

NEW YORK NEWSPAPER PUBLISHERS ASSOCIATION, INC.

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- Syracuse—The Post-Standard
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- White Plains—The Journal News

April 10, 2008

The Honorable David Paterson
Governor of the State of New York
Executive Chamber
State Capitol
Albany, New York 12224

Dear Governor Paterson,

On Monday, March 31, the state Legislature unanimously passed a bill that would shield New York based journalists and media companies from foreign libel judgments designed to silence them through harassment and intimidation. We expect the bill will soon be before you for consideration, and urge you to sign it into law.

The bill, sponsored by Sen. Dean Skelos and Assm. Rory Lancman, overturns a 2007 New York Court of Appeals decision in which the court declined to shield a New York author, Dr. Rachel Ehrenfeld, from a foreign libel judgment won by a Saudi businessman. In retaliation for naming him as a source of terrorist funding, he sued her in England, where it is nearly impossible to defend against a libel suit. Twenty-three copies of her book, “Funding Evil: How Terrorism is Funded – and How to Stop It,” were sold there. Dr. Ehrenfeld was only the latest of a number of journalists he has sued in the plaintiff-friendly English courts.

Dr. Ehrenfeld was not financially able to defend what would likely have been a hopeless case in England, and the Saudi businessman won a \$225,000 default judgment against her. She asked the New York courts to shield her from the judgment, but the Court of Appeals declined, saying state law would not permit such an action.

This bill amends the state's Civil Practice Law and Rules to declare that foreign civil judgments are unenforceable in New York unless the foreign defamation law provides the same free speech protections guaranteed under our own laws.

The effect of this legislation would be to provide New York media companies, authors and journalists with a shield from self-censorship for fear of being sued after publishing works that the subject of a story or book might find objectionable. This legislation would preserve the ability of journalists to be free from harassment in courts in other countries where First Amendment rights do not exist.

We respectfully request that you sign this very bill into law, enabling journalists to continue to follow important stories of great public interest, even when the trail leads outside our country's borders.

Yours Truly,



**Diane Kennedy
President**