

Trump

By: Jack Greiner on September 18, 2009 on graydon.law

A judge in Camden, New Jersey, recently dismissed a libel case brought by Donald Trump against author Timothy O'Brien, alleging that O'Brien's 2005 book on Trump improperly questioned Trump's status as a billionaire.

In January 2006, Trump, sued O'Brien and the publisher, Time Warner Book Group Inc., over the publication of the book "TrumpNation: The Art of Being the Donald." Trump contended that O'Brien incorrectly wrote that Trump was worth from \$150 million to \$250 million.

The court dismissed Trump's case because it found Trump couldn't prove that the defendants published the information about Trump's net worth with "actual malice." In libel cases, public figures like Trump are required to show not only that the information is false, but also that the defendant published the information with knowledge that the information was false or with "reckless disregard" for its truth or falsity. It's a tough standard, and it provides valuable cover for news organizations.

Interestingly, both sides are claiming victory. O'Brien and Time Warner claim victory because they, you know, won. Trump, on the other hand is pointing to evidence he presented in the case that he says establishes that his net worth is between \$5 - 6 billion. Trump also has indicated that he will appeal the decision.

Of course, I can't help but wondering if Trump has called his lawyers into his conference room and told them "you're fired."