

## **Magazine Malaise**

### **Defamation and False Light invasion of Privacy**

An alternative magazine with a national circulation was sued for defamation and false light invasion of privacy after a special Anniversary Edition misidentified a college athlete as having abused cocaine in a championship game. An independent fact-checker for the magazine even confirmed the student's name with the college registrar. In reality, the drug problem belonged to a team member with a similar name. After filing a motion for summary judgment based upon the public figure status of the plaintiff and the publication's lack of actual malice, the parties settled for a reasonable sum. The legal fees were staggering – well into six figures.

### **Negligence (Contextual Errors and Omissions)**

A teen magazine was sued for negligence after publishing an advice column regarding the use of toothpaste to banish blemishes. A young girl received a burn on her face after following the publication's advice. A broad form errors and omissions endorsement with coverage for bodily injury responded to this claim.