

## **Former Chicago TV Reporter Cannot Maintain Defamation Action Against Rival Station**

A Chicago television reporter was not defamed when a rival station aired a segment showing the reporter in a halter-top bathing suit at the home of the husband of a missing woman in a highly publicized investigation.

A Cook County judge found that the reporter, Amy Jacobson, was a public figure for all purposes because, among other things, she described herself as a “well known” reporter and her agent called her a “very prominent” figure with “great name recognition.” As a result, in order to maintain a libel action, the reporter must show actual malice by the station reporting the incident, the judge noted in his opinion. Because she could not prove actual malice, the court dismissed her defamation claim, as well as her other claims.

During the 1:45 minute news segment aired on CBS’s Chicago affiliate CBS-2, a journalism professor commented that the reporter’s appearance at the husband’s home was “a conflict of interest.” The segment also reported that neighbors said she had been to the house “frequently since his estranged wife’s disappearance.” The segment also noted that “though she’s covered the story, she’s never mentioned her social relationship with Stebic or his family.” The story also said the reporter was in “hot water” as a result of her actions.

Jacobson claimed that “the text of the broadcast, juxtaposed with the images of her and Stebic in bathing attire, was defamatory in that it implied a want of integrity in her profession and portrayed her as an adulteress,” the opinion notes.

“Jacobson can hardly claim that CBS had reason to know that the ‘hot water’ statement was untrue, when, in fact, it was reported in the Chicago press before the broadcast, along with the additional facts that she had been taken off the Stebic story, told to hire a lawyer, and faced discipline from her employer ranging from reprimand to termination,” the opinion states.

The court also found that the reporter could not claim that CBS knew that the statements about her visits to the Stebic home were untrue, “when, in fact, neighbors had told CBS reporter Mike Puccinelli about it, and two neighbors . . . later testified that they personally witnessed numerous visits.”

Finally, the court found that there was no intended innuendo that the reporter was involved in a sexual relationship with Stebic because those involved in writing the script and editing the video “were unanimous in denying that they intended to imply a sexual relationship or anticipated that anyone would jump to such a conclusion.”

In addition to the defamation count, the court dismissed Jacobson’s other claims for false light, intentional infliction of emotional distress, and interference with business relations.

*Amy Jacobson v CBS Broadcasting, Inc.*, Circuit Court of Cook County, No. 08 L 7331, issued July 2, 2013.