 1159 (Cal. 1986), *cert. denied*, 479 U.S. 1032 (1987), *reh'g denied*, 480 U.S. 912 (1987); and *Jennings v. Telegram-Tribune*, 164 Cal.App.3d 119, 210 Cal.Rptr. 485, 11 Media L. Rep. 1419 (Cal. Ct. App. 1985). It was partially granted in *McBride v. Merrell*, 717 F.2d 1460, 9 Media L. Rep. 2225 (D.C. Cir. 1983), and denied only in *Janklow v. Viking Press*, 378 N.W.2d 875, 12 Media L. Rep. 1539 (S.D. 1985), on which summary judgment was later granted. See *Janklow v. Viking Press*, 459 N.W.2d 415, 17 Media L. Rep. 2220 (S.D. 1990).

APPENDIX A: TABLES AND FIGURES

Table 1: Ultimate Disposition of Motions to Dismiss							
	Total	Defendant Prevails		Plaintiff Prevails		Partial Decision	
	N	N	%	N	%	N	%
1981-89	293	216	73.7%	56	19.1%	21	7.2%
1990-95	175	124	70.9%	32	18.3%	19	10.9%
1981-95	468	340	72.7%	88	18.8%	40	8.5%

Table 2: Public versus Private Figure — Ultimate Disposition							
1981-1989							
	Total	Defendant Prevails		Plaintiff Prevails		Partial Decision	
		N	%	N	%	N	%
Public figure	60	41	68.3%	13	21.7%	6	10.0%
Private figure	53	39	73.6%	12	22.6%	2	3.8%
1990-1995							
		Defendant Prevails		Plaintiff Prevails		Partial Decision	
		N	%	N	%	N	%
Public figure	27	20	74.1%	6	22.2%	1	3.7%
Private figure	16	7	43.8%	6	37.5%	3	11.1%
1981-1995							
		Defendant Prevails		Plaintiff Prevails		Partial Decision	
		N	%	N	%	N	%
Public figure	87	61	70.1%	19	21.8%	7	8.0%
Private figure	69	46	66.7%	18	26.1%	5	7.2%

Table 3: State versus Federal Court — Ultimate Disposition							
STATE COURT							
	Total	Defendant Prevails		Plaintiff Prevails		Partial	
	N	N	%	N	%	N	%
1981-89	182	140	76.9%	34	18.7%	8	4.4%
1990-95	102	83	81.4%	13	12.7%	6	5.9%
1981-95	284	223	78.5%	47	16.5%	14	4.9%
FEDERAL COURT							
	Total	Defendant Prevails		Plaintiff Prevails		Partial	
	N	N	%	N	%	N	%
1981-89	111	76	68.5%	22	19.8%	13	11.7%
1990-95	73	41	56.2%	19	26.0%	13	17.8%
1981-95	184	117	63.6%	41	22.3%	26	14.1%

Table 4: Circuit by Circuit: Ultimate Disposition 1983–1995							
	Total	Defendant Prevails		Plaintiff Prevails		Partial	
	N	N	%	N	%	N	%
Supreme Court ^a	1	0	0	1	1	0	0
First	7	5	71.4%	2	28.6%	0	0.0%
Second	31	16	51.6%	9	29.0%	6	19.4%
Third	14	7	50.0%	5	35.7%	2	14.3%
Fourth	6	5	83.3%	0	0.0%	1	16.7%
Fifth	18	14	77.8%	3	16.7%	1	5.6%
Sixth	19	17	89.5%	1	5.3%	1	5.3%
Seventh	23	13	56.5%	3	13.0%	7	30.4%
Eighth	7	5	71.4%	1	14.3%	1	14.3%
Ninth	14	8	57.1%	4	28.6%	2	14.3%
Tenth	6	4	66.7%	1	16.7%	1	16.7%
Eleventh	8	5	62.5%	3	37.5%	0	0.0%
D.C.	11	5	45.5%	2	18.2%	4	36.4%
Total	165	104	63.0%	35	21.2%	26	15.8%

^a*Keeton v. Hustler*, 465 U.S. 770, 104 S.Ct. 1473, 79 L.Ed.2d 790, 10 Media L. Rep. 1405 (1984).

Table 5: State by State Results — Ultimate Disposition
1983-1995

	TOTAL	DEFENDANT PREVAILS		PLAINTIFF PREVAILS		PARTIAL	
		N	%	N	%	N	%
AL	1	1	100.0%	0	0.0%	0	0.0%
AZ	3	3	100.0%	0	0.0%	0	0.0%
CA	37	34	91.9%	2	5.4%	1	2.7%
CT	1	0	0.0%	1	100.0%	0	0.0%
DE	1	1	100.0%	0	0.0%	0	0.0%
DC	2	2	100.0%	0	0.0%	0	0.0%
FL	18	11	61.1%	5	27.8%	2	11.1%
GA	2	2	100.0%	0	0.0%	0	0.0%
IL	21	15	71.4%	3	14.3%	3	14.3%
IA	1	0	0.0%	1	100.0%	0	0.0%
KY	1	1	100.0%	0	0.0%	0	0.0%
LA	3	3	100.0%	0	0.0%	0	0.0%
MD	2	2	100.0%	0	0.0%	0	0.0%
MA	6	5	83.3%	0	0.0%	1	16.7%
MI	2	2	100.0%	0	0.0%	0	0.0%
MN	1	1	100.0%	0	0.0%	0	0.0%
MS	1	0	0.0%	1	100.0%	0	0.0%
MO	7	5	71.4%	1	14.3%	1	14.3%
NV	1	1	100.0%	0	0.0%	0	0.0%
NJ	2	1	50.0%	1	50.0%	0	0.0%
NY	82	67	81.7%	11	13.4%	4	4.9%
NC	3	3	100.0%	0	0.0%	0	0.0%
OH	3	2	66.7%	1	33.3%	0	0.0%
OK	6	6	100.0%	0	0.0%	0	0.0%
OR	1	0	0.0%	1	100.0%	0	0.0%
PA	13	11	84.6%	1	7.7%	1	7.7%
PR	1	0	0.0%	1	100.0%	0	0.0%
SD	1	0	0.0%	1	100.0%	0	0.0%
TN	3	2	66.7%	1	33.3%	0	0.0%
UT	2	2	100.0%	0	0.0%	0	0.0%
VA	1	0	0.0%	0	0.0%	1	100.0%
WA	3	3	100.0%	0	0.0%	0	0.0%
WV	2	2	100.0%	0	0.0%	0	0.0%
Total	234	188	80.3%	32	13.7%	14	6.0%

Table 6: Trial Court Disposition of Defendants' Motions to Dismiss							
	Total	Granted		Denied		Partial	
	N	N	%	N	%	N	%
1981–89	295	229	77.6%	49	16.6%	17	5.8%
1990–95	164	123	75.0%	29	17.7%	12	7.3%
1981–95	459	352	76.7%	78	17.0%	29	6.3%

Table 7: Public versus Private Figure — Trial Court Disposition							
1983–1989							
	Total	Granted in Full		Partially Granted		Denied	
	N	N	%	N	%	N	%
Public figure	34	24	70.6%	6	17.6%	4	11.8%
Private figure	21	18	85.7%	1	4.8%	2	9.5%
1990–1995							
	Total	Granted in Full		Partially Granted		Denied	
	N	N	%	N	%	N	%
Public figure	28	21	75.0%	1	3.6%	6	21.4%
Private figure	16	10	62.5%	2	12.5%	4	25.0%
1983–1995							
	Total	Granted in Full		Partially Granted		Denied	
	N	N	%	N	%	N	%
Public figure	62	45	72.6%	7	11.3%	10	16.1%
Private figure	37	28	75.7%	3	8.1%	6	16.2%

Table 8: State versus Federal Court — Trial Court Disposition

STATE COURT							
	Total	Granted in Full		Partially Granted		Denied	
	N	N	%	N	%	N	%
1983-89	129	104	80.6%	7	5.4%	18	14.0%
1990-95	91	79	86.8%	1	1.1%	11	12.1%
1983-95	220	183	83.2%	8	3.6%	29	13.2%
FEDERAL COURT							
	Total	Granted in Full		Partially Granted		Denied	
	N	N	%	N	%	N	%
1983-89	87	66	75.9%	10	11.5%	11	12.6%
1990-95	73	44	60.3%	11	15.1%	18	24.7%
1983-95	160	110	68.8%	21	13.1%	29	18.1%

Table 9: Circuit by Circuit — Trial Court Disposition: 1983-1995

	Total	Granted in Full		Partially Granted		Denied	
	N	N	%	N	%	N	%
First	7	5	71.4%	0	0.0%	2	28.6%
Second	31	16	51.6%	6	19.4%	9	29.0%
Third	14	8	57.1%	2	14.3%	4	28.6%
Fourth	6	5	83.3%	1	16.7%	0	0.0%
Fifth	17	13	76.5%	1	5.9%	3	17.6%
Sixth	20	19	95.0%	0	0.0%	1	5.0%
Seventh	22	15	68.2%	5	22.7%	2	9.1%
Eighth	7	5	71.4%	1	14.3%	1	14.3%
Ninth	13	9	69.2%	2	15.4%	2	15.4%
Tenth	5	4	80.0%	0	0.0%	1	20.0%
Eleventh	8	6	75.0%	0	0.0%	2	25.0%
D.C.	10	5	50.0%	3	30.0%	2	20.0%
	160	110	68.8%	21	13.1%	29	18.1%

Table 10: State by State — Trial Court Disposition 1983–1995							
	Total	Granted in Full		Partially Granted		Denied	
	N	N	%	N	%	N	%
AZ	3	2	66.7%	1	33.3%	0	0.0%
CA	35	29	82.9%	1	2.9%	5	14.3%
CT	1	0	0.0%	0	0.0%	1	100.0%
DE	1	1	100.0%	0	0.0%	0	0.0%
DC	2	2	100.0%	0	0.0%	0	0.0%
FL	17	17	100.0%	0	0.0%	0	0.0%
GA	2	2	100.0%	0	0.0%	0	0.0%
IL	19	18	94.7%	0	0.0%	1	5.3%
IA	1	1	100.0%	0	0.0%	0	0.0%
KY	1	1	100.0%	0	0.0%	0	0.0%
LA	3	3	100.0%	0	0.0%	0	0.0%
MD	2	2	100.0%	0	0.0%	0	0.0%
MA	6	6	100.0%	0	0.0%	0	0.0%
MI	2	2	100.0%	0	0.0%	0	0.0%
MN	1	1	100.0%	0	0.0%	0	0.0%
MS	1	1	100.0%	0	0.0%	0	0.0%
MO	7	7	100.0%	0	0.0%	0	0.0%
NV	1	1	100.0%	0	0.0%	0	0.0%
NJ	2	1	50.0%	0	0.0%	1	50.0%
NY	78	55	70.5%	5	6.4%	18	23.1%
NC	2	2	100.0%	0	0.0%	0	0.0%
OH	3	3	100.0%	0	0.0%	0	0.0%
OK	5	4	80.0%	0	0.0%	1	20.0%
OR	1	0	0.0%	0	0.0%	1	100.0%
PA	12	12	100.0%	0	0.0%	0	0.0%
PR	1	0	0.0%	0	0.0%	1	100.0%
SD	1	1	100.0%	0	0.0%	0	0.0%
TN	3	3	100.0%	0	0.0%	0	0.0%
UT	2	2	100.0%	0	0.0%	0	0.0%
VA	1	0	0.0%	1	100.0%	0	0.0%
WA	3	3	100.0%	0	0.0%	0	0.0%
WV	1	1	100.0%	0	0.0%	0	0.0%
Total	220	183	83.2%	8	3.6%	29	13.2%

Table 11A: Appellate Disposition of Plaintiffs' Appeals from Trial Court Grant							
	Total	Grant Affirmed		Grant Reversed		Grant Partially Affirmed	
	N	N	%	N	%	N	%
1981-89	131	90	68.7%	32	24.4%	9	6.9%
1990-95	56	44	78.6%	7	12.5%	5	8.9%
1981-95	187	134	71.7%	39	20.9%	14	7.5%

Table 11B: Appellate Disposition of Defendants' Appeals from Trial Court Denials									
	Total	Denial Affirmed		Reversed and Dismissed		Reversed and Remanded		Denial Partially Affirmed	
	N	N	%	N	%	N	%	N	%
1981-89	25	4	16.0%	20	80.0%	0	0.0%	1	4.0%
1990-95	12	5	41.7%	6	50.0%	0	0.0%	1	8.3%
1981-95	37	9	24.3%	26	70.3%	0	0.0%	2	5.4%

Table 11C: Overall Appellate Disposition — Plaintiffs' and Defendants' Appeals							
	Total	Defendant Prevails		Plaintiff Prevails		Partial Results	
	N	N	%	N	%	N	%
1981-89	156	110	70.5%	36	23.1%	10	6.4%
1990-95	68	50	73.5%	12	17.6%	6	8.8%
1981-95	224	160	71.4%	48	21.4%	16	7.1%

Table 12A: Public versus Private Figure — Plaintiffs' Appeals from Trial Court Grant							
1983–1989							
	Total	Affirmed		Reversed		Partially Affirmed	
	N	N	%	N	%	N	%
Public	48	10	62.5%	3	18.8%	3	18.8%
Private	43	7	63.6%	3	27.3%	1	9.1%
1990–1995							
	Total	Affirmed		Reversed		Partially Affirmed	
	N	N	%	N	%	N	%
Public	44	9	81.8%	2	18.2%	0	0.0%
Private	40	4	57.1%	2	28.6%	1	14.3%
1983–1995							
	Total	Affirmed		Reversed		Partially Affirmed	
	N	N	%	N	%	N	%
Public	57	19	70.4%	5	18.5%	3	11.1%
Private	48	11	61.1%	5	27.8%	2	11.1%

Table 12B: Public versus Private Figure — Defendants' Appeals from Trial Court Denial									
1983–1989									
	Total	Affirmed		Reversed and Dismissed		Reversed and Remanded		Partially Affirmed	
	N	N	%	N	%	N	%	N	%
Public	3	0	0.0%	3	100.0%	0	0.0%	0	0.0%
Private	2	1	50.0%	1	50.0%	0	0.0%	0	0.0%
1990–1995									
	Total	Affirmed		Reversed and Dismissed		Reversed and Remanded		Partially Affirmed	
	N	N	%	N	%	N	%	N	%
Public	2	0	0.0%	2	100.0%	0	0.0%	0	0.0%
Private	0	0	—	0	—	0	—	0	—
1983–1995									
	Total	Affirmed		Reversed and Dismissed		Reversed and Remanded		Partially Affirmed	
	N	N	%	N	%	N	%	N	%
Public	5	0	0.0%	5	100.0%	0	0.0%	0	0.0%
Private	2	1	50.0%	1	50.0%	0	0.0%	0	0.0%

