

"Libel Tourism's Trip Gets Cut Short," Los Angeles Daily Journal

Publications

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In this installment of the "Content Matters" column, Jenner & Block Partner Andrew J. "A.J." Thomas and Associate Christina Avedissian examine the first federal appellate court decision that applies a federal law enacted to curb "libel tourism" — a form of international forum shopping in which plaintiffs file libel suits against U.S. authors and publishers in foreign jurisdictions with lax free speech protections, then seek to enforce those judgments in the United States. In September, 2013, the Fifth Circuit affirmed a trial court decision in *Trout Point Lodge, Ltd. v. Handshoe*, holding that a Canadian defamation judgment against an American blogger could not be enforced in the United States because it did not satisfy the requirements of the SPEECH Act (Securing the Protection of our Enduring and Established Constitutional Heritage Act). The authors discuss how *Trout Point Lodge* signals that the SPEECH Act will apply broadly, though the decision suggests the Act's protection may depend in some cases on predictions about how a domestic court would apply its default judgment procedural rules.

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