

The Press Enterprise

Judge orders actor to pay legal fees

LAWSUIT: Former TV star Burt Ward told to pay after his defamation case is dismissed.

11:39 PM PDT on Friday, August 20, 2004

The Press-Enterprise

RIVERSIDE - A judge ordered actor Burt Ward on Friday to pay The Press-Enterprise \$51,201 in legal costs the newspaper incurred to defend itself against his libel suit, which was dismissed in June.

Riverside County Superior Court Judge Roger Luebs ruled Ward must pay the attorney fees within 30 days.

Ward sued the newspaper and reporter Paige Austin in November 2003, contending he had been defamed in an article about contaminated water runoff possibly originating from his wife's dog-rescue operation in Norco.

Another judge, Sharon Waters, ruled June 25 that the former "Batman" television star failed to make his case for a jury trial. She dismissed the case based on a state statute that protects against lawsuits meant to chill free speech.

"Part of the protection offered by the ... statute is to require those who file meritless lawsuits to bear those lawsuits' inevitable financial burden," said Russell F. Coleman, general counsel for Belo Corp., which owns The Press-Enterprise.

"Through fee awards like this, individuals are prevented from using costly litigation to chill speech that they simply don't like," he said.

Paul Hoffman, a Venice lawyer representing Ward, said after the June hearing that Waters misapplied the statute in a libel case he considered to be among the strongest he had seen in nearly 30 years. Ward has filed a notice of appeal in the state 4th District Court of Appeals in Riverside, but has not yet filed opening briefs outlining the appeal.

"The Press-Enterprise has continually stood by our reporting in this case. It is gratifying that the court agreed with us," said John Gryka, managing editor.