

Wednesday, January 23, 2008

### **Who is Maryland's 2007 legal newsmaker?**

À À Image from Library of Congress's website.À Recently I learned that a legal affairs writer suggested, on the MarylandÀ Daily Record's blog, that I might have been among Maryland's top 2007 legal newsmakers in terms of havingÀ "the greatest impact â€" positive or negative â€" on Maryland law or the Maryland legal community", for my defense of the First Amendment in Snyder v. Phelps, et al. In this litigation, and as detailed here, IÀ defendedÀ the Westboro Baptist Church and its pastorÀ against counts of defamation (count dismissed on summary judgment), intentional infliction of emotional distress and invasion of privacy for church members' very strong messages (quite the understatement) while picketing on a street in Westminster, Maryland,À before the funeral proceedings for a soldier killed in Iraq.À À I did not know how much of a grain of salt to take with the suggestion that I might be one of Maryland's top 2007 legal newsmakers. On the one hand, the rigor of the list is brought into question by theÀ writer's inclusion of Paul Minnich alongside my name, even though it was two of his co-counsel who were the onlyÀ lawyers at trial for the plaintiff and at the depositions; perhaps mistaken identity took hold, possibly all the more from the parties having been subjected to a gag order throughout the trial. On the other hand, I am more than happy for the recognition, to the extent that it recognizes my ongoing fight for robust First Amendment rights, so that perhaps others will be influenced to join the same fight. The irony is not lost on me that during my fight for the First Amendment in this case, all lawyers were gagged from speaking with the press about the case, untilÀ after the jury returned its verdict. Jon Katz.À ADDENDUM - Pending before the Maryland federal trial court in the Westboro Baptist case are timely-filed post-trial defense motions including a motion to reduce the jury verdict, and a motion to stay the judgment pending appeal.

Posted by Jon Katz in Jon Katz in the News at 00:00