

# Courtney Love Back in Trouble in Latest Defamation Lawsuit

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## A California judge won't let the singer off the hook in a dispute over comments made on Pinterest and the Howard Stern Show.



Courtney Love

AP/Invision

**Courtney Love** was the first celebrity to stand trial over an allegedly defamatory statement she made on Twitter. Is she about to become the first to face a jury over what she said on Pinterest?

Less than a month after the rock star made international headlines by **winning** her "Twibel" trial, her attorneys were back in a Los Angeles court on Thursday morning in an effort to stop a lawsuit from fashion designer **Dawn Simorangkir**.

This time, the judge hearing the case wasn't very impressed with Love's arguments. Judge **Michael Stern** rejected an anti-SLAPP motion and called Love's conduct "egregious."

Simorangkir actually **was the first** to sue Love over tweets.

After the designer known as the "Boudoir Queen" pressed Love for money owed on clothes, Love took to her Twitter account in March of 2009 and began hurling a stream of shocking insults towards Simorangkir.

The dispute never got to trial because Love agreed to pay \$430,000 to Simorangkir to settle it.

Then, Love began typing again.

According to a **second lawsuit** that followed, "Simorangkir has again found herself to be a target of Love's obsessive behavior, this time on Pinterest, a popular social media website...In narcissistic fashion, Love flagrantly taunted Simorangkir about Love's

power and influence: 'oh wait i have 5500 followers you have what? a few hundred on pinterst, hmmm dawn wonder why, oh right im me.'"

Among the allegedly defamatory things Love wrote: "'you stole 36 bags of clothing on cctv" and "you stol;e 36 bags of my txtiles and designs and are still using my designs."

Simorangkir also pointed to Love's appearance on **Howard Stern's** show, where the two talked about the singer's Twitter habits. There, she accused the fashion designer of stealing and engaging in prostitution. Stern responded, "You can't just blurt things out."

And so even with the shock jock's admonishment, Love found herself facing yet another libel claim.

Love attempted to stop this one by arguing in an anti-SLAPP motion that the plaintiff was unlikely to prevail in the case. Her attorneys came fairly close to suggesting that *nothing* on the Internet could ever be defamatory.

According to her motion, "Pinterest, by its design, limits postings to only 500 characters and thus encourages short, stream-of-consciousness style posts full of unfiltered opinions. Conversations (about any topic imaginable) occur when people communication back and forth to each other on Pinterist. So, because an allegedly defamatory statement came from the Internet, and specifically a website like Pinterest, is a reason to immediately doubt that the statement was anything more than nonactionable opinion. Viewers of Internet postings know that such content may be inaccurate and regard it with skepticism."

Love also argued that her Stern interview was "couched in non-definite language," not provably false, and that the plaintiff lacked convincing evidence that Cobain's statements were made with actual malice.

All that said, her anti-SLAPP motion failed because the singer's attorneys couldn't demonstrate that the complained-about statements were in furtherance of her First Amendment rights in connection with an issue of public interest. Rather surprisingly, and in contrast to **a ruling** concerning the **Kardashians** just this past week, the judge said there was no showing that statements made were of public interest nor in the public eye.

Judge Stern didn't need to get to the second prong of a SLAPP analysis -- whether Simorangkir was likely to win -- but nevertheless said that the plaintiff had met a burden of proof.

And then, making matters even worse for Love, the judge ruled that Simorangkir was not a public figure -- *not even a limited-purpose public figure*, meaning that if this case ever gets to trial, Simorangkir won't have to show malice on Love's part to prevail in her defamation claim. Her attorneys will probably have difficulties using the winning formula in last month's trial. There, Love called herself a "**computer retard**" in navigating social media and also raised a "I believed it when I said it" defense.

Judge Stern didn't address Love's view that the Internet is a hyperbolic place where opinions fly. That defense appears to still be on the table for now.

The judge set a conference for late April, hinting that the parties might wish to settle once again. Simorangkir is represented by **Bryan Freedman** and **Jesse Kaplan** at Freedman + Taitelman while Love is represented by **Richard Dongell** and **John Lawrence** at Dongell Lawrence Finney.

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