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GREENLEAF DEVELOPMENT TO ADVANCE DEFAMATION LAWSUIT AGAINST INVESTIGATIVE POST DESPITE RULING FINDING PLAINTIFFS TO BE “PUBLIC FIGURES”

Buffalo, NY – In April of this year, Greenleaf Development and Construction, LLC and its principal/CEO, James R. Swiezy, commenced a defamation lawsuit against Investigative Post and its reporter, Dan Telvock. The suit alleges that Investigative Post and Mr. Telvock intentionally published falsities about Greenleaf and Mr. Swiezy during reporting on a local student housing project undertaken by the company.

“We believe that Investigative Post overstepped journalistic ethics and demonstrated actual malice toward our company in reporting on one of our many transformational housing developments happening within the City of Buffalo,” said Mr. Swiezy.

In response to the lawsuit, Investigative Post has sought to better its chances of escaping liability for this alleged false reporting by seeking to have Greenleaf and Mr. Swiezy declared “public figures.” Under the law, a media outlet is free to defame a public figure without risk of liability so long as it does so without “actual malice.”

By order filed December 21, 2017, the Court granted Investigative Post’s motion to deem Greenleaf and Mr. Swiezy to be public figures, thus requiring the plaintiffs to prove at trial that Investigative Post defamed them with actual malice.

“I respectfully disagree with the Court’s finding that Greenleaf and me are public figures and will appeal that determination,” said Mr. Swiezy. “It is a very slippery slope when private business leaders are treated as public figures; however, whatever the outcome of our appeal, we will press forward with our claims because I have every confidence that the nature and magnitude of Investigative Post’s and Mr. Telvock’s inaccurate and intentional untruths in their reporting demonstrate actual malice toward my company and me.”

Greenleaf Development’s full complaint is available at <http://greenleafbuffalo.com/news>.

Greenleaf Development is a property management, construction and development company that currently owns and operates over 100 buildings and nearly 500 apartment units in the City of Buffalo and Western New York. The company is committed to providing safe, affordable quality apartments in the region and has been actively involved in real estate management and development since 1986.

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