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in the original ex parte hearing, five months earlier – that mother gave the reporter the complaint voluntarily.

The Court ruled that there was no evidence that the complaint was unlawfully obtained and vacated the injunction. Soon, thereafter the Superior Court of New Jersey Appellate Division and the New Jersey Supreme Court refused to grant interim emergency relief. And the complaint and its exhibits were published on The Trentonian’s website (with medical information and the name of the child redacted). The case ended in a whimper.

But maybe not. This week, the reporter filed a motion seeking the Court impose sanctions, requiring the reimbursement of the reporter’s legal costs and fees, arguing that the State “knew the Complaint was voluntarily provided,” and its reliance on the hearsay statements unnecessarily prolonged the proceedings and, perhaps, violated the Rules of Professional Conduct. Furthermore, the reporter --through different counsel than the attorney who represented him in the prior restraint proceeding -- filed a defamation claim against the State.

David Bralow and Eli Segal of Pepper Hamilton LLP represented The Trentonian. Bruce Rosen of McCusker, Anselmi, Rosen & Carvelli, P.C., Florham Park, NJ, provided pro bono



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