Table 12C: Public versus Private Figure — Overall Appellate Disposition							
1983-1989							
	Total	Defendant Prevails		Plaintiff Prevails		Partial	
	N	N	%	N	%	N	%
Public	20	13	65.0%	3	15.0%	4	20.0%
Private	14	8	57.1%	4	28.6%	2	14.3%
1990-1995							
	Total	Defendant Prevails		Plaintiff Prevails		Partial	
	N	N	%	N	%	N	%
Public	14	11	78.6%	2	14.3%	1	7.1%
Private	8	4	64.0%	2	25.0%	2	25.0%
1983-1995							
	Total	Defendant Prevails		Plaintiff Prevails		Partial	
	N	N	%	N	%	N	%
Public	34	24	70.6%	5	14.7%	5	14.7%
Private	22	12	54.5%	6	27.3%	4	18.2%

Table 13A: State versus Federal Court — Plaintiffs' Appeals from Trial Court Grant							
State Court							
	Total	Grant Affirmed		Grant Reversed		Partially Affirmed	
	N	N	%	N	%	N	%
1983-89	68	50	73.5%	13	19.1%	5	7.4%
1990-95	46	36	78.3%	6	13.0%	4	8.7%
1983-95	114	86	75.4%	19	16.7%	9	7.9%
Federal Court							
	Total	Grant Affirmed		Grant Reversed		Partially Affirmed	
	N	N	%	N	%	N	%
1983-89	34	25	73.5%	5	14.7%	4	11.8%
1990-95	10	8	80.0%	1	10.0%	1	10.0%
1983-95	44	33	75.0%	6	13.6%	5	11.4%

Table 13B: State Court — Defendants' Appeals from Trial Court Denials									
	Total	Denial Affirmed		Reversed and Dismissed		Reversed and Remanded		Partially Affirmed	
	N	N	%	N	%	N	%	N	%
1983-89	13	3	23.1%	9	69.2%	0	0.0%	1	7.7%
1990-95	12	5	41.7%	6	50.0%	0	0.0%	1	8.3%
1983-95	25	8	32.0%	15	60.0%	0	0.0%	2	8.0%

Table 13C: State versus Federal Court — Overall Appellate Disposition							
State Court							
	Total	Defendant Prevails		Plaintiff Prevails		Partial	
	N	N	%	N	%	N	%
1983–89	81	59	72.8%	16	19.8%	6	7.4%
1990–95	58	42	72.4%	11	19.0%	5	8.6%
1983–95	139	101	72.7%	27	19.4%	11	7.9%
Federal Court							
	Total	Defendant Prevails		Plaintiff Prevails		Partial	
	N	N	%	N	%	N	%
1983–89	34	25	73.5%	5	14.7%	4	11.8%
1990–95	10	8	80.0%	1	10.0%	1	10.0%
1983–95	44	33	75.0%	6	13.6%	5	11.4%

Table 14: Circuit by Circuit — Appellate Disposition of Plaintiffs' Appeals 1983–1995							
	Total	Defendant Prevails		Plaintiff Prevails		Partial	
	N	N	%	N	%	N	%
Supreme Court*	1	0	0.0%	1	100.0%	0	0.0%
First	3	3	100.0%	0	0.0%	0	0.0%
Second	1	0	0.0%	0	0.0%	1	100.0%
Third	5	4	80.0%	1	20.0%	0	0.0%
Fourth	2	2	100.0%	0	0.0%	0	0.0%
Fifth	5	5	100.0%	0	0.0%	0	0.0%
Sixth	7	5	71.4%	1	14.3%	1	14.3%
Seventh	5	3	60.0%	1	20.0%	1	20.0%
Eighth	1	1	100.0%	0	0.0%	0	0.0%
Ninth	7	5	71.4%	2	28.6%	0	0.0%
Tenth	3	2	66.7%	0	0.0%	1	33.3%
Eleventh	2	2	100.0%	0	0.0%	0	0.0%
DC	2	1	50.0%	0	0.0%	1	50.0%
	44	33	0.75	6	0.136363636363636	5	0.113636363636364

**Keeton v. Hustler*, 465 U.S. 770, 104 S.Ct. 1473, 79 L.Ed.2d 790, 10 Media L. Rep. 1405 (1984)

**Table 15: State by State Appellate Results
1983-1995**

	Total	Defendant Prevails		Plaintiff Prevails		Partial	
	N	N	%	N	%	N	%
AL	1	1	100.0%	0	0.0%	0	0.0%
AZ	2	2	100.0%	0	0.0%	0	0.0%
CA	29	26	89.7%	2	6.9%	1	3.4%
DE	1	1	100.0%	0	0.0%	0	0.0%
DC	1	1	100.0%	0	0.0%	0	0.0%
FL	11	4	36.4%	5	45.5%	2	18.2%
GA	2	2	100.0%	0	0.0%	0	0.0%
IL	20	14	70.0%	3	15.0%	3	15.0%
IA	1	0	0.0%	1	100.0%	0	0.0%
KY	1	1	100.0%	0	0.0%	0	0.0%
LA	1	1	100.0%	0	0.0%	0	0.0%
MD	1	1	100.0%	0	0.0%	0	0.0%
MA	1	0	0.0%	0	0.0%	1	100.0%
MS	1	0	0.0%	1	100.0%	0	0.0%
MO	7	5	71.4%	1	14.3%	1	14.3%
NJ	1	0	0.0%	1	100.0%	0	0.0%
NY	31	22	71.0%	7	22.6%	2	6.5%
NC	2	2	100.0%	0	0.0%	0	0.0%
OH	3	2	66.7%	1	33.3%	0	0.0%
OK	6	6	100.0%	0	0.0%	0	0.0%
OR	1	0	0.0%	1	100.0%	0	0.0%
PA	6	4	66.7%	1	16.7%	1	16.7%
PR	1	0	0.0%	1	100.0%	0	0.0%
SD	1	0	0.0%	1	100.0%	0	0.0%
TN	2	1	50.0%	1	50.0%	0	0.0%
UT	2	2	100.0%	0	0.0%	0	0.0%
WA	2	2	100.0%	0	0.0%	0	0.0%
WV	1	1	100.0%	0	0.0%	0	0.0%
	139	101	72.7%	27	19.4%	11	7.9%

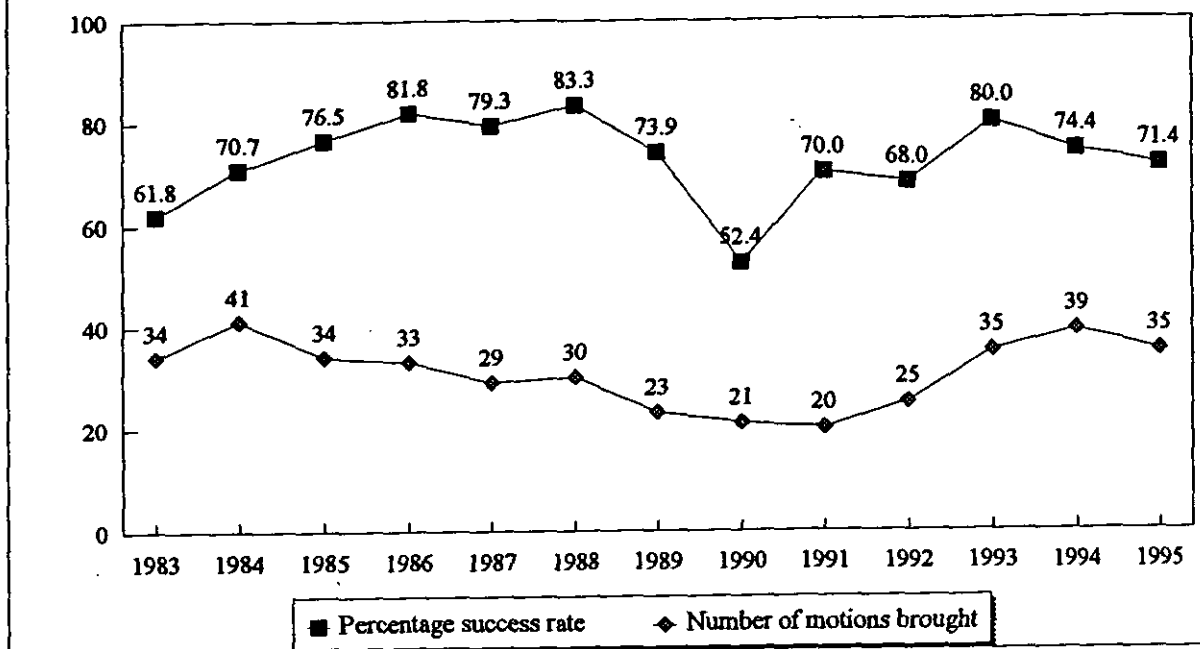
**TABLE 16: Issues Considered on Defendants' Motions to Dismiss
1983-1995**

	Total	Granted		Denied		Partially Denied	
	No.	No.	%	No.	%	No.	%
Actual malice	17	7	41.2%	10	58.8%	0	0.0%
Defamatory meaning	113	78	69.0%	31	27.4%	4	3.5%
Fair comment	2	1	50.0%	1	50.0%	0	0.0%
Fair report	36	25	69.4%	10	27.8%	1	2.8%
Gross irresponsibility	6	4	66.7%	2	33.3%	0	0.0%
Hyperbole	25	19	76.0%	6	24.0%	0	0.0%
Negligence	4	2	50.0%	2	50.0%	0	0.0%
Neutral reportage	4	2	50.0%	2	50.0%	0	0.0%
Of and concerning	36	26	72.2%	9	25.0%	1	2.8%
Opinion	87	62	71.3%	22	25.3%	3	3.4%
Other issues	97	68	70.1%	25	25.8%	4	4.1%
Not provably false	13	9	69.2%	2	15.4%	2	15.4%
Parody	6	6	100.0%	0	0.0%	0	0.0%
Personal jurisdiction	31	21	67.7%	9	29.0%	1	3.2%
Privilege	12	6	50.0%	6	50.0%	0	0.0%
Public figure	11	5	45.5%	6	54.5%	0	0.0%
Statute of limitations	30	28	93.3%	2	6.7%	0	0.0%
Substantial truth	18	12	66.7%	5	27.8%	1	5.6%
Total	548	381	69.5%	150	27.4%	17	3.1%

**TABLE 17: Other Claims Considered on Defendants' Motions to Dismiss
1983-95**

	MOTIONS	GRANTED		DENIED		PARTIALLY DENIED	
	No.	No.	%	No.	%	No.	%
False light	56	44	78.6%	12	21.4%	0	0.0%
Intrusion	20	18	90.0%	2	10.0%	0	0.0%
Private facts	25	23	92.0%	1	4.0%	1	4.0%
Misappropriation	52	41	78.8%	8	15.4%	3	5.8%
Eavesdropping	6	6	100.0%	0	0.0%	0	0.0%
Injurious falsehood/Trade libel	9	8	88.9%	1	11.1%	0	0.0%
Intentional infliction of emotional distress	46	40	87.0%	6	13.0%	0	0.0%
Negligent infliction of emotional distress	9	9	100.0%	0	0.0%	0	0.0%
RICO	4	4	100.0%	0	0.0%	0	0.0%
Tortious interference	18	13	72.2%	5	27.8%	0	0.0%
Trespass	4	3	75.0%	1	25.0%	0	0.0%
Unfair competition	10	4	40.0%	6	60.0%	0	0.0%
Other	26	22	84.6%	4	15.4%	0	0.0%
Total		235	82.5%	46	16.1%	4	1.4%

