

coverstory

'BIG WIN' FOR WEEKLY

Court grants Weekly's SLAPP motion; Courier to pay legal fees

By Nicole Battaglia

Tuesday Los Angeles Superior Court Judge Maureen Duffy-Lewis granted *Beverly Hills Weekly's* SLAPP motion in a lawsuit brought last summer by competitor *Beverly Hills Courier, inc.*

The SLAPP (Strategic Lawsuit Against Public Participation) statute is a vehicle in which a defendant can file a motion if they were sued for matters related to freedom of speech.

"The court ruled in favor of the *Weekly* on two of the three causes of action

[intentional interference with prospective economic relations and negligent interference]. As for the third cause of action, unfair business practice, the court ruled that there's no first amendment issue, which is not necessarily a loss for the *Weekly*," said *Weekly* attorney Ronald Richards. "The *Weekly* expects to prevail on that issue at trial; however, if corrective action is necessary, the *Weekly* will be happy to do so."

"The complaint was filed on May 13,



Weekly Attorney Ronald Richards

2013. Without ever calling the *Weekly*, the *Courier*, in an attempt to interfere with the *Weekly's* business by filing this lawsuit, which has now been found to be a meritless SLAPP, carelessly filed this complaint" said Richards.

"The most important part about the ruling is that the first and second of causes action, which have now been dismissed by the court, were the only

ones seeking a money judgment for tort damages. The third cause of action simply advances a frivolous argument that fictitious business name statements need to be a certain font size, when in fact the government code imposes no such requirement," said Richards. "The *Weekly* will now be seeking a large attorney's fees award against the *Courier* which cannot be stayed by the filing of an appeal. The *Weekly* is grateful to the court for recognizing its constitutional right to publish articles and notices in the manner in which it sees fit, without the fear of a being subject to independent tort liability."

"The ruling is a huge win for us," said *Beverly Hills Weekly* publisher Josh Gross. "We are gratified to have excellent legal representation from Ronald Richards and Associates and also the Sedgwick law firm."

"I'm personally satisfied to defend a Beverly Hills business that's owned by a Beverly Hills resident," said Richards.

"This was yet another unsuccessful attempt by [*Courier* publisher] Clif Smith to obtain a monopoly in Beverly Hills. Clearly he has failed," Gross said.

coverstory

NEW BOARD OF EDUCATION SWORN IN TUESDAY

Howard Goldstein joins Board, Brian Goldberg elected VP

By Nicole Battaglia

Noah Margo was elected Board of Education President and Brian Goldberg was elected Vice President at Tuesday night's Board of Education induction ceremony at Beverly High. Board member Jake Manaster left the Board after a four year term. Howard Goldstein was sworn in for his first term on the Board.

Margo presented a mock report card to Manaster, in which he gave Manaster top marks in all but "Self Control." "He has a tendency to ramble," said Margo.

"I'm going to be uncharacteristically brief," Manaster said in his own speech, which thanked his fellow Board members and praised Superintendent Gary Woods. "He's still standing after four years," said Manaster.

Manaster left behind the Board's traditional jug of glue, and added his own bottle of super glue: "It's stronger and

faster, for the toughest jobs on earth," Manaster said to the new Board.

Howard Goldstein was sworn in by former Superintendent Dick Douglass. Vice President Brian Goldberg, Board member since 2007, was sworn in by Supervisor Mike Antonovich. Antonovich represents a San Gabriel and Antelope Valley-based district that does not include Beverly Hills.

"We should focus more on long range planning, and avoid the micromanaging of the day-to-day operations," said Goldstein.

Lisa Korbatov, board member since 2009, was also sworn in by Antonovich. In her speech, Korbatov she addressed recent Board obstacles.

"We will never cede the campus to Metro, or to any other government agency, now or ever," said Korbatov.

Korbatov also responded to parental concerns about the quantity of "bad teachers that don't inspire or relate to students" in Beverly Hills Unified.

"The inability by some in our district to make decisions is not patience. It holds the district back," Korbatov said. "Bad teachers are the result of even weaker administrators."

The Board members offered their encouragement to Noah Margo. "You follow the Golden Rule of teaching: 'Never be boring,'" said Board Member Lewis Hall.

Korbatov praised Margo for his effectiveness.

"I do forgive you for your cheeky ways," Korbatov said.

Margo thanked the Board for their welcome.

"Does everyone love the staunch conservative [Korbatov] giving the liberal [Margo] praise for being conservative?" said Margo. "I want to welcome the return of Mrs. Korbatov. If that sounds like a horror story, it is. For Metro."

"I want to make the private schools nervous," Margo said.



Former Superintendent Dick Douglas (Right) swears in Howard Goldstein (Left)