

THE HOLLYWOOD REPORTER

JANUARY 12, 2011



INSIDE IDOL'S B GAMBL

New voting, new set, music
faster eliminations: behind
scenes of TV's top-rated s
as it fights to get its cred b
(psst: it's not about the jud

... BUT WILL THEY WAIT
THR'S EXCLUSIVE IDOL

Disease and Hell in Haiti with Sean Penn

LIVING IN A TINY ROOM,
THE ACTOR IS STILL
SAVING LIVES ONE YEAR
AFTER THE QUAKE

The Making of True Grit

THE COEN BROTHERS
ON JOHN WAYNE,
AND AUDITIONING
15,000 MATTIES

From left:
Ryan Seacrest,
Jennifer Lopez,
Steven Tyler and
Randy Jackson



0 71896



REMEMBRANCE
AN ACTOR'S ACTOR
 Pete Postlethwaite, by director Jim Sheridan. **P.16**



TELEVISION
ASSANGE TV
 The race is on to sell WikiLeaks documentaries. **P.16**



DEALS
FILM CASTINGS
 Olivia Wilde joins Chris Pine in *Welcome to People*. **P.20**

Celebrity Tweets on Trial

Courtney Love heads to court for the first-ever defamation showdown over Twitter rants

By Matthew Belloni and Eriq Gardner

COURTNEY LOVE WAS VERY UPSET. The firebrand rocker had been locked in a dispute with Dawn Simorangkir, a fashion designer who was demanding payment for a few thousand dollars worth of clothes.

So on March 17, 2009, Love took to her Twitter account and began hurling a stream of shocking insults at the designer known as the "Boudoir Queen." Love's tweets, which instantly landed in the Twitter feeds of her 40,000 or so followers (and countless others via retweets), announced that Simorangkir was a drug-pushing prostitute with a history of assault and battery who lost custody of her own child and capitalized on Love's fame before stealing from her. "She has received a VAST amount of money from me over 40,000 dollars and I do not make people famous and get raped TOO!" Love wrote.

That tirade, along with others the Hole frontwoman unleashed on social media platforms including MySpace and Etsy.com during the next four days, form the basis of a unique lawsuit headed to court in January: the first high-profile defamation trial over a celebrity's comments on Twitter.

"There has never been anything like this case before," says Simorangkir attorney Bryan Freedman, who will attempt to convince a Los Angeles jury that Love's false statements destroyed his client's fashion career, thus entitling her to potentially millions of dollars in damages.

In an age when public figures from Kanye West to

Ryan Seacrest communicate influential messages to thousands — sometimes millions — of followers on social platforms, the Love case raises the question of whether celebrities, like the news media, should be liable for what happens if they intentionally put untrue and damaging statements in front of their loyal readers.

"We don't believe there's any defamation, and even if there were defamatory statements, there was no damage," says James Janowitz, an attorney for Love.

A key to the case, say First Amendment lawyers, could be whether an average Twitter user would interpret Love's vicious tweets as facts rather than merely her opinion.

"I'll be interested to see if the court gives people posting on Twitter more latitude than other media," says Alonzo Wickers, a defamation expert who has handled matters for such media clients as Comedy Central and TMZ.

"The way Twitter is evolving, it seems to be more of a means to express opinion. I would hope courts give tweets the same latitude as they do an op-ed piece or a letter to the editor."

To aid her case, Simorangkir plans to call to the stand Jessie Stricchiola, a social media expert who was tasked with studying how many people saw the Love rants and what kind of credibility is given to statements made on a casual forum like Twitter. Stricchiola will report her findings at trial.

Love, who is scheduled to testify in court, already gave a deposition in the case, during which she argued that she was only repeating in her tweets what she had



THR HEAT



▼ **DAVID Z**
 Yes, the Dis head launc long-gesta with Oprah But he was fo cancel a planned U re-enacting the au Michael Jackson a Jackson estate an around the world t revolted in disgust



▲ **THE COEN BRO**
True Grit will sail p \$100 million this w besting their previo office champ, *No C Old Men* (\$74 millio

▼ **CHRIS SPARLIN**
 The *Buried* screenv committed a major Oscar faux pas, sen ing a letter to Acad members fawning own script. Worse, licists at mPRm ap reviewed it first.

Showbiz S Best/Worst

▲ +218.9%
NETFLIX
 2009 close: \$55.09
 2010 close: \$175.70

▼ -26.2%
DREAMWORKS ANIMATION
 2009 close: \$39.95
 2010 close: \$29.47

CLOCKWISE FROM TOP LEFT: UNIVERSAL/COURTESY EVERETT COLLECTION; PETER MACDIARMID/WPA POOL/GETTY IMAGES; JOHN SCULLI/GETTY IMAGES; DISCOVERY NETWORK; VITTORIO ZUNINO CELOTTO/GETTY IMAGES; STEPHEN LOVEKIN/GETTY IMAGES.