**Figure 1: Number and Disposition of Motions to Dismiss
1983-1995**



**Figure 2: State versus Federal Results of Motions to Dismiss
1983-1995**

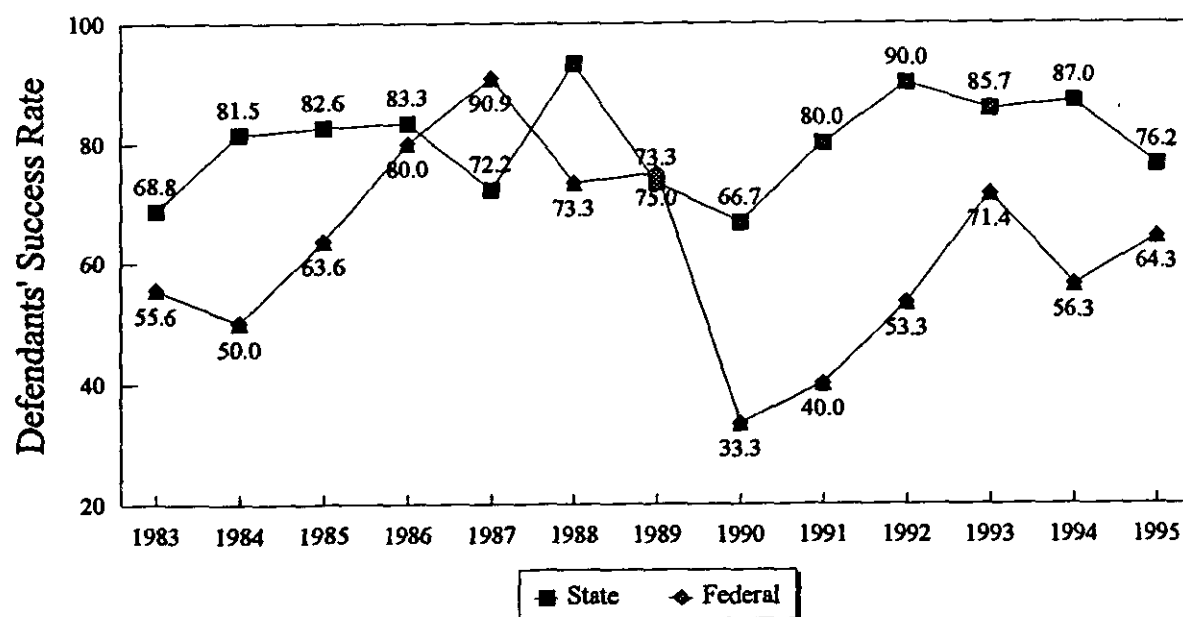


Figure 3: Trial Court Disposition of Motions to Dismiss
1983-1995

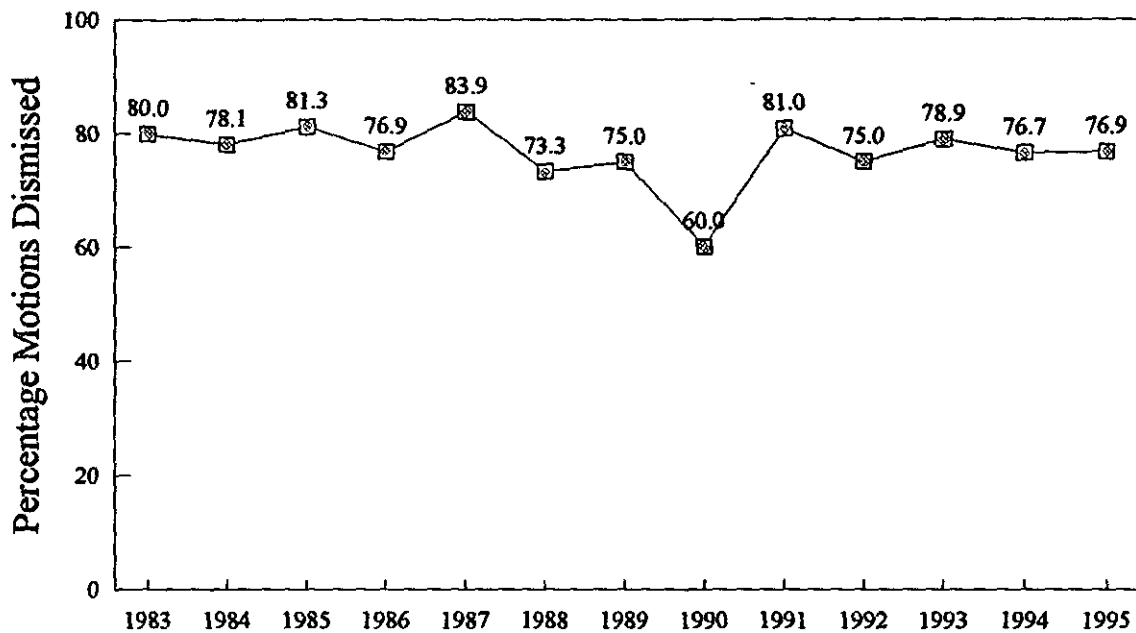
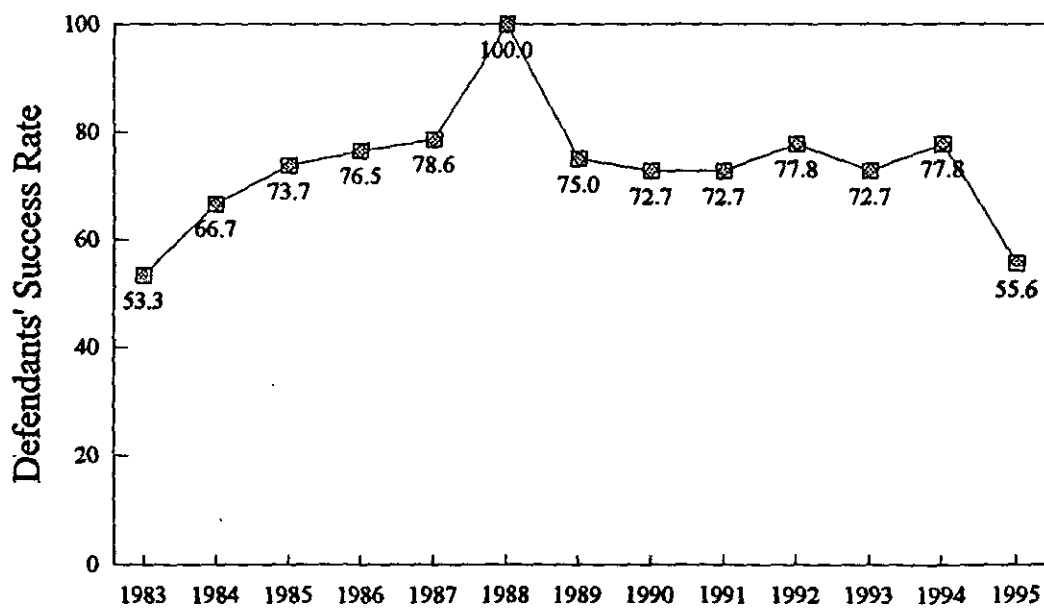


Figure 4: Appellate Disposition of Motions to Dismiss
1983-1995



APPENDIX B: MOTIONS TO DISMISS REPORTED 1983-1995

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Keeton v. Hustler</i> , 465 U.S. 770, 104 S.Ct. 1473, 79 L.Ed.2d 790, 10 Media L. Rep. 1405 (1984)	Grant reversed		Jur, SPR	
<i>Buckley v. McGraw-Hill Inc.</i> , 762 F. Supp. 430, 19 Media L. Rep. 1417 (D.N.H. 1991)	Motion denied		Jur, Tran	
<i>Dempsey v. National Enquirer</i> , 702 F. Supp. 927, 16 Media L. Rep. 1396 (D.Me. 1988), <i>recons. denied</i> , 702 F. Supp. 927, 16 Media L. Rep. 1396 (D. Me. 1988)	Grant affirmed			IIED, NIED, FL, Int, Misapp
<i>Fudge v. Penthouse</i> , 702 F. Supp. 927, 14 Media L. Rep. 2353 (1st Cir. 1988), <i>cert. denied</i> , 488 U.S. 821 (1988)	Grant affirmed	Priv	Hyp, O	IIED, FL, San
<i>Geary v. Goldstein</i> , 782 F. Supp. 725, 19 Media L. Rep. 2088 (D.R.I. 1992)	Motion granted		Jur	
<i>Mendonso v. Time Inc.</i> , 678 F. Supp. 967, 15 Media L. Rep. 1017 (D.R.I. 1988)	Motion denied			Misapp
<i>Padilla v. Llorens</i> , 813 F. Supp. 924, 21 Media L. Rep. 1828 (D.P.R. 1993)	Motion granted			RICO
<i>Phantom Touring Inc. v. Affiliated Publications</i> , 953 F.2d 724, 19 Media L. Rep. 1786 (1st Cir. 1992), <i>cert. denied</i> , 504 U.S. 974 (1992)	Grant affirmed		Hyp, NPF, Con	
<i>Aequitron Medical Inc. v. CBS Inc.</i> , 22 Media L. Rep. 1622 (S.D.N.Y. 1994)	Motion denied			TI, TrPrec
<i>Allen v. Men's World Outlet</i> , 679 F. Supp. 360, 15 Media L. Rep. 1001 (S.D.N.Y. 1988)	Partial grant	Pub		MisApp, LA, UnEn, Dil
<i>Anyanwu v. CBS Inc.</i> , 887 F. Supp. 690, 24 Media L. Rep. 1021 (S.D.N.Y. 1995)	Motion granted		OC	IIED, San
<i>Ayeni v. CBS, Inc.</i> , 848 F. Supp. 362, 22 Media L. Rep. 1466 (E.D.N.Y. 1994), <i>order aff'd</i> , 35 F.3d 680, 22 Media L. Rep. 2225 (2nd Cir. N.Y. 1994), <i>cert. denied</i> , 115 S.Ct. 1689, (1995)	Motion denied	Priv		CivRt

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Bryks v. Canadian Broadcasting Corp.</i> , 906 F. Supp. 204, 24 Media L. Rep. 1236 (S.D.N.Y. 1995)	Partial grant		FSIA	
<i>Chaiken v. VV Publishing Co.</i> , 19 Media L. Rep. 1573 (S.D.N.Y. 1991)	Motion granted		Jur	
<i>Church of Scientology International v. Time Warner Inc.</i> , 806 F. Supp. 1157, 20 Media L. Rep. 2047 (S.D.N.Y. 1992)	Motion denied		OC	
<i>Conniff v. Dodd, Mead</i> , 593 F. Supp. 266, 10 Media L. Rep. 2272 (S.D.N.Y. 1984)	Partial grant		AM, DM, FC, O, Jur	IIED, Pft, TI
<i>Corporate Training Unlimited Inc. v. NBC Inc.</i> , 868 F. Supp. 501, 23 Media L. Rep. 1653 (E.D.N.Y. 1994)	Motion denied		DM, FR, O	IntK
<i>Dannemann v. Doubleday</i> , 9 Media L. Rep. 1247 (S.D.N.Y. 1983)	Motion granted		SOL	
<i>Davis v. Costa-Gavras</i> , 595 F. Supp. 982, 10 Media L. Rep. 2484 (S.D.N.Y. 1984)	Motion denied		Jur	
<i>First Equity Corp. of Florida v. Standard & Poor's Corp.</i> , 670 F. Supp. 115, 14 Media L. Rep. 1945 (S.D.N.Y. 1987), <i>aff'd</i> , 869 F.2d 175, 16 Media L. Rep. 1282 (2nd Cir. 1989)	Partial grant affirmed			NegPub
<i>Gacy v. Associated Press</i> , 16 Media L. Rep. 2333 (S.D.N.Y. 1989)	Motion granted		DM, Jur	IIED, FL
<i>Geary v. Goldstein</i> , 782 F. Supp. 725, 19 Media L. Rep. 2088 (D.R.I. 1992)	Partial grant	Priv	DM	FL, Misapp
<i>Jones v. Capital Cities/ABC Inc.</i> , 874 F. Supp. 626, 23 Media L. Rep. 1393 (S.D.N.Y. 1995)	Motion granted		DM, SOL	Int, Evdp, Fallmp
<i>Karp v. Hill and Knowlton</i> , 631 F. Supp. 360, 12 Media L. Rep. 2092 (S.D.N.Y. 1986)	Motion granted		FR, O	
<i>Kelly v. Schmidberger</i> , 12 Media L. Rep. 1297 (S.D.N.Y. 1985), <i>aff'd in part, rev'd in part</i> , 806 F.2d 44, 13 Media L. Rep. 1700 (2nd Cir. 1986)	Grant partially affirmed		O	
<i>Leeds v. Meltz</i> , 898 F. Supp. 146, 24 Media L. Rep. 1153 (E.D.N.Y. 1995)	Motion granted			CivRt
<i>Med-Sales Associates Inc. v. Lebhar-Friedman Inc.</i> , 663 F. Supp. 908, 14 Media L. Rep. 1345 (S.D.N.Y. 1987)	Motion granted	Priv	GI	

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Mullenmeister v. Snap-On Tools</i> , 587 F. Supp. 868, 10 Media L. Rep. 2061 (S.D.N.Y. 1984)	Motion granted		DM, OC, LPQ	
<i>Naantaanbu v. Abernathy</i> , 746 F. Supp. 378, 18 Media L. Rep. 1201 (S.D.N.Y. 1990)	Motion denied		OC	
<i>Olsen v. Newsday</i> , 15 Media L. Rep. 1479 (E.D.N.Y. 1988)	Motion granted		SOL	CivRt
<i>Regensburg v. Newsday</i> , 9 Media L. Rep. 1550 (E.D.N.Y. 1983)	Motion granted			CivRt
<i>Rielly v. Bartley</i> , 21 Media L. Rep. 1571 (E.D.N.Y. 1992)	Motion granted			CivRt
<i>Sharon v. Time</i> , 575 F. Supp. 1162, 10 Media L. Rep. 1146 (S.D.N.Y. 1983)	Motion denied		DM, LPP	
<i>Skinner v. Dwyer</i> , 20 Media L. Rep. 1535 (N.D.N.Y. 1992), <i>adopted</i> , 20 Media L. Rep. 1935 (N.D.N.Y. 1992)	Motion granted			CivRt
<i>Starace v. Chicago Tribune Co.</i> , 17 Media L. Rep. 2330 (S.D.N.Y. 1990)	Motion denied	Pub	DM, NR, O	
<i>Tin Pan Apple Inc. v. Miller Brewing Co.</i> , 737 F. Supp. 826, 17 Media L. Rep. 2273 (S.D.N.Y. 1990)	Partial grant	Pub	DM, LPQ	Misapp, Cy, LA
<i>Trump v. Chicago Tribune</i> , 616 F. Supp. 1434, 12 Media L. Rep. 1060 (S.D.N.Y. 1985)	Motion granted	Pub	O	
<i>Westmoreland v. CBS</i> , 97 F.R.D. 703, 9 Media L. Rep. 1521 (S.D.N.Y. 1983)	Motion denied	Pub	O, Pvg	
<i>Zembrzusi v. Gannett News Service</i> , 9 Media L. Rep. 1646 (E.D.N.Y. 1983)	Motion granted		FPro	
<i>Andrews v. Time</i> , 690 F. Supp. 362, 15 Media L. Rep. 1764 (E.D. Pa. 1988)	Motion granted		SOL	
<i>Caplan v. Fairchild Publications</i> , 13 Media L. Rep. 1571 (E.D. Pa. 1986), <i>aff'd</i> , 815 F.2d 693 (3rd Cir. 1987) (Table) and 815 F.2d 694 (3rd Cir. 1987) (Table)	Grant affirmed		FDisc	
<i>Coughlin v. Westinghouse Broadcasting</i> , 15 Media L. Rep. 2360 (3rd Cir. 1988)	Grant affirmed			FRet
<i>Dymond v. NBC</i> , 559 F. Supp. 734, 9 Media L. Rep. 1811 (D.Del. 1983)	Motion granted		SOL	
<i>Kelley v. Gonzalez</i> , 20 Media L. Rep. 1799 (W.D. Pa. 1992)	Motion granted	Priv		Frd, CivRt

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Lamonaco v. CBS Inc.</i> , 27 F.3d 557, 22 Media L. Rep. 1831 (3rd Cir. 1994) (Table)	Grant affirmed			IIED, Priv
<i>MacDonald v. Time, Inc.</i> , 554 F. Supp. 1053, 9 Media L. Rep. 1025 (D.N.J. 1983)	Motion denied		FDisc, Desc	
<i>McClain v. Camouflage Associates</i> , 22 Media L. Rep. 2440 (E.D. Pa. 1994)	Motion denied		Ven	
<i>McGee v. The Times Leader</i> , 18 Media L. Rep. 1748 (M.D. Pa. 1990)	Partial grant	Priv	AM, DM, PF	IIED, FL
<i>Pilot Air Freight Corp. v. Berkshire Hathaway Inc.</i> , 20 Media L. Rep. 1676 (E.D. Pa. 1992)	Partial grant		NR, SubT, Jur	
<i>RRZ Public Markets Inc. v. The Bond Buyer</i> , 23 Media L. Rep. 1409 (E.D. Pa. 1995)	Motion denied		FR, NR, SubT	
<i>Samad v. High Society</i> , 10 Media L. Rep. 1930 (D.V.I. 1984)	Motion denied		Jur	
<i>Schiavone v. Time</i> , 735 F.2d 94, 10 Media L. Rep. 1831 (3rd Cir. 1984)	Grant reversed		FR	
<i>Schiavone v. Fortune</i> , 750 F.2d 15, 11 Media L. Rep. 1193 (3rd Cir. 1984), <i>cert. granted</i> , 474 U.S. 814, (1985), <i>aff'd</i> , 477 U.S. 21 (1986)	Grant affirmed		SOL	
<i>Chapin v. Greve</i> , 787 F. Supp. 557, 19 Media L. Rep. 2161 (E.D. Va. 1992), <i>aff'd as summary judgment</i> , 993 F.2d 1087, 21 Media L. Rep. 1449 (4th Cir. 1993)	Motion granted	Pub	DM, Hyp, NPF, Con	
<i>Fitzgerald v. Penthouse</i> , 776 F.2d 1236, 12 Media L. Rep. 1330 (4th Cir. 1985)	Grant affirmed		Pvg	
<i>Food Lion v. Capital Cities/ABC Inc.</i> , 887 F. Supp. 811, 23 Media L. Rep. 1673 (M.D.N.C. 1995)	Partial grant			RICO, Evdp, Frd, NegSup, Tres, BK
<i>Freedlander v. Edens Broadcasting Inc.</i> , 734 F. Supp. 221, 17 Media L. Rep. 1659 (E.D. Va. 1990), <i>aff'd</i> , 923 F.2d 848 (4th Cir. 1991)	Grant affirmed	Pub	DM, O	
<i>Robins v. National Enquirer</i> , 23 Media L. Rep. 2562 (D.S.C. 1995)	Motion granted		DM	
<i>Williams v. Nathan</i> , 21 Media L. Rep. 1339 (E.D. Va. 1993)	Motion granted		DM	IIED, PF, Misapp

