

Katten Successfully Represents Cumulus Media in Illinois Appellate Court Defamation Case

April 21, 2015

A recent *Chicago Daily Law Bulletin* article describes Katten's successful representation of Cumulus Media, a large broadcasting company owning many radio stations throughout the United States, in a sexual defamation case in the Appellate Court of Illinois. Cumulus, along with the *Chicago Sun-Times* and *Fox News*, were sued for defamation arising out of articles each media outlet published regarding a Northwestern University undergraduate student's filed complaint that a tenured philosophy professor sexually assaulted her. The headline in each publication indicated the student had been raped, which the professor claimed was far more disparaging than the claim of sexual assault. The trial court dismissed the case with no leave to amend based on the client's innocent construction defense. The decision was appealed by the professor.

The Appellate Court affirmed the lower court's complete dismissal of the professor's complaint. The court specifically upheld the denial of the professor's request to replead his complaint, finding that it would be futile. The Katten team included partner Floyd A. Mandell (Intellectual Property Litigation), with assistance from special counsel Carolyn M. Passen (Intellectual Property), associate Eugene E. Endress (Intellectual Property) and partner Howard Rubin (Appellate and Supreme Court Litigation). ("Defamation Suit Against News Outlets Dismissed," April 21, 2015)

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