

Defamation Attorney Secures Win for Client

SAN FRANCISCO, Calif., Oct. 14, 2020 (SEND2PRESS NEWSWIRE) – [Defamation Attorney](#) Rohit Chhabra has successfully prevented a lawsuit from proceeding that punished his client for exercising his free speech rights.

Plaintiff, an author and attorney, published a book about California’s justice system, in which he wrote that judges were “mentally ill, and [that] the whole system is stacked in favor of prosecutors and police,” per the court’s findings.

Chhabra states, “Our client, the defendant in this matter, expressed his opinion and stated that plaintiff is spreading conspiracy theories. Plaintiff contended this to be defamatory speech and filed a lawsuit. We found this as an abusive action to silence our client, and filed an [anti-SLAPP](#) motion.”

“The court agreed with us that plaintiff was at the very least a limited public figure and had failed to establish a showing of actual malice. Regardless, the court also determined that our client’s statements were opinion,” Chhabra continues.

The court explained “... defendant’s assertions are matters of opinion, not fact. Plaintiff seems to regard it as obvious that ‘conspiracy theory’ is an accusation of fact, not opinion. ... In today’s political sphere and public discourse, labeling one’s opponent’s views as a ‘conspiracy theory’ is a pejorative characterization of the opponent’s views – much like labeling one’s opponent as fascist, communist, racist, hypocritical, pro-crime, anti-farmer, moronic, irrational, and so on and so on. Plaintiff posits no understanding of the term ‘conspiracy theory’ that is susceptible to factual proof or disproof.”

“The court provided a very thoughtful analysis, meticulously dissecting each issue. Advocates of free speech should rejoice this decision,” concludes Chhabra.

The case is Tully v. Chouinard, CIV-MS20-01019 (Contra Costa Sup. Ct. 2020).

About the Firm:

Chhabra Law Firm, PC is a San Francisco, California, based law firm that assists both plaintiffs and defendants in defamation related matters. We assist clients in pursuing as well as opposing anti-SLAPP motions. Chhabra Law was established in 2015 as an alternative to large law firms.

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