Phone: (207) 774-7000

Experienced. Efficient. Effective.

Pierce Prevails Before First Circuit

NHD's Russell Pierce secured a high-profile appellate win in a defamation case before the United States Court of Appeals for the First Circuit in *Bean Maine