



Judge Crushes Courtney Love's Attempt to Duck Libel Lawsuit

Says 'Howard Stern Show' and Pinterest statements "could be found to be malicious by a jury"

Though she prevailed in her [January "Twibel" case](#), Courtney Love wasn't so fortunate in a Los Angeles courtroom on Thursday. On February 20, Judge Michael L. Stern denied her [anti-SLAPP](#) motion to strike a libel lawsuit filed against her by fashion designer Dawn Simorangkir who, in 2011, settled a [defamation lawsuit](#) against Love dating back to 2009 to the [tune of \\$430 000](#). Love was not present in the courtroom for the latest decision.

In 2013, [Simorangkir filed suit](#) against Love over remarks the latter made on a May episode of [The Howard Stern Show](#). She'd accused Simorangkir of stealing from her and said the theft was captured on camera. Love also suggested Simorangkir had been involved in prostitution. Additionally, she posted a series of negative statements about the designer on Pinterest, which Simorangkir alleges have injured her reputation and caused "shame" and "mortification."

The Hole singer's lawyers argued that the libel case was filed to "chill Love's constitutional right of speech," saying the statements were made in a public forum and are a matter of public interest. They also claimed that Simorangkir is a celebrity — and therefore less protected from defamation — because she has been the subject of numerous magazine articles, and posts on her website about her famous affiliations. The latter included sharing a photo of herself with Love.

"Plaintiff nevertheless became involved in an issue of public interest by her involvement with Ms. Cobain and other celebrities, thus voluntarily subjecting herself to the inevitable scrutiny of the public and media," wrote Love's attorneys. "Because Ms. Cobain's statements concern both herself and Plaintiff, both of whom are celebrities, Ms. Cobain's statements concern matters of public interest and/or public issue."

Additionally, they claimed that viewers of Internet postings regard them with "skepticism" and that "no reasonable reader would understand the rant to be a statement of fact," referring to Love's Pinterest dis. Her own lawyers described that as "nonsensical, hard to read, replete with typos, grammatically incorrect." They also pointed out that on Stern's show, Love apparently said Simorangkir "allegedly" stole from her. Okay.

Judge Stern was skeptical. "The statements here are not on a matter of public interest," he said. "There is no showing by the defendant that the plaintiff is a public figure in any way or that the matter was in the public eye, involving a topic of widespread public interest and ongoing discussion." He added that the statements "are slanderous on their face" and that they very well "could be found to be malicious by a trier of fact or a jury."

He added that the "Plaintiff has met her burden of proof showing she could prevail on the merits of the case," and noted that "the malice part is particularly egregious here" due to the fact that Simorangkir and Love had already resolved a prior lawsuit regarding allegedly slanderous statements. The judge told Love's lawyers to respond to the complaint by March 5, and set a case management conference for April 29.

"I think the judge got it right on," Simorangkir's lawyer Jesse Kaplan told SPIN. "He's obviously looked at all the papers and I think his ruling was very telling. Not only did he deny the anti-SLAPP motion, but he went into detail concerning the egregious nature of the statements at issue. He said it's really malicious especially based on the prior lawsuit and yet Courtney Love still goes on the air in these public forums and decides to maliciously defame my client."

Marc Gans, attorney for Love, had no comment.