

Friday, November 24, 2006

A website cannot be sued just anywhere.

Kudos to fellow First Amendment Lawyers Association member Marc John Randazza and his law firm, for obtaining a dismissal of a defamation lawsuit against a website, for failure to establish personal jurisdiction against the website. The case is *Lexington Homes v. Peter Siskind*, 51-2004-CA-01018-WS (Fl. Cir. Ct. Pinellas/Pasco County, No. 51-2004-CA-01018-WS (Nov. 2, 2005)). In *Lexington Homes*, the plaintiff alleged defamation by the owner of a website that invited gripes about the plaintiff. The court found that even though some of the gripes came from Florida residents, and even though the Plaintiff was located in Florida, that was not enough by itself to bring the defendant under the jurisdiction of a Florida court, where the defendant was not shown to have any further contacts with Florida nor shown to have profited financially from the website. Thanks to Mark's firm for posting a link to the case at its website, firstamendment.com. Thanks to MediaLaw blog for posting the written dismissal order here. On a related note, our law firm successfully obtained a dismissal earlier this year of a defamation lawsuit over an e-mail posted to a martial arts e-mail listserv, where the plaintiff failed to show jurisdiction under Maryland's long-arm statute. That case is *Dring v. Sullivan*, 423 F. Supp. 2d 540 (D.Md. 2006) and is discussed on our website here. Jon Katz.

Posted by Jon Katz in First Amendment at 00:00