

Rocker Love Says Her “Vile” Tweets Warned Public



In a somewhat incoherent argument for dismissing a first-of-its-kind libel case against her, rocker Courtney Love says she was providing a “warning to consumers” when she denounced a fashion designer in several Twitter postings.

“As a musician and artist, I believe strongly in free speech rights, and I further believe strongly in the right of consumers to publicly warn other consumers about unscrupulous vendors,” Love says in a court declaration in which she accuses **Dawn Simorangkir**, aka “Boudoir Queen,” of a “malicious attempt” to “gouge” money from her.

The declaration is attached to an anti-SLAPP **motion** to strike what is believed to be the first Twitter-libel lawsuit. Simorangkir alleged in the **complaint** that Love defamed her by, among other things, saying in “vile” Twitterings that she “has a history of dealing cocaine” and calling her an “asswipe nasty lying hosebag thief.”

California’s anti-SLAPP law protects “any written or oral statement or writing made in a place open to the public or a public forum in connection with an issue of public interest.” If a defendant makes a threshold showing that the challenged statement is subject to the law, the plaintiff must demonstrate a probability of prevailing on her claims.

Love argues that Twitter is a public forum and she spoke on a matter of public interest by warning “other consumers about her nightmare experience with Simorangkir and Simorangkir’s pattern of criminal and bad faith conduct.” She says she hired Boudoir Queen to make custom pieces of clothing from raw materials she gave her but the designer held the clothing “hostage” after she refused to pay an inflated invoice.

But the motion goes on to say that Simorangkir cannot show a probability of prevailing because

The problem here is how Love can argue her statements constituted a warning to consumers about Boudoir Queen’s business practices — if those very same statements cannot be “reasonably construed as stating an ‘actual fact.’”

Making matters still more confusing, Love goes on to say that “To the extent that the statements *do* contain provably false facts that *are* reasonably understood as regarding Plaintiff, they are true and accurate as far as Love understood them.” From conversations with Boudoir Queen, she “had personal knowledge of some of these facts — the theft, ‘blackmail,’ breach of contract, price gouging, drug and alcohol abuse.”

The case is certainly shaping up as a no-holds-barred battle, with each party being represented by high-profile attorneys. **Bryan J. Freedman**, for Simorangkir, has represented gossip blogger Perez Hilton in several lawsuits; **Keith A. Fink**, for Love, is well-known for filing sexual harassment suits against American Apparel CEO Dov Charney.

If Love is to prevail on her anti-SLAPP motion, she may need to sharpen her arguments. As things stand now, she seems to be trying to have her cake and eat it, too.