

Judge: Lies in Lance Armstrong Book Protected by First Amendment

by Anthony Caruso on September 16, 2013

Disgraced cyclist Lance Armstrong is facing a slew of lawsuits, ranging from sports law violations and contractual disputes to allegations of fraud. Although he may face considerable losses and incur heavy litigation costs from various lawsuits, a judge has put one issue to rest and ruled in Armstrong's favor.

U.S. District Judge Morrison England ruled that Armstrong's repeated denials of doping and performance-enhancing drug use in his biographies is protected under the First Amendment right to free speech. The ruling put a class-action suit against the seven-time Tour de France winner by a group of his readers to rest, and may have also provided some clarification about how lies and inaccuracies that appear in print may be treated in future cases.

The readers sued Armstrong for \$5 million in damages, citing allegations of fraud and false advertising. The group said they would not have bought his books "It's Not About The Bike" and "Every Second Counts" had they known his claims about doping were false. However, England ruled that while his statements were misleading, they do not stack up to claims of fraud or fall under the parameters that need to be met to justify false advertising accusations.

"The content of the Armstrong books is not an advertisement for a product; rather, the statements are Armstrong's account, albeit partially untruthful, of his life and cycling career," England said in the 39-page ruling. "The content of the books is afforded full First Amendment protection."

Celebrities often make considerable income from biographies, sponsorships, and promotional materials, making it critical to outline legal boundaries as they relate to different types of contracts. For instance, Armstrong's misstatements about doping may be permissible regarding his book deals, but punishable by sponsors and hazy when it comes to advertisers.