CASE/CITATION	RESULT	II STATUS*	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Boston v. Channel 12 KSLA</i> , 22 Media L. Rep. 1999 (W.D. La. 1993)	Motion granted			CivRt
<i>Cain v. Hearst Corp.</i> , 21 Media L. Rep. 1511 (S.D. Tex. 1993), <i>aff'd</i> , 35 F.3d 562 (5th Cir. 1994) (Table)	Grant affirmed		SOL	FL
<i>Cinel v. Connick</i> , 15 F.3d 1338, 22 Media L. Rep. 1945 (5th Cir. 1994), <i>cert. denied</i> , 115 S.Ct. 189 (1994)	Grant affirmed			PF, CivRt
<i>Corder v. Shreveport Times</i> , 22 Media L. Rep. 1767 (W.D. La. 1994)	Motion granted			CivRt
<i>Dean v. Channel 5</i> , 18 Media L. Rep. 1682 (N.D. Tex. 1991)	Motion granted		Jur	
<i>Eimann v. Soldier of Fortune</i> , 680 F. Supp. 863, 15 Media L. Rep. 1026 (S.D. Tex. 1988)	Motion denied	Priv		WrDth, Neg
<i>Herceg v. Hustler Magazine</i> , 565 F. Supp. 802, 9 Media L. Rep. 1959 (S.D. Tex. 1983)	Motion granted			ProLib, NegPub
<i>Manax v. McNamara</i> , 842 F.2d 808, 15 Media L. Rep. 1655 (5th Cir. 1988)	Grant affirmed			RICO, CivRt
<i>Maxwell v. Henry</i> , 815 F. Supp. 213, 21 Media L. Rep. 1190 (S.D. Tex. 1993)	Motion granted	Pub	AM, Pvg	FL
<i>McLaurin v. Melton</i> , 22 Media L. Rep. 2575 (S.D. Miss. 1994)	Motion granted		SOL, Jur	CivRt
<i>Mitchell v. Random House Inc.</i> , 865 F.2d 664, 16 Media L. Rep. 1207 (5th Cir. 1989)	Grant affirmed		DM, O	IIED, FL
<i>Mize v. Harvey Shapiro Enterprises Inc.</i> , 714 F. Supp. 220, 16 Media L. Rep. 2347 (N.D. Miss. 1989)	Motion granted		OC, SOL, Jur	FL
<i>Nichols v. Fort Worth Star-Telegram</i> , 14 Media L. Rep. 1543 (N.D. Tex. 1987)	Motion granted			CivRt
<i>Prudhomme v. The Procter & Gamble Co.</i> , 800 F. Supp. 390, 20 Media L. Rep. 1900 (E.D. La. 1992)	Motion denied	Pub		FL, Misapp, LA, UnComp, Dil, TM, Pub
<i>Ritzmann v. Weekly World News</i> , 800 F. Supp. 390, 12 Media L. Rep. 1178 (N.D. Tex. 1985)	Partial grant		DM	FL, Int, PF
<i>Stabler v. New York Times</i> , 569 F. Supp. 1131, 9 Media L. Rep. 2144 (S.D. Tex. 1983)	Motion denied		Jur	

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Tackett v. KRIV-TV</i> , 22 Media L. Rep. 2092 (S.D. Tex. 1994)	Motion granted			IIED, Ret, Inj
<i>Wehling v. CBS</i> , 721 F.2d 506, 10 Media L. Rep. 1125 (5th Cir. 1983)	Grant affirmed		OC, SubT	Int
<i>Angelotta v. ABC</i> , 820 F.2d 806, 14 Media L. Rep. 1185 (6th Cir. 1987)	Grant affirmed	Pub		FL
<i>Bates v. The New York Times Co.</i> , 21 Media L. Rep. 2247 (W.D. Ky. 1993)	Motion granted		DM, SOL	
<i>Beasley v. Oakland Tribune</i> , 13 Media L. Rep. 1107 (S.D. Ohio 1986)	Motion granted		Jur	
<i>Bennett v. CBS</i> , 798 F.2d 1413, 13 Media L. Rep. 1237 (6th Cir. 1986)	Grant affirmed			Int
<i>Boddie v. American Broadcasting Companies Inc.</i> , 16 Media L. Rep. 2039 (6th Cir. 1989)	Grant affirmed			EvdP
<i>Bowen v. Knoxville Journal</i> , 13 Media L. Rep. 1751 (E.D. Tenn. 1986)	Motion granted			CivRt
<i>Burt v. CBS Inc.</i> , 769 F. Supp. 1012, 18 Media L. Rep. 2231 (S.D. Ohio 1991)	Motion granted		SOL, FDoc	
<i>Cobb v. Time Inc.</i> , 23 Media L. Rep. 2021 (M.D. Tenn. 1995)	Motion granted	Pub	Jur	
<i>Ditmar v. Needham, Harper</i> , 848 F.2d 189, 15 Media L. Rep. 1528 (6th Cir. 1988), <i>appeal dismissed, cert. denied</i> , 488 U.S. 882 (1988)	Grant affirmed		DM	
<i>Jackson v. Playboy Enterprises, Inc.</i> , 574 F. Supp. 10, 9 Media L. Rep. 1575 (S.D. Ohio 1983)	Motion granted			FL, Int, PF, Misapp
<i>Lewin v. McCreight</i> , 655 F. Supp. 282, 13 Media L. Rep. 2454 (E.D. Mich. 1987)	Motion granted			ProLib
<i>May v. Michigan</i> , 10 Media L. Rep. 2454 (E.D. Mich. 1984)	Motion granted		Jur	CivRt
<i>Moreau v. Plain Dealer</i> , 13 Media L. Rep. 1719 (W.D. Ky. 1986)	Motion granted		Jur	
<i>Reeves v. United Artists</i> , 765 F.2d 79, 11 Media L. Rep. 2181 (6th Cir. 1985)	Grant affirmed			Misapp
<i>South Wind Motel v. Lashutka</i> , 9 Media L. Rep. 1661 (S.D. Ohio 1983)	Motion granted			CivRt, BrFid

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Suarez Corp. v. CBS Inc.</i> , 23 F.3d 408, 22 Media L. Rep. 1711 (6th Cir. 1994)	Grant partially affirmed		Jur	FL
<i>Tate v. New York Post</i> , 11 Media L. Rep. 1151 (E.D. Tenn. 1984)	Motion granted		Jur	
<i>Tesar v. Hallas</i> , 738 F. Supp. 240, 17 Media L. Rep. 2061 (N.D. Ohio 1990)	Motion granted		SOL	
<i>United States Medical Corp. v. M.D. Buyline Inc.</i> , 753 F. Supp. 676, 18 Media L. Rep. 1606 (S.D. Ohio 1990)	Motion denied		AM, DM, Hyp, NPF, Pvg, PF	IntK
<i>Action Repair v. ABC</i> , 776 F.2d 143, 12 Media L. Rep. 1398 (7th Cir. 1985)	Grant reversed		DM, O	
<i>Boese v. Paramount Pictures Corp.</i> , 23 Media L. Rep. 1084 (N.D. Ill. 1994)	Motion denied		Jur	FL
<i>Brown & Williamson v. Jacobson</i> , 713 F.2d 262, 9 Media L. Rep. 1936 (7th Cir. 1983)	Grant partially affirmed	Priv	DM, FR	TrDis, TI
<i>Bullard v. Life Magazine</i> , 14 Media L. Rep. 2305 (S.D. Ind. 1987)	Motion granted	Priv	Jur	
<i>Chang v. Michiana Telecasting Corp.</i> , 14 Media L. Rep. 1889 (N.D. Ind. 1987)	Partial grant	Priv	AM, DM, FR, SubT, LPP	
<i>Denis v. Rhinelander</i> , 11 Media L. Rep. 2141 (W.D. Wisc. 1985)	Motion granted		Jur	CivRt
<i>Desai v. Hersh</i> , 719 F. Supp. 670, 16 Media L. Rep. 2314 (N.D. Ill. 1989)	Partial grant	Pub	ForLaw	
<i>Desnick v. American Broadcasting Companies, Inc.</i> , 44 F.3d 1345, 23 Media L. Rep. 1161 (7th Cir. 1995)	Partial grant partially affirmed		DM, SubT	EvdP, Tres, Frd
<i>Fleming v. Kane County</i> , 636 F. Supp. 742, 13 Media L. Rep. 1014 (N.D. Ill. 1986)	Partial grant	Pub	AM, O, LPQ	
<i>Hagen v. Dahmer</i> , 24 Media L. Rep. 1311 (E.D. Wisc. 1995)	Motion granted			Misapp
<i>Hunter v. Cook County</i> , 21 Media L. Rep. 1920 (N.D. Ill. 1993)	Motion granted		DM, O, LPQ, InnCon	FL
<i>Huskey v. NBC</i> , 632 F. Supp. 1282, 12 Media L. Rep. 2105 (N.D. Ill. 1986)	Motion denied			Int, BK
<i>Jefferson v. Winnebago County, Illinois</i> , 23 Media L. Rep. 1641 (N.D. Ill. 1995)	Motion granted		DM, NPF, O, InnCon	FL

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>John v. Journal Communications Inc.</i> , 801 F. Supp. 199, 20 Media L. Rep. 1425 (E.D. Wisc. 1992)	Motion granted		DM, SubT	
<i>Martin-Trigona v. Kupcinet</i> , 15 Media L. Rep. 2369 (N.D. Ill. 1988)	Partial grant		FR, SubT	FL, Neg, FrdMis
<i>Quilici v. Second Amendment Foundation</i> , 769 F.2d 414, 12 Media L. Rep. 1744 (7th Cir. 1985), cert. denied, 475 U.S. 1013(1986)	Grant affirmed		DM, O, LPQ, InnCon	
<i>Russell v. ABC Inc.</i> , 23 Media L. Rep. 2428 (N.D. Ill. 1995)	Partial grant			FL, Int, Evdp
<i>Starnes v. CapitalCities Media Inc.</i> , 39 F.3d 1394, 23 Media L. Rep. 1119 (7th Cir. 1994)	Grant affirmed			CivRt
<i>Taylor v. Journal Company</i> , 13 Media L. Rep. 1623 (E.D. Wisc. 1986)	Motion granted			FPub
<i>Thomas v. U.S.</i> , 671 F. Supp. 15, 14 Media L. Rep. 2381 (E.D. Wisc. 1987) aff'd, 890 F.2d 18 (7th Cir. 1989)	Motion granted			Priv
<i>UNR Lighting v. T.L. Enterprises</i> , 632 F. Supp. 1033, 12 Media L. Rep. 2347 (N.D. Ill. 1986)	Motion granted		DM, InnCon	
<i>Wilson v. "Hardcopy"</i> , 69 F.3d 540, 24 Media L. Rep. 1030 (7th Cir. 1995)	Grant affirmed			CivRt
<i>Woods v. Evansville Press</i> , 11 Media L. Rep. 2201 (S.D. Ind. 1985), aff'd as summary judgment, 791 F.2d 480, 12 Media L. Rep. 2179 (7th Cir. 1986)	Motion granted		Jur	
<i>Albertson v. Newton</i> , 20 Media L. Rep. 1578 (S.D. Iowa 1992)	Motion granted			CivRt
<i>Flanders v. Associated Newspapers</i> , 9 Media L. Rep. 1669 (D.Minn. 1983)	Motion granted		Jur	
<i>Givens v. Quinn</i> , 877 F. Supp. 485, 23 Media L. Rep. 1046 (W.D. Mo. 1994)	Partial grant		SOL, FServ	
<i>Hartman v. Associated Newspapers</i> , 9 Media L. Rep. 1699 (D.Minn. 1983)	Motion granted		Jur	
<i>Hopkins v. Taft Television</i> , 831 F.2d 299, 14 Media L. Rep. 1415 (8th Cir. 1987) (Table)	Grant affirmed	Priv	FPlea	FL
<i>Lewis v. News-Press & Gazette Co.</i> , 782 F. Supp. 1338, 19 Media L. Rep. 1946 (W.D. Mo. 1992)	Motion denied	Pub		CivRt

CASE/CITATION	RESULT	II STATUS*	ISSUES CONSIDERED*	OTHER CLAIMS*
<i>Milsap v. Milwaukee Journal</i> , 23 Media L. Rep. 1349 (D.Minn. 1994)	Motion granted		Jur	
<i>Aligo v. Time-Life Books Inc.</i> , 23 Media L. Rep. 1315 (N.D. Cal. 1994)	Motion granted			Misapp
<i>Ault v. Hustler Magazine</i> , 860 F.2d 877, 15 Media L. Rep. 2205 (9th Cir. 1988) <i>cert. denied</i> , 489 U.S. 1080 (1989)	Grant affirmed		O	IIED, FL, Int, PF, Misapp, Conv, Tres, San
<i>Auvil v. CBS "60 Minutes,"</i> 800 F. Supp. 928, 20 Media L. Rep. 1361 (E.D. Wash. 1992)	Motion denied			TrDis
<i>Barger v. Playboy Enterprises</i> , 732 F.2d 163, 10 Media L. Rep. 1527 (9th Cir. 1984) (Table), <i>cert. denied</i> , 469 U.S. 853 (1984)	Grant affirmed		OC, GrpLib	
<i>Buckey v. Los Angeles County</i> , 957 F.2d 652, 20 Media L. Rep. 1163 (9th Cir. 1992), <i>amended and superseded on denial of reh'g</i> , 968 F.2d 791 (9th Cir. 1992), <i>cert. denied</i> , 506 U.S. 999 (1992)	Grant reversed			CivRt
<i>DeRoburt v. Gannett Company</i> , 733 F.2d 701, 10 Media L. Rep. 1898 (9th Cir. 1984), <i>cert. denied</i> , 469 U.S. 1159 (1985) <i>on remand</i> , 12 Media L. Rep. 2015 (D.Hawai'i, 1986), <i>aff'd</i> , 859 F.2d 714, 15 Media L. Rep. 2091 (9th Cir.(Hawai'i), 1988), <i>cert. denied</i> , 493 U.S. 846 (1989)	Grant reversed		Pvg	
<i>Gifford v. National Enquirer Inc.</i> , 23 Media L. Rep. 1016 (C.D. Cal. 1993)	Motion granted	Pub	DM, Hyp, O	IIED, NIED, FL, Misapp
<i>Int-Elect Engineering Inc. v. Clinton Harley Corp.</i> , 21 Media L. Rep. 1762 (N.D. Cal. 1993)	Partial grant			Misapp, Cy, LA, Pub
<i>Kaplan v. Newsweek</i> , 776 F.2d 1053, 12 Media L. Rep. 1277 (9th Cir. 1985) (Table)	Grant affirmed		DM, O	
<i>Laxalt v. McClatchy</i> , 622 F. Supp. 737, 12 Media L. Rep. 1377 (D. Nev. 1985)	Partial grant		Join	
<i>Leidholdt v. L.F.P. Inc.</i> , 860 F.2d 890, 15 Media L. Rep. 2201 (9th Cir. 1988), <i>cert. denied</i> , 489 U.S. 1080 (1989)	Grant affirmed	Pub	O	IIED, FL, PF, Misapp
<i>Nurmi v. Peterson</i> , 16 Media L. Rep. 1606 (C.D. Cal. 1989)	Motion granted			Misapp, UnComp, LA
<i>Sinai v. Mitchell Books</i> , 996 F.2d 1227, 21 Media L. Rep. 1691 (9th Cir. 1993)	Grant affirmed			ProLib, NegPub

