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UFO UpDates Mailing List

Re: Friedman v Randles

From: MWayne@bigfoot.com (Michael Malone)
Date: Tue, 25 Feb 1997 16:15:12 -0600
Fwd Date: Tue, 25 Feb 1997 19:52:37 -0500
Subject: Re: Friedman v Randles

>Date: 24 Feb 97 20:54:49 EST
>From: Peregrine Mendoza <101653.2205@CompuServe.COM>
>To: UFO UpDates <updates@globalserve.net>
>Subject: Re: Friedman v Randles

>The Duke of Mendoza presents his compliments.

>Since I am quoted in this--

>> Date: Sun, 23 Feb 1997 14:39:24 -0600
>> To: UFO UpDates - Toronto <updates@globalserve.net>
>> From: MWayne@bigfoot.com (Michael Malone)
>> Subject: Re: UFO UpDate: Re: Friedman v Randles

>--a propos--

>>>Date: 22 Feb 97 17:18:34 EST
>>>From: Peregrine Mendoza <101653.2205@CompuServe.COM>
>>>To: UFO UpDates <updates@globalserve.net>
>>>Subject: Friedman v. Randles (was 'Libel')

>--I guess I should respond. (Very polite, we are, Dukes, as a class.)

Thank you, you are indeed a class act.

>There are two questions about the MEN article: (a) Is it actually
>defamatory of Stan Friedman? and (b) Could it be deemed to have
>decreased his earnings as a result?

Perhaps I didn't make it clear that I wasn't supporting STF's action, his choice of legal venue, his "correct" or "proper" status in initiating such an action. I am only of the opinion that when someone attacks your livelihood, then you are duty bound to respond.

>(a) What does JR actually say about HH and in particular STF?

That is for a jury or a court or an out of court settlement to decide. While I actually agree with you in that I would not have found, if I had been on a jury, that the statements were worthy of action, I have never agreed that STF had a case. Only that he had the duty to respond if his livelihood had been attacked.

>(b) Did STF suffer any material damage?

>To answer that one would need to know (i) the capacity of the hall
>(ii) the break-even point, ie how many tickets had to be sold at what
>price to cover STF's fee, hiring costs, administration &c &c
>(iii) how many tickets were sold, and (iv) whether STF was paid the

>fee he demanded.

I'll bow to your superior knowledge of English libal law, however in the United States, Future earnings would also be considered. As to the rest of your musings, I find them extremely valid and would like an answer to them myself.

>(c) Other musings

>I would really like to know who initiated this action. Did Harris >suggest suing for libel to Stan, or did Stan suggest it to HH? Would >Stan like to enlighten us about that, too?

>Yes, the legal issue is over and done. But it has become plain from >the exchanges on this thread that some think the action was indefen- >sible morally, took advantage of the British legal system to embarrass >and discomfort Jenny Randles (would STF have sued for libel in a US >court, in the same circumstances?), that STF's action rankles deeply >still, and he (regardless of his views on UFOs) is held in some >despite as a consequence. All that *needed* to be aired, not least so >that Stan knows how he's regarded by people who are *at least* his >equals, and so that he can justify himself to them *by addressing >_their_ objections* - perhaps we are all horribly mistaken, after all; >we should certainly like to be reassured - *not* the historical >record. It is not as easy as "defamation is defamation", and STF >is being obtuse if he thinks that that is a compleat answer.

>Just so everyone knows: I have had a few public run-ins with Jenny >and think she draws as many unwarranted conclusions from her data as >I think Stan does from his. This is not - for me - a debate about the >quality of anyone's work. It is about whether the law served justice, >and indeed whether justice was what was sought in the first place. In >this (as so often before), I believe justice was not served. Only >those involved in bringing the action can illuminate the latter point.

>The medium is the message. I see by the papers that the MEN had the >ill grace to publish the names and whereabouts of a few convicted >paedophiles lately, with the result that one unfortunate innocent >lookalike pensioner had the shit kicked out of him by an outraged mob. >The MEN editor "accepted no responsibility for the incident". (Inde- >pendent, 24 Feb 97, p1) That's the kind of paper we're talking >about. In Jenny, we are talking about a person whose moral standards >are a million miles removed, and in an hygienically upward direction, >from that kind of meretriciousness.

>I think it's time we heard from Stan again.

I agree.

Michael

--

Michael Malone
Kilo Foxtrot Four Mike Yankee X-ray

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