

Bond Case Briefs

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Davidson v. Baird

Court of Appeals of Utah - January 10, 2019 - P.3d - 2019 WL 150669 - 882 Utah Adv. Rep. 18 - 2019 UT App 8

City manager, city official employed by manager, and consulting company brought defamation action against member of city council, online newspaper, and individual who posted comments online after defendants voiced concerns over management of city.

The Seventh District Court granted summary judgment in favor of defendants, and plaintiffs appealed.

The Court of Appeals held that:

- Statements made about city manager, which included a statement that city manager “destroyed” the previous city that employed her, were expressions of pure opinion;
- Statements concerning the number of employees who left employment at city manager’s previous location of employment, were substantially true;
- City official and consultant company hired by city manager were public figures;
- Plaintiffs did not provide sufficient evidence to show that defendants acted with actual malice;
- Plaintiffs could not sustain defamation claim based on statements from journalist;
- Plaintiffs failed to provide evidence that city council member knew, or recklessly disregarded the possibility, that any of his statements were false;
- Plaintiffs could not sustain intentional interference with economic relations claim; and
- Plaintiffs could not sustain intentional infliction of emotional distress claim.