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Snider v. National Audubon Society Inc.</i> , 20 Media L. Rep. 1218 (E.D. Cal. 1992)	Motion denied		Hyp	
<i>American Land Program v. Bonaventura</i> , 710 F.2d 1449, 9 Media L. Rep. 1874 (10th Cir. 1983)	Grant partially affirmed		Jur	
<i>Dworkin v. Hustler Magazine</i> , 634 F. Supp. 727, 12 Media L. Rep. 2162 (D. Wyo. 1986)	Motion granted	Pub	DistLib	
<i>Hartman v. Meredith Corporation</i> , 638 F. Supp. 1015, 13 Media L. Rep. 1052 (D. Kan. 1986)	Motion granted		DM, Neg, LPQ	FL, Int, PF, Misapp
<i>Henderson v. Times Mirror Co.</i> , 669 F. Supp. 356, 14 Media L. Rep. 1659 (D. Colo. 1987), <i>aff'd</i> , 876 F.2d 108 (10th Cir. 1989) (Table)	Motion granted		O	IntK, Dis
<i>Tilton v. Capital Cities/ABC Inc.</i> , 827 F. Supp. 674, 22 Media L. Rep. 1273 (N.D. Okla. 1993)	Motion denied	Pub	DM, Jur	
<i>Weatherhead v. Globe International</i> , 832 F.2d 1226, 14 Media L. Rep. 1949 (10th Cir. 1987)	Grant affirmed		OC, GrpLib	
<i>Army Times v. Watts</i> , 730 F.2d 1398, 10 Media L. Rep. 1774 (11th Cir. 1984)	Denial affirmed		Jur	
<i>Hashemi v. Campaigner Publications</i> , 737 F.2d 1538, 10 Media L. Rep. 2256 (11th Cir. 1984)	Grant affirmed		FDisc	
<i>Huszar v. Gross</i> , 468 So.2d 512, 11 Media L. Rep. 2111 (Fla. Dist. Ct. App. 1985)	Grant affirmed		FR, NR	
<i>Mullins v. Bookman</i> , 23 Media L. Rep. 2374 (N.D. Ga. 1995)	Motion granted			CivRt
<i>Munroe v. Jacksonville</i> , 15 Media L. Rep. 1808 (M.D. Fla. 1988)	Motion granted		Jur	CivRt
<i>Schaeffer v. Wilson</i> , 22 Media L. Rep. 2445 (S.D. Fla. 1994)	Motion granted		LPP	
<i>Silvester v. ABC</i> , 9 Media L. Rep. 1051 (S.D. Fla. 1983)	Motion denied		AM, NR, O, PF, SubT, Ven	
<i>Sunbeam Television Corp. v. National Broadcasting Co. Inc.</i> , 16 Media L. Rep. 2299 (S.D. Fla. 1989)	Motion denied			BK, TI
<i>Barnako v. Foto Kirsch Ltd.</i> , 13 Media L. Rep. 2373 (D.D.C. 1987)	Motion granted	Pub		Misapp, Dam

CASE/CITATION	RESULT	II STATUS*	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Foretich v. Glamour</i> , 753 F. Supp. 955, 18 Media L. Rep. 1672 (D.D.C. 1990)	Partial grant		DM, OC, O	IIED
<i>Foretich v. Lifetime Cable</i> , 777 F. Supp. 47, 19 Media L. Rep. 1795 (D.D.C. 1991), <i>appeal dismissed</i> , 953 F.2d 688 (1992)	Motion denied	Priv		IIED, PF
<i>McBride v. Merrell</i> , 717 F.2d 1460, 9 Media L. Rep. 2225 (D.C. Cir. 1983)	Grant partially affirmed	Pub	DM, PF	
<i>Moncrief v. Lexington-Herald Leader</i> , 807 F.2d 217, 13 Media L. Rep. 1762 (D.C. Cir. 1986)	Grant affirmed		Jur	
<i>Provisional Government v. ABC</i> , 609 F. Supp. 104, 11 Media L. Rep. 2107 (D.D.C. 1985)	Partial grant		DM, OC, Pvg, SOL	
<i>Robertson-Taylor Company v. Sansing</i> , 10 Media L. Rep. 2495 (D.D.C. 1984)	Motion granted	Pub	AM	
<i>Summers v. Washington Times</i> , 21 Media L. Rep. 2127 (D.D.C. 1993)	Motion denied		SOL	
<i>Thomas v. News World Communications</i> , 681 F. Supp. 55, 15 Media L. Rep. 1065 (D.D.C. 1988)	Motion granted	Pub	NPF, O, PF	IIED, CivRt
<i>Titan Sports Inc. v. 3-G Productions</i> , 19 Media L. Rep. 1183 (C.D. Cal. 1991)	Partial grant			Cy, TM, Pub, Dil, UnComp,
<i>Treanor v. Washington Post Co.</i> , 826 F. Supp. 568, 21 Media L. Rep. 1991 (D.D.C. 1993)	Motion granted			FPub
<i>Cosfield v. Advertiser Company</i> , 486 So.2d 434, 12 Media L. Rep. 2039 (Ala. 1986)	Grant affirmed		LPP	
<i>Amcor Investment Corp. v. Cox Arizona Publications</i> , 158 Ariz. 566, 16 Media L. Rep. 1059 (Ariz. Ct. App. 1988)	Grant affirmed		DM, O	
<i>Currier v. Western Newspapers Inc.</i> , 18 Media L. Rep. 2359 (Ariz. Ct. App. 1991), <i>rev'd</i> , 855 P.2d 1351, 21 Media L. Rep. 1874 (Ariz. 1993)	Grant affirmed	Pub	SOL	
<i>Godbehere v. Phoenix Newspapers Inc.</i> , 783 P.2d 781, 17 Media L. Rep. 1925 (Ariz. 1989)	Partial grant affirmed	Pub		FL

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Baker v. Los Angeles Herald Examiner</i> , 42 Cal.3d 254, 721 P.2d 87, 228 Cal.Rptr. 206, 13 Media L. Rep. 1159 (Cal. 1986), <i>cert. denied</i> , 479 U.S. 1032 (1987), <i>reh'g denied</i> , 480 U.S. 912 (1987)	Grant affirmed		Hyp, O	
<i>Beale v. McClellan</i> , 23 Media L. Rep. 1672 (Cal. Super. Ct. 1995)	Motion granted		FR, SubT	FL
<i>Belli v. Berryhill</i> , 11 Media L. Rep. 1221 (Cal. Ct. App. 1984)	Grant affirmed	Pub	O	
<i>Blackwell v. Carson</i> , 22 Media L. Rep. 1665 (Cal. Ct. App. 1994)	Grant affirmed	Pub	DM, Hyp, Pdy	TrLib
<i>Blatty v. New York Times</i> , 42 Cal.3d 1033, 728 P.2d 1177, 232 Cal.Rptr. 542, 13 Media L. Rep. 1928 (Cal., 1986), <i>reh'g denied</i> (1987), <i>cert. denied</i> , 485 U.S. 934 (1988)	Partial denial reversed			TrLib, TI
<i>B&B Group v. Los Angeles Herald Examiner</i> , 10 Media L. Rep. 1892 (Cal. Ct. App. 1984)	Grant affirmed		DM, O, LPQ	
<i>Duenas v. Dazo</i> , 23 Media L. Rep. 1287 (Cal. Super. Ct. 1994)	Motion granted		Pvg, SLAPP	IIED
<i>Eastwood v. Superior Court</i> , 149 Cal.App.3d 409, 198 Cal.Rptr. 342, 10 Media L. Rep. 1073 (Cal. Ct. App. 1983)	Grant reversed	Pub		Misapp
<i>Fellows v. National Enquirer</i> , 42 Cal.3d 234, 721 P.2d 97, 228 Cal.Rptr. 215, 13 Media L. Rep. 1305 (Cal. 1986)	Grant affirmed			FL
<i>Fortensky v. National Enquirer Inc.</i> , 22 Media L. Rep. 1599 (Cal. Super. Ct. 1994)	Motion granted	Pub	FR, SubT	FL, Misapp
<i>Freedom Newspapers Inc. v. Orange County Superior Court</i> , 273 Cal.Rptr. 513, 18 Media L. Rep. 1883 (Cal. Ct. App. 1990), <i>rev'd</i> , 4 Cal.4th 652, 842 P.2d 138, 14 Cal.Rptr.2d 839, 20 Media L. Rep. 2209 (1992)	Denial affirmed		Ret	
<i>Friedrich v. Salinas Newspapers Inc.</i> , 22 Media L. Rep. 1478 (Cal. Super. Ct. 1993)	Motion granted			IIED, PF, NIED
<i>Globe International Inc. v. Los Angeles Superior Court</i> , 9 Cal.App.4th 393, 12 Cal.Rptr.2d 109, 20 Media L. Rep. 1729 (Cal. Ct. App. 1992)	Denial reversed	Pub		RICO
<i>Graziano v. The Sun Co. of San Bernadino</i> , 23 Media L. Rep. 1028 (Cal. Super. Ct. 1994)	Motion granted		FR, OC, SOL	

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Green v. Cortez</i> , 151 Cal.App.3d 1068, 199 Cal.Rptr. 221, 10 Media L. Rep. 1316 (Cal. Ct. App. 1984)	Grant affirmed	Pub	FR	
<i>Hetrick v. Newsweek</i> , 11 Media L. Rep. 1538 (Cal. Ct. App. 1984)	Grant affirmed		DM	
<i>Jennings v. Telegram-Tribune</i> , 164 Cal.App.3d 119, 210 Cal.Rptr. 485, 11 Media L. Rep. 1419 (Cal. Ct. App. 1985)	Grant affirmed		FR	IIED, FL, Int, PF, Misapp, IntK
<i>Lafayette Morehouse Inc. v. The Chronicle Publishing Co.</i> , 37 Cal.App.4th 855, 44 Cal.Rptr.2d 46, 23 Media L. Rep. 2389 (Cal. Ct. App. 1995)	Grant affirmed		FR, NPF, SubT, SLAPP	
<i>Lewis v. Columbia Pictures Industries</i> , 23 Media L. Rep. 1052 (Cal. Ct. App. 1994)	Grant affirmed			Neg
<i>Maheu v. CBS Inc.</i> , 201 Cal.App.3d 662, 247 Cal.Rptr. 304, 15 Media L. Rep. 1548 (Cal. Ct. App. 1988)	Grant affirmed			FL, Int, Misapp, Cons, TI
<i>McCall v. Oroville Mercury</i> , 9 Media L. Rep. 1701 (Cal. Ct. App. 1983)	Grant affirmed	Pub		Priv, Cons, IIED
<i>McCollum v. CBS Inc.</i> , 202 Cal.App.3d 989, 249 Cal.Rptr. 187, 15 Media L. Rep. 2001 (Cal. Ct. App. 1988)	Grant affirmed	Priv		Neg, ProLib, IntMis
<i>Molino v. Oakland Tribune</i> , 10 Media L. Rep. 1459 (Cal. Ct. App. 1984)	Grant affirmed		OC	IIED, FL, TI
<i>MorningStar Inc. v. Los Angeles Sup. Ct.</i> , 23 Cal.App.4th 676, 29 Cal.Rptr.2d 547, 22 Media L. Rep. 1513 (Cal. Ct. App. 1994)	Denial reversed		Hyp, NPF, Con	TI
<i>Morris v. Donrey of Nevada Inc.</i> , 18 Media L. Rep. 2070 (Cal. Ct. App. 1990)	Grant affirmed		DM	IIED, PF, Frd
<i>Moyer v. Amador Valley Joint Union High School District</i> , 225 Cal.App.3d 720, 275 Cal.Rptr. 494, 18 Media L. Rep. 1602 (Cal. Ct. App. 1990)	Grant affirmed		Hyp	
<i>Nicholson v. McClatchy Newspapers</i> , 177 Cal.App.3d 509, 223 Cal.Rptr. 58, 12 Media L. Rep. 2009 (Cal. Ct. App. 1986)	Grant affirmed			PF, Cons
<i>Patrick v. Los Angeles County Sup. Ct.</i> , 27 Cal.Rptr.2d 883, 22 Media L. Rep. 1367 (Cal. Ct. App. 1994)	Denial reversed	Pub	O, Pdy	

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Phillips v. Syufy Enterprises</i> , 20 Media L. Rep. 1199 (Cal. Super. Ct. 1992)	Grant affirmed			Inct
<i>Polygram Records v. Superior Court</i> , 170 Cal.App.3d 543, 216 Cal.Rptr. 252, 11 Media L. Rep. 2363 (Cal. Ct. App. 1985)	Denial reversed		DM, O	TrLib
<i>Raye v. Letterman</i> , 14 Media L. Rep. 2047 (Cal. Super. Ct. 1987)	Motion granted	Pub	DM	IIED, FL, NIED
<i>Taylor v. National Broadcasting Co. Inc.</i> , 22 Media L. Rep. 2433 (Cal. Super. Ct. 1994)	Motion granted	Pub		Misapp, TM, Pub, LA, UnComp
<i>Underwood v. CBS</i> , 150 Cal.App.3d 460, 198 Cal.Rptr. 48, 10 Media L. Rep. 1246 (Cal. Ct. App. 1984)	Grant affirmed		O	PF, Cons
<i>Walker v. Chronicle Publishing Company</i> , 10 Media L. Rep. 1282 (Cal. Ct. App. 1984)	Grant affirmed		O	
<i>Warner v. Monk</i> , 22 Media L. Rep. 1667 (Cal. Ct. App. 1994)	Grant partially affirmed		DM	FL, Misapp
<i>Weiss v. Mayda</i> , 22 Media L. Rep. 1638 (Cal. Ct. App. 1993)	Grant affirmed		DM, OC	
<i>Yanase v. Automobile Club of Southern California</i> , 212 Cal.App.3d 468, 260 Cal.Rptr. 513, 17 Media L. Rep. 1085 (Cal. Ct. App. 1989)	Grant affirmed			NegPub
<i>Murray v. Schlosser</i> , 41 Conn.Supp. 362, 574 A.2d 1339, 17 Media L. Rep. 2069 (Conn. Super. Ct. 1990)	Motion denied	Priv	DM, Hyp, O	IIED, FL
<i>Read v. News-Journal</i> , 474 A.2d 119, 10 Media L. Rep. 1399 (Del. 1984)	Grant affirmed		FR, Pvg	
<i>Foretich v. CBS</i> , 619 A.2d 48, 21 Media L. Rep. 1001 (D.C. 1993)	Grant affirmed	Pub	DM	IIED
<i>Rowland v. Fayer</i> , 14 Media L. Rep. 1257 (D.C. Super. Ct. 1987)	Motion granted		Hyp, O	
<i>Adams v. WFTV</i> , 24 Media L. Rep. 1350 (Fla. Cir. Ct. 1995)	Motion granted		OC, GrpLib	
<i>Armstrong v. H&C Communications Inc.</i> , 575 So.2d 280, 18 Media L. Rep. 1845 (Fla. Dist. Ct. App. 1991)	Grant partially affirmed			IIED, FL, Int, PF, Misapp
<i>Binford v. Sentinel Communications Co.</i> , 621 So.2d 446, 22 Media L. Rep. 1160 (Fla. Dist. Ct. App. 1993) (Table)	Grant affirmed		DM, O	
<i>Cook v. Pompano Shopper</i> , 582 So.2d 37, 19 Media L. Rep. 1381 (Fla. Dist. Ct. App. 1991)	Grant reversed		Ret	

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Doe v. H & C Communications, Inc.</i> , 21 Media L. Rep. 1639 (Fla. Cir. Ct. 1993)	Motion granted			PF
<i>Doe v. Sarasota-Bradenton Television</i> , 436 So.2d 328, 9 Media L. Rep. 2074 (Fla. Dist. Ct. App. 1983)	Grant affirmed			IIED, Priv
<i>Florida Medical Center Inc. v. New York Post Inc.</i> , 568 So.2d 454, 18 Media L. Rep. 1224 (Fla. Dist. Ct. App. 1990); <i>rev. denied</i> , 581 So.2d 1309 (Fla., 1991) (Table)	Grant reversed		NPF	
<i>Fraternal Order of Police v. News and Sun-Sentinel</i> , 12 Media L. Rep. 1619 (Fla. Cir. Ct. 1985)	Motion granted		OC, GrpLib	Int
<i>Gadd v. News-Press Publishing Company</i> , 10 Media L. Rep. 2362 (Fla. Cir. Ct. 1984)	Motion granted	Pub	FR, O	TI
<i>Hay v. Independent Newspapers</i> , 450 So.2d 293, 10 Media L. Rep. 1928 (Fla. Dist Ct. App. 1984)	Grant affirmed	Priv	Neg, O	
<i>Mid-Florida Television v. Boyles</i> , 467 So.2d 282, 11 Media L. Rep. 1774 (Fla. 1985)	Grant reversed	Priv	DM, LPQ	
<i>Perry v. Cosgrove</i> , 464 So.2d 664, 11 Media L. Rep. 1931 (Fla. Dist. Ct. App. 1985)	Grant reversed		DM, LPQ	BK, Frd
<i>Sakon v. PepsiCo Inc.</i> , 553 So.2d 163, 17 Media L. Rep. 1277 (Fla. 1989)	Grant affirmed	Priv		NegPub
<i>Schwab v. Television 12 of Jacksonville</i> , 21 Media L. Rep. 1157 (Fla. Cir. Ct. 1993)	Motion granted		SOL	FL
<i>Sepmeier v. Tallahassee Democrat</i> , 10 Media L. Rep. 1285 (Fla. Cir. Ct. 1984); <i>aff'd in part, rev'd in part</i> , 461 So.2d 193 (1984)	Grant partially affirmed		O	TM
<i>Space-Tech Industries v. Otto</i> , 10 Media L. Rep. 2367 (Fla. Cir. Ct. 1984)	Motion granted		FC, O	Inct, TI
<i>Victor v. News and Sun Sentinel Company</i> , 10 Media L. Rep. 2073 (Fla. Cir. Ct. 1984); <i>rev'd</i> , 467 So.2d 499 (1985)	Grant reversed		DM, FC, NR, O	
<i>WTSP-TV v. Vick</i> , 11 Media L. Rep. 1543 (Fla. Cir. Ct. 1985)	Motion granted	Pub	DM, O, LPQ	FL, Int, PF, Misapp
<i>Collins v. Cox Enterprises Inc.</i> , 215 Ga.App. 679, 452 S.E.2d 226, 23 Media L. Rep. 1222 (Ga. Ct. App. 1994)	Grant affirmed	Pub	NPF	

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Stevens v. Morris Communications</i> , 170 Ga.App. 612, 317 S.E.2d 652, 10 Media L. Rep. 1735 (Ga. Ct. App. 1984)	Grant affirmed		DM	
<i>Stessman v. American Black Hawk Broadcasting Co.</i> , 416 N.W.2d 685, 14 Media L. Rep. 2073 (Iowa 1987)	Grant reversed	Priv		Int
<i>American International Hospital v. Chicago Tribune</i> , 120 Ill.App.3d 435, 458 N.E.2d 1305, (1983); <i>appeal after remand</i> , 136 Ill.App.3d 1019, 483 N.E.2d 965, 12 Media L. Rep. 1268 (Ill. Ct. App. 1985)	Grant affirmed		DM, SubT	
<i>Antonelli v. Field Enterprises</i> , 115 Ill.App.3d 432, 450 N.E.2d 876, 9 Media L. Rep. 1848 (Ill. Ct. App. 1983)	Grant affirmed		DM, InnCon	
<i>Barter v. Wilson</i> , 159 Ill.App.3d 694, 512 N.E.2d 816, 14 Media L. Rep. 1540 (Ill. Ct. App. 1987); <i>app. denied</i> , 117 Ill.2d 541, 517 N.E.2d 1084 (1987) (Table)	Grant affirmed		DM, InnCon	
<i>Berkos v. NBC</i> , 161 Ill.App.3d 476, 515 N.E.2d 668, 14 Media L. Rep. 1833 (Ill. Ct. App. 1987); <i>app. denied</i> , 119 Ill.2d 553, 522 N.E.2d 1241 (1987) (Table)	Grant partially affirmed	Pub	AM, DM, FR, SubT	IIED, FL, Misapp
<i>Crinkley v. Dow Jones</i> , 119 Ill.App.3d 147, 456 N.E.2d 138, 9 Media L. Rep. 2248 (Ill. Ct. App. 1983)	Grant partially affirmed		DM, InnCon	
<i>Dolatowski v. Life Printing and Publishing Co.</i> , 197 Ill.App.3d 23, 554 N.E.2d 692, 17 Media L. Rep. 1838 (Ill. Ct. App. 1990); <i>app. denied</i> , 133 Ill.2d 554, 561 N.E.2d 689 (1990) (Table)	Grant affirmed		FR	
<i>Flip Side Inc. v. Chicago Tribune Co.</i> , 206 Ill.App.3d 641, 564 N.E.2d 1244, 18 Media L. Rep. 1409 (Ill. Ct. App. 1990); <i>app. denied</i> , 137 Ill.2d 664, 571 N.E.2d 147 (1991) (Table)	Grant affirmed		Hyp, O	IIED, FL, Misapp
<i>Grisanzio v. Rockford Newspapers</i> , 132 Ill.App.3d 914, 477 N.E.2d 805, 11 Media L. Rep. 1958 (Ill. Ct. App. 1985)	Denial reversed		DM, LPQ	
<i>Horowitz v. Baker</i> , 168 Ill.App.3d 603, 523 N.E.2d 179, 15 Media L. Rep. 1824 (Ill. Ct. App. 1988)	Grant affirmed	Pub	DM, Hyp, NPF, O, InnCon	
<i>Kolegas v. Hefstel Broadcasting Corp.</i> , 154 Ill.2d 1, 607 N.E.2d 201, 20 Media L. Rep. 2105 (Ill. 1992)	Grant partially affirmed		DM, Hyp, LPQ	IIED, FL
<i>Kumaran v. Brotman</i> , 21 Media L. Rep. 1833 (Ill. Ct. App. 1993)	Grant reversed	Priv	DM, FR, Hyp, PF, InnCon	FL, TI

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Lemons v. Chronicle Publishing Co.</i> , 253 Ill.App.3d 888, 625 N.E.2d 789, 22 Media L. Rep. 1222 (Ill. Ct. App. 1994)	Grant affirmed		SubT	
<i>Lowe v. Rockford Newspaper Inc.</i> , 179 Ill.App.3d 592, 534 N.E.2d 549, 16 Media L. Rep. 1585 (Ill. Ct. App. 1989) <i>app. denied</i> , 126 Ill.2d 560, 541 N.E.2d 1107 (1989) (Table)	Grant reversed		DM, FR, Pvg	
<i>Matchett v. Chicago Bar Association</i> , 125 Ill.App.3d 1004, 467 N.E.2d 271, 10 Media L. Rep. 2131 (Ill. Ct. App. 1984); <i>cert. denied</i> , 471 U.S. 1054 (1985), <i>reh'g. denied</i> , 472 U.S. 1022 (1985)	Grant affirmed	Pub	AM, DM, O, LPQ	
<i>O'Donnell v. Field Enterprises</i> , 145 Ill.App.3d 1032, 491 N.E.2d 1212, 12 Media L. Rep. 1927 (Ill. Ct. App. 1986)	Grant affirmed		FR, O	
<i>Owen v. Carr</i> , 134 Ill.App.3d 855, 478 N.E.2d 658, 11 Media L. Rep. 2232 (Ill. Ct. App. 1985) <i>aff'd</i> , 113 Ill.2d 273, 497 N.E.2d 1145 (1986)	Grant affirmed		DM, LPQ	
<i>Reed v. Northwestern Publishing</i> , 155 Ill.App.3d 796, 508 N.E.2d 772, 14 Media L. Rep. 1095 (Ill. Ct. App. 1987) <i>app. denied</i> , 116 Ill.2d 575, 515 N.E.2d 125 (1987) (Table)	Grant affirmed	Pub	FR	
<i>Renard v. CBS</i> , 9 Media L. Rep. 1908 (1983); <i>aff'd</i> , 126 Ill.App.3d 563, 467 N.E.2d 1090, 10 Media L. Rep. 2357 (Ill. Ct. App. 1984); <i>cert. denied</i> , 471 U.S. 1116 (1985)	Grant affirmed		DM	FRD, Cons
<i>Richards v. Gannett Satellite Information Network</i> , 21 Media L. Rep. 2288 (Ill. Cir. Ct. 1993)	Motion granted		FR	
<i>Schaffer v. Zekman</i> , 196 Ill.App.3d 727, 554 N.E.2d 988, 17 Media L. Rep. 1931 (Ill. Ct. App. 1990)	Grant affirmed		DM, LPQ	FL
<i>Sweeney v. Sengstacke Enterprises</i> , 180 Ill.App.3d 1044, 536 N.E.2d 823, 16 Media L. Rep. 1506 (Ill. Ct. App. 1989)	Grant reversed		AM, DM, LPQ	
<i>Barger v. Courier-Journal and Louisville Times Co.</i> , 20 Media L. Rep. 1189 (Ky. Ct. App. 1991)	Grant affirmed			IIED, PF
<i>Gallodoro v. The Times Picayune</i> , 21 Media L. Rep. 1636 (La. Dist. Ct. 1993)	Motion granted		OC, GrpLib	
<i>Gugliuzza v. KCMC Inc.</i> , 593 So.2d 845, 20 Media L. Rep. 1176 (1992), <i>rev'd</i> , 606 So.2d 790, 20 Media L. Rep. 1866 (La. 1992)	Grant affirmed		OC, Desc	IIED

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>O'Brien v. Walsh</i> , 19 Media L. Rep. 1511 (La. Dist. Ct. 1991)	Motion granted		FPlea	
<i>Blackstone-Chicago Corp. v. Brown</i> , 19 Media L. Rep. 1902 (Mass. 1991)	Motion granted		FR	
<i>Eyal v. Helen Broadcasting Co.</i> , 411 Mass. 426, 583 N.E.2d 228, 19 Media L. Rep. 1989 (Mass. 1991)	Grant partially affirmed	Priv	OC	
<i>Furst v. Tabloid Communications Inc.</i> , 23 Media L. Rep. 1510 (Mass. Super. Ct. 1995)	Motion granted		Hyp, O	
<i>Martin v. Lefkowitz</i> , 22 Media L. Rep. 2539 (Mass. Super. Ct. 1994)	Motion granted		O	
<i>Sanchez v. Affiliated Publications Inc.</i> , 22 Media L. Rep. 1188 (Mass. Super. Ct. 1993)	Motion granted			IIED, Priv
<i>Shaari v. Harvard Student Agencies, Inc.</i> , 19 Media L. Rep. 1700 (Mass. 1991)	Motion granted		SOL	
<i>Phillips v. Washingtonian</i> , 58 Md.App. 30, 472 A.2d 98, 10 Media L. Rep. 1587 (Md. Ct. App. 1984); <i>cert. denied</i> , 300 Md. 89, 475 A.2d 1201 (1984) (Table)	Grant affirmed	Pub	AM, DM, LPQ	
<i>Wolford v. Herald Mail</i> , 11 Media L. Rep. 1426 (Md. Cir. Ct. 1984)	Motion granted			NIED
<i>Berryman v. Clark</i> , 12 Media L. Rep. 1310 (Mich. Cir. Ct. 1985)	Motion granted		FR	
<i>Georgescu v. Times Herald Paper</i> , 22 Media L. Rep. 2062 (Mich. Cir. Ct. 1994)	Motion granted			Priv, FPub
<i>Sirany v. Cowles Media Co.</i> , 20 Media L. Rep. 1759 (Minn. Dist. Ct. 1992)	Motion granted	Priv		BK, FrdMis
<i>Buller v. Pulitzer Publishing</i> , 684 S.W.2d 473, 52 A.L.R.4th 403, 11 Media L. Rep. 1289 (Mo. Ct. App. 1984)	Grant partially affirmed		DM, O	FL, PF, TI
<i>Capobianco v. Pulitzer Publishing Co.</i> , 812 S.W.2d 852, 18 Media L. Rep. 2290 (Mo. Ct. App. 1991)	Grant affirmed		DM, OC, SubT, LPQ	
<i>Duggan v. Pulitzer Publishing Co.</i> , 913 S.W.2d 807, 24 Media L. Rep. 1407 (Mo. Ct. App. 1995)	Grant reversed	Pub	DM, FR, OC	
<i>Finnegan v. The Squire Publishers Inc.</i> , 765 S.W.2d 703, 16 Media L. Rep. 1326 (Mo. Ct. App. 1989)	Grant affirmed		SOL	

CASE/CITATION	RESULT	II STATUS*	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Henry v. Taft Television and Radio Co.</i> , 774 S.W.2d 889, 16 Media L. Rep. 2235 (Mo. Ct. App. 1989)	Grant affirmed		DM	FL
<i>Mitchell v. St. Louis Business Journal</i> , 689 S.W.2d 389, 11 Media L. Rep. 1902 (Mo. Ct. App. 1985)	Grant affirmed		DM, LPQ	
<i>Sullivan v. Pulitzer Broadcasting Co.</i> , 12 Media L. Rep. 2187 (Mo. 1986)	Grant affirmed		SOL	FL
<i>Whitten v. Commercial Dispatch</i> , 487 So.2d 843, 12 Media L. Rep. 2227 (Miss. 1986)	Grant reversed	Priv	Neg	PF
<i>Brewer v. Dungan</i> , 21 Media L. Rep. 1926 (N.C. Super. Ct. 1993)	Motion granted		SubT	
<i>Matthews v. Johnson Publishing Co.</i> , 89 N.C.App. 522, 366 S.E.2d 525, 15 Media L. Rep. 1670 (N.C. Ct. App. 1988); <i>rev. denied</i> , 322 N.C. 836, 371 S.E.2d 278	Grant affirmed			IIED, Cons, FPub
<i>Renwick v. News and Observer</i> , 10 Media L. Rep. 1443 (N.C. 1984); <i>reh'g denied</i> , 310 N.C. 749, 315 S.E.2d 704 (1984); <i>cert. denied</i> , 469 U.S. 858 (1984)	Grant affirmed		DM, LPQ	FL
<i>Canino v. New York News</i> , 96 N.J. 189, 475 A.2d 528, 10 Media L. Rep. 1852 (N.J. 1984)	Denial affirmed		Desc	
<i>Sherman v. Bordentown Regional School</i> , 23 Media L. Rep. 1168 (N.J. Super. Ct. 1994)	Motion granted		O, SOL	IIED, FL, PF, NIED
<i>Mortensen v. Gannett Co. Inc.</i> , 24 Media L. Rep. 1190 (Nev. Dist. Ct. 1995)	Motion granted		DM, FR, SubT, Neg	NIED
<i>Armstrong v. Simon & Schuster Inc.</i> , 85 N.Y.2d 373, 649 N.E.2d 825, 625 N.Y.S.2d 477, 23 Media L. Rep. 1532 (N.Y. 1995)	Denial affirmed		DM, O, SIR	
<i>Aronson v. Wiersma</i> , 65 N.Y.2d 592, 483 N.E.2d 1138, 493 N.Y.S.2d 1006, 12 Media L. Rep. 1150 (N.Y. 1985)	Denial reversed	Priv	DM, Pvg	
<i>Boone v. Koons</i> , 17 Media L. Rep. 1062 (N.Y. Sup. Ct. 1989)	Motion denied		O	
<i>Bowes v. Magna Concepts Inc.</i> , 166 A.D.2d 347, 561 N.Y.S.2d 16, 18 Media L. Rep. 1303 (N.Y. App. Div. 1990)	Denial reversed		SIR	
<i>Brian v. Richardson</i> , 23 Media L. Rep. 1703 (N.Y. Sup. Ct. 1995) (Table)	Grant affirmed		O	

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Cory v. Nintendo of America, Inc.</i> , 185 A.D.2d 70, 592 N.Y.S.2d 6, 21 Media L. Rep. 1606 (N.Y. App. Div. 1993)	Denial reversed			Misapp
<i>Daniel Goldreyer Ltd. v. Van de Wetering</i> , 630 N.Y.S.2d 18, 23 Media L. Rep. 2531 (N.Y. Sup. Ct. 1995)	Denial partially affirmed		FR, NPF, O	
<i>Daniel v. Dow Jones & Co.</i> , 137 Misc.2d 94, 520 N.Y.S.2d 334, 14 Media L. Rep. 1995 (N.Y. Civ. Ct. 1987)	Motion granted	Priv		NegPub
<i>David v. Urban</i> , 22 Media L. Rep. 1543 (N.Y. Sup. Ct. 1994)	Motion granted		DM, OC	
<i>Duci v. Daily Gazette</i> , 102 A.D.2d 940, 477 N.Y.S.2d 760, 10 Media L. Rep. 1900 (N.Y. App. Div. 1984)	Denial reversed	Pub	DM, SIR	
<i>Finger v. Omni Publications International Ltd.</i> , 77 N.Y.2d 138, 566 N.E.2d 141, 564 N.Y.S.2d 1014, 18 Media L. Rep. 1555 (N.Y. 1990)	Grant affirmed			Misapp
<i>Frank v. NBC</i> , 119 A.D.2d 252, 506 N.Y.S.2d 869, 13 Media L. Rep. 1801 (N.Y. App. Div. 1986)	Partial denial reversed		DM, Pdy	
<i>Franklin v. Friedman</i> , 12 Media L. Rep. 1146 (N.Y. Sup. Ct. 1985)	Motion granted	Pub	DM, O, Pdy	
<i>Freihofer v. Hearst Corporation</i> , 65 N.Y.2d 135, 480 N.E.2d 349, 490 N.Y.S.2d 735, 12 Media L. Rep. 1056 (N.Y. 1985)	Denial reversed	Pub		IIED, PF, Pft
<i>Ginsberg v. News Group Publications</i> , 9 Media L. Rep. 2014 (N.Y. Sup. Ct. 1983)	Motion granted			Misapp
<i>Glaub Jewelers v. New York Daily News</i> , 141 Misc.2d 890, 535 N.Y.S.2d 532, 16 Media L. Rep. 1269 (N.Y. Civ. Ct. 1988)	Motion granted			FPub
<i>Golden v. Elmira Star Gazette</i> , 9 Media L. Rep. 1183 (N.Y. Sup. Ct. 1983)	Motion granted		O	
<i>Golub v. Esquire Publishing</i> , 124 A.D.2d 528, 508 N.Y.S.2d 188, 13 Media L. Rep. 1687 (N.Y. App. Div. 1986), <i>appeal denied</i> , 69 N.Y.2d 606, 507 N.E.2d 319, 514 N.Y.S.2d 1023 (N.Y., Mar 19, 1987) (Table)	Partial denial reversed		DM, O	Pft
<i>Greene v. NYC Health & Hospital Corporation</i> , 23 Media L. Rep. 2275 (N.Y. Sup. Ct. 1995)	Motion granted		DM, NPF, O, LPQ	NegSup
<i>Gross v. The New York Times</i> , 82 N.Y.2d 146, 623 N.E.2d 1163, 603 N.Y.S.2d 813, 21 Media L. Rep. 2142 (N.Y. 1993)	Grant reversed	Pub	Hyp, O	

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Gundez v. The New York Post Co. Inc.</i> , 188 A.D.2d 294, 590 N.Y.S.2d 494, 20 Media L. Rep. 2071 (N.Y. App. Div. 1992)	Grant affirmed		FInd	
<i>Hairston v. Bancorp Inc.</i> , 20 Media L. Rep. 1600 (N.Y. Sup. Ct. 1992)	Motion granted	Priv	GI	
<i>Hampton v. Guare</i> , 195 A.D.2d 366, 600 N.Y.S.2d 57, 21 Media L. Rep. 1767 (N.Y. Sup. Ct. 1993), <i>leave to appeal denied</i> , 82 N.Y.2d 659, 625 N.E.2d 590, 605 N.Y.S.2d 5 (N.Y., Nov 11, 1993) (Table)	Grant affirmed			Misapp, Conv, UnEn
<i>Heimerle v. Charter Books</i> , 11 Media L. Rep. 1278 (N.Y. Sup. Ct. 1984)	Motion granted		DM	FL, Int, PF, Misapp
<i>Howe v. New York Post Co.</i> , 23 Media L. Rep. 1955 (N.Y. Sup. Ct. 1995)	Motion granted	Pub	DM	IIED, Pft
<i>Howell v. New York Post Co.</i> , 81 N.Y.2d 115, 612 N.E.2d 699, 596 N.Y.S.2d 350, 21 Media L. Rep. 1273 (N.Y. 1993)	Grant affirmed	Priv		IIED, Misapp
<i>Huggins v. Whitney</i> , 24 Media L. Rep. 1088 (N.Y. Sup. Ct. 1995)	Motion granted		GI	TI
<i>Innis v. Payne</i> , 12 Media L. Rep. 1403 (N.Y. Sup. Ct. 1985)	Motion granted	Pub	DM, Hyp	
<i>Khan v. Newsweek</i> , 160 A.D.2d 425, 554 N.Y.S.2d 119, 17 Media L. Rep. 1940 (N.Y. App. Div. 1990)	Denial affirmed		DM	
<i>Lee v. Rochester</i> , 195 A.D.2d 1000, 600 N.Y.S.2d 564, 21 Media L. Rep. 2315 (N.Y. App. Div. 1993)	Grant reversed	Priv	GI	
<i>Liu v. New York News</i> , 183 A.D.2d 443, 583 N.Y.S.2d 391, 20 Media L. Rep. 1295 (N.Y. App. Div. 1992)	Grant affirmed	Pub	PF	
<i>Londers v. Barrows</i> , 14 Media L. Rep. 2350 (N.Y. Sup. Ct. 1988)	Motion granted	Priv	OC, FPlea	
<i>Lukashok v. Concerned Residents of North Salem</i> , 15 Media L. Rep. 1965 (N.Y. Sup. Ct. 1988), <i>aff'd</i> , 160 A.D.2d 685, 554 N.Y.S.2d 39 (N.Y. App. Div. 1990)	Grant affirmed	Priv	Hyp, O	
<i>Madarassy v. Gannett Satellite Information Network</i> , 23 Media L. Rep. 1363 (N.Y. Sup. Ct. 1995)	Motion granted	Pub	AM, PF	
<i>Marcinkus v. NAL Publishing</i> , 138 Misc.2d 256, 522 N.Y.S.2d 1009, 14 Media L. Rep. 2094 (N.Y. Sup. Ct. 1987)	Motion denied			Misapp

CASE/CITATION	RESULT	II STATUS*	ISSUES CONSIDERED*	OTHER CLAIMS*
<i>Marks v. Elephant Walk, Inc.</i> , 156 A.D.2d 432, 548 N.Y.S.2d 549, 17 Media L. Rep. 1612 (N.Y. App. Div. 1989)	Grant reversed		DM, SubT	Misapp
<i>Marquette v. Warner Brothers Inc.</i> , 16 Media L. Rep. 1957 (N.Y. Sup. Ct. 1989)	Motion granted			Misapp
<i>Martin v. Biegel</i> , 15 Media L. Rep. 2261 (N.Y. Sup. Ct. 1988)	Motion granted		FR	
<i>Mayers v. Michals</i> , 9 Media L. Rep. 1484 (N.Y. Sup. Ct. 1983)	Partial grant		DM	Misapp
<i>McCarville v. American Tobacco Company</i> , 11 Media L. Rep. 2344 (N.Y. Sup. Ct. 1985)	Motion granted		DM, Neg	IIED, Misapp
<i>McWhir v. Kremenz</i> , 15 Media L. Rep. 1367 (N.Y. Sup. Ct. 1988)	Motion granted	Priv		Misapp
<i>Merriweather v. Shorr</i> , 23 Media L. Rep. 1830 (N.Y. Sup. Ct. 1995)	Partial grant			IIED, Misapp
<i>Milford Plaza Assoc. v. The Hearst Corp.</i> , 200 A.D.2d 363, 606 N.Y.S.2d 184, 22 Media L. Rep. 1128 (N.Y. App. Div. 1994)	Grant affirmed		O	
<i>Moreau v. New York Times</i> , 15 Media L. Rep. 1623 (N.Y. Sup. Ct. 1988)	Motion granted			Misapp
<i>Nelkin v. People Magazine</i> , 19 Media L. Rep. 1831 (N.Y. Sup. Ct. 1991)	Motion granted		SOL	
<i>New Deal Restaurant v. WPIX</i> , 11 Media L. Rep. 1965 (N.Y. Sup. Ct. 1985)	Motion granted		O	
<i>Newman v. New York Post</i> , 13 Media L. Rep. 1052 (N.Y. Sup. Ct. 1986)	Motion granted		GI	Pft
<i>Oliner v. Crain Communications</i> , 14 Media L. Rep. 1495 (N.Y. Sup. Ct. 1987)	Motion granted		FR	
<i>Olive v. New York Post</i> , 16 Media L. Rep. 2397 (N.Y. Sup. Ct. 1989)	Motion granted		OC, GrpLib	
<i>O'Loughlin v. Patrolmen's Benevolent Association</i> , 178 A.D.2d 117, 576 N.Y.S.2d 858, 19 Media L. Rep. 1735 (N.Y. App. Div. 1991)	Grant affirmed		O	
<i>Ordo Templi Orientis v. Doubleday</i> , 15 Media L. Rep. 1992 (N.Y. Sup. Ct. 1988)	Motion denied		OC, O	

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Palmisano v. Modernismo Publications</i> , 98 A.D.2d 953, 470 N.Y.S.2d 196, 10 Media L. Rep. 1093 (N.Y. App. Div. 1983)	Denial affirmed	Priv	AM, Neg	Misapp
<i>Policano v. North American Precis Syndicate Inc.</i> , 129 A.D.2d 488, 514 N.Y.S.2d 239, 13 Media L. Rep. 2343 (N.Y. App. Div. 1987)	Denial reversed		DM, LPQ	Pft
<i>Posato v. Oken</i> , 24 Media L. Rep. 1285 (N.Y. Sup. Ct. 1995)	Motion granted		FR	
<i>Pravda v. Gannett Satellite Information Network</i> , 22 Media L. Rep. 2413 (N.Y. Sup. Ct. 1994)	Motion granted		SOL	
<i>Ramirez v. Time</i> , 12 Media L. Rep. 2230 (N.Y. Sup. Ct. 1986)	Motion granted	Priv	LOD, Jur	Frd
<i>Randall v. DeMille</i> , 21 Media L. Rep. 1362 (N.Y. Sup. Ct. 1992)	Motion granted		OC, O	Misapp, NegMis
<i>Rappaport v. VV Publishing Corp.</i> , 163 Misc.2d 1, 618 N.Y.S.2d 746, 23 Media L. Rep. 1010 (N.Y. Sup. Ct. 1994)	Motion granted	Pub	O	
<i>Rejent v. Liberation Publications Inc.</i> , 197 A.D.2d 240, 611 N.Y.S.2d 866, 22 Media L. Rep. 1826 (N.Y. App. Div. 1994)	Denial affirmed		DM	
<i>Robinson v. Paramount Pictures</i> , 122 A.D.2d 32, 504 N.Y.S.2d 472, 13 Media L. Rep. 1062 (N.Y. App. Div. 1986)	Denial partially affirmed			IIED, UnEn, Frd
<i>Roux v. Thoroughbred Owners and Breeders Association</i> , 13 Media L. Rep. 1943 (N.Y. Sup. Ct. 1987)	Motion granted		DM, FR	
<i>Rubinstein v. New York Post</i> , 128 Misc.2d 1, 488 N.Y.S.2d 331, 11 Media L. Rep. 1329 (N.Y. Sup. Ct. 1984)	Motion granted			NIED
<i>Ryan v. ABC</i> , 9 Media L. Rep. 2111 (N.Y. Sup. Ct. 1983)	Motion granted		DM	Misapp
<i>Shavuo v. News Group Publications</i> , 10 Media L. Rep. 1254 (N.Y. Sup. Ct. 1983)	Motion granted		DM, OC	
<i>Shields v. Gross</i> , 58 N.Y.2d 338, 448 N.E.2d 108, 461 N.Y.S.2d 254, 9 Media L. Rep. 1466 (N.Y. Ct. App. 1983), <i>reargument denied</i> , 59 N.Y.2d 762, 450 N.E.2d 254, 463 N.Y.S.2d 1030 (N.Y. 1983) (Table)	Partial denial reversed			Misapp, BK
<i>Sprecher v. Dow Jones</i> , 58 N.Y.2d 862, 447 N.E.2d 75, 460 N.Y.S.2d 527, 9 Media L. Rep. 1223 (N.Y. 1983)	Grant affirmed			Pft, TI, InjFal
<i>Springer v. Viking Press</i> , 60 N.Y.2d 916, 458 N.E.2d 1256, 470 N.Y.S.2d 579, 9 Media L. Rep. 2560 (N.Y. 1983)	Grant affirmed		OC	

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Steinhilber v. Alphonse</i> , 68 N.Y.2d 283, 501 N.E.2d 550, 508 N.Y.S.2d 901, 13 Media L. Rep. 1562 (N.Y. 1986)	Grant affirmed		Hyp, O	
<i>Suriano v. New York News</i> , 11 Media L. Rep. 1309 (N.Y. Sup. Ct. 1984)	Motion granted		FR, SubT	
<i>Szechuan Star v. Chanry, Ltd.</i> , 12 Media L. Rep. 2069 (N.Y. Sup. Ct. 1986)	Motion granted		O	
<i>Talbot v. Johnson Newspaper Corp.</i> , 71 N.Y.2d 827, 522 N.E.2d 1027, 527 N.Y.S.2d 729, 15 Media L. Rep. 1206 (N.Y. 1988)	Grant affirmed		Jur	
<i>Tatta v. News Group Publications</i> , 12 Media L. Rep. 2318 (N.Y. Sup. Ct. 1986)	Motion granted	Priv	DM	NIED, NegPub
<i>Tellier-Wolfe v. Viacom</i> , 134 A.D.2d 860, 521 N.Y.S.2d 597, 14 Media L. Rep. 2079 (N.Y. App. Div. 1987)	Denial reversed		DM	
<i>Terillo v. New York Newsday</i> , 137 Misc.2d 65, 519 N.Y.S.2d 914, 14 Media L. Rep. 1700 (N.Y. Civ. Ct. 1987)	Motion granted		GI, O	
<i>Tomasino v. William Morrow & Co. Inc.</i> , 174 A.D.2d 734, 571 N.Y.S.2d 571, 18 Media L. Rep. 2399 (N.Y. App. Div. 1991)	Denial reversed		SOL	
<i>Torres v. CBS News</i> , 24 Media L. Rep. 1183 (N.Y. Sup. Ct. 1995)	Motion granted		DM, O	FL, Misapp
<i>Velez v. VV Publishing Corp.</i> , 135 A.D.2d 47, 524 N.Y.S.2d 186, 14 Media L. Rep. 2290 (N.Y. Sup. Ct. 1988), <i>appeal denied</i> , 72 N.Y.2d 808, 529 N.E.2d 425, 533 N.Y.S.2d 57, 15 Media L. Rep. 2263 (N.Y. 1988) (Table)	Grant affirmed	Pub		Misapp
<i>Vinales v. Community Service Society of New York</i> , 23 Media L. Rep. 1638 (N.Y. Sup. Ct. 1995)	Motion denied	Priv		Misapp
<i>Virelli v. Goodson-Todman Enterprises Ltd.</i> , 142 A.D.2d 479, 536 N.Y.S.2d 571, 15 Media L. Rep. 2447 (N.Y. App. Div. 1989)	Denial reversed	Pub		IIED, Misapp, Neg
<i>Wallace v. WWOR-TV Inc.</i> , 21 Media L. Rep. 1959 (N.Y. Sup. Ct. 1993)	Motion granted	Priv		Misapp
<i>Weiner v. Time</i> , 133 Misc.2d 622, 507 N.Y.S.2d 784, 13 Media L. Rep. 1939 (N.Y. Sup. Ct. 1987)	Motion granted		DM	

CASE/CITATION	RESULT	II STATUS*	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>York v. Amos Press</i> , 11 Media L. Rep. 2319 (N.Y. Sup. Ct. 1985)	Motion granted		Jur	
<i>Gutter v. Dow Jones</i> , 22 Ohio St.3d 286, 490 N.E.2d 898, 12 Media L. Rep. 1999 (Ohio 1986)	Grant affirmed			NegPub
<i>J.V. Peters v. Knight Ridder</i> , 10 Media L. Rep. 1576 (Ohio Ct. App. 1984)	Grant reversed		DM	
<i>Vail v. The Plain Dealer Publishing Co.</i> , 72 Ohio St.3d 279, 649 N.E.2d 182, 23 Media L. Rep. 1881 (Ohio 1995), <i>cert. denied</i> , 116 S.Ct. 700 (1996)	Grant affirmed	Pub	Hyp, NPF, O, Con	IIED
<i>Drake v. Oklahoma Newspapers</i> , 683 P.2d 1347, 10 Media L. Rep. 2331 (Okla. 1984)	Grant affirmed		LOD	
<i>Jordan v. World Publishing Co.</i> , 872 P.2d 946, 22 Media L. Rep. 1796 (Okla. Ct. App. 1994)	Grant affirmed	Pub	AM	NegPub
<i>McCain v. KTVY Inc.</i> , 738 P.2d 960, 13 Media L. Rep. 2278 (Okla. Ct. App. 1987)	Grant affirmed		FR, OC, SOL	
<i>McCullough v. Cities Service</i> , 676 P.2d 833, 10 Media L. Rep. 1411 (Okla. 1984)	Denial reversed		OC, O, GrpLib	
<i>Miskovsky v. Tulsa Tribune Company</i> , 678 P.2d 242, 9 Media L. Rep. 1954 (Okla. 1983), <i>cert. denied</i> , 465 U.S. 1006, 104 S.Ct. 1000, 79 L.Ed.2d 232 (1984)	Grant affirmed		DM, LPQ	
<i>Wright v. Grove Sun Newspaper Co. Inc.</i> , 873 P.2d 983, 22 Media L. Rep. 1801 (Okla. 1994)	Grant affirmed		FR	IIED
<i>Rajneesh Foundation v. McGreer</i> , 303 Or. 371, 737 P.2d 593, 14 Media L. Rep. 1215 (Ore. 1987)	Denial affirmed		DM, O	
<i>Andrews v. Philadelphia Magazines Inc.</i> , 16 Media L. Rep. 1924 (Pa. Ct. Common Pleas 1989)	Motion granted		DM	IIED, FL
<i>Clark v. Call-Chronicle Newspaper Inc.</i> , 16 Media L. Rep. 2054 (Pa. Ct. Common Pleas 1989)	Motion granted		DM, Hyp, O	
<i>Collazo v. Kallinger</i> , 11 Media L. Rep. 1509 (Pa. Ct. Common Pleas 1985)	Motion granted			PF, UnEn

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Culver v. Port Allegany Reporter Argus</i> , 409 Pa. Super. 401, 598 A.2d 54, 19 Media L. Rep. 1638 (Pa. Super. Ct. 1991), <i>appeal denied</i> , 533 Pa. 600, 617 A.2d 1274 (Pa. 1992) (Table)	Grant affirmed	Priv		PF
<i>Gavin v. Saltzman</i> , 438 Pa. Super. 701, 652 A.2d 413, 22 Media L. Rep. 2447 (Pa. Super. Ct. 1994), <i>appeal denied</i> , 540 Pa. 583, 655 A.2d 514 (Pa. 1995) (Table)	Grant affirmed		DM	
<i>Graham v. Today's Spirit</i> , 503 Pa. 52, 468 A.2d 454, 10 Media L. Rep. 1337 (Pa. 1983)	Grant reversed		SPR	
<i>Kosor v. WPXI Inc.</i> , 21 Media L. Rep. 1956 (Pa. Ct. Common Pleas 1993)	Motion granted		DM, OC	FL, TrLib, IntK
<i>MacElree v. Philadelphia Newspapers</i> , 437 Pa. Super. 598, 650 A.2d 1068, 23 Media L. Rep. 1157 (Pa. Super. Ct. 1994), <i>appeal granted</i> , 540 Pa. 601, 655 A.2d 990 (Pa. 1995) (Table)	Grant affirmed	Pub	DM, Hyp	FL
<i>Mathias v. Carpenter</i> , 402 Pa. Super. 358, 587 A.2d 1, 18 Media L. Rep. 1818 (Penn. Super. Ct. 1991), <i>appeal denied</i> , 529 Pa. 650, 602 A.2d 860 (Pa. 1992) (Table)	Grant affirmed		DM, O	
<i>Pierog v. The Morning Call Inc.</i> , 24 Media L. Rep. 1218 (Pa. Ct. Common Pleas 1995)	Motion granted		DM, OC	FL, Int, PF
<i>Sedwick v. Perrine</i> , 22 Media L. Rep. 1025 (Pa. Ct. Common Pleas 1993)	Motion granted		O	
<i>Varner v. Greenville Record-Argus Inc.</i> , 18 Media L. Rep. 2228 (Pa. Ct. Common Pleas 1991)	Motion granted		L	
<i>Wecht v. PG Publishing Co.</i> , 353 Pa. Super. 493, 510 A.2d 769, 13 Media L. Rep. 1020 (Pa. 1986), <i>appeal denied</i> , 514 Pa. 632, 522 A.2d 559 (Pa. 1987) (Table)	Grant partially affirmed	Pub	DM, Hyp, O, Pvg	FL
<i>Rodriguez v. El Vocero de Puerto Rico Inc.</i> , 22 Media L. Rep. 1495 (P.R. 1994), <i>cert. denied</i> , 114 S.Ct. 2744 (1994)	Denial affirmed		OC	
<i>Janklow v. Viking Press</i> , 378 N.W.2d 875, 12 Media L. Rep. 1539 (S.D 1985)	Grant reversed	Pub	NR	
<i>Duncan v. Knoxville Journal Corp.</i> , 20 Media L. Rep. 1391 (Tenn. Ct. App. 1992)	Grant affirmed		Pvg	

CASE/CITATION	RESULT	II STATUS ^a	ISSUES CONSIDERED ^b	OTHER CLAIMS ^c
<i>Rogers v. Jackson Sun Newspaper</i> , 23 Media L. Rep. 1670 (Tenn. Cir. Ct. 1995)	Motion granted		FR, LPP	
<i>Shipley v. Knoxville Journal</i> , 670 S.W.2d 222, 11 Media L. Rep. 1099 (Tenn. Ct. App. 1984)	Grant reversed	Pub	DM	
<i>Cox v. Hatch</i> , 761 P.2d 556, 16 Media L. Rep. 1366 (Utah 1988)	Grant affirmed	Priv	DM, PF	FL, Int, PF, Misapp
<i>Russell v. The Standard Corporation</i> , 898 P.2d 263, 23 Media L. Rep. 2372 (Utah 1995)	Grant affirmed		SOL	
<i>Smith v. Dameron</i> , 14 Media L. Rep. 1879 (Vir. Cir. Ct. 1987)	Partial grant		DM, OC, LOD	IIED, NIED, Insult
<i>Eastwood v. Cascade Broadcasting</i> , 106 Wash.2d 466, 722 P.2d 1295, 13 Media L. Rep. 1136 (Wash. 1986)	Grant affirmed	Pub	SOL	FL
<i>Lee v. The Columbian</i> , 16 Media L. Rep. 1261 (Wash. 1989)	Motion granted		DM, OC	Int, Evdp
<i>Rhinehart v. Seattle Times</i> , 51 Wash.App. 561, 754 P.2d 1243, 15 Media L. Rep. 1512 (Wash. Ct. App. 1988), <i>review denied</i> , 111 Wash.2d 1025 (1988), <i>appeal dismissed, cert. denied</i> , 490 U.S. 1015 (1989), <i>rehearing denied</i> , 490 U.S. 1102 (1989)	Grant affirmed		FDisc	
<i>Costello v. Thompson Newspapers Inc.</i> , 21 Media L. Rep. 1799 (W.Va. Cir. Ct. 1993)	Motion granted		OC, Pdy	
<i>Locklin v. Nature Conservancy</i> , 14 Media L. Rep. 2307 (W.V 1987)	Grant affirmed	Priv	SOL	IntK

^aPlaintiff Status: Pub=Public figure; Priv=Private figure

^bIssues Considered: AM=Actual Malice; Con=Context; DM=Defamatory Meaning; Desc=Descendibility; DistLib=Distributor's Liability; FDisc=Failure to Comply with Discovery; FPlea=Failure to Correctly Plead; FPro=Failure to Prosecute; FServ=Failure to Serve; FC=Fair Comment; FInd=Fair Index; FR=Fair Report; FDoc=Fairness Doctrine; ForLaw=Foreign Law; FSIA=Foreign Sovereign Immunities Act; GI=Gross Irresponsibility; GrpLib=Group Libel; Hyp=Hyperbole; InnCon=Innocent Construction; Join=Joinder; Jur=Jurisdiction; L=Laches; LOD=Libel of the Dead; LPQ=Libel Per Se/Per Quod; LPP=Libel Proof Plaintiff; NPF=Not Provably False; NR=Neutral Reportage; OC=Of and Concerning; O=Opinion; Pdy=Parody; Pvg=Privilege; PF=Public Figure; Ret=Retraction Statute; SIR=Single Instance Rule; SPR=Single Publication Rule; SOL=Statute of Limitations; SLAPP=SLAPP Statute Applied; SubT=Substantial Truth; Tran=Transfer; Ven=Venue

^cClaims: BK=Breach of Contract; BrFid=Breach of Fiduciary Duty; CivRt=Civil Rights; Cons=Conspiracy; Conv=Conversion; Cy=Copyright; Dam=Damages; Dil=Dilution; Dis=Disparagement; Evdp=Eavesdropping; FPub=Failure to Publish; FRet=Failure to Retract; FallImp=False Imprisonment; FL=False Light; Frd=Fraud; FrdMis=Fraudulent Misrepresentation; Inct=Incitement; Inj=Injunction; InjFal=Injurious Falsehood; IIED=Intentional Infliction of Emotional Distress; IntMis=Intentional Misconduct; Insult=Insulting Words Statute; IntK=Interference with Contract; Int=Intrusion; LA=Lanham Act; Misapp=Misappropriation; Neg=Negligence; NIED=Negligent Infliction of Emotional Distress; NegMis=Negligent Misrepresentation; NegPub=Negligent Publication; NegSup=Negligent Supervision; Pft=Prima Facie Tort; Priv=General Invasion of Privacy; PF=Private Facts; ProLib=Product Liability; Pub=Right of Publicity; Ret=Retraction; RICO=RICO; San=Sanctions; TI=Tortious Interference; TrDis=Trade Disparagement; TrLib=Trade Libel; TM=Trademark; TrPre=Unfair Trade Practices; Tres=Trespass; UnComp=Unfair Competition; UnEn=Unjust Enrichment; WrDth=Wrongful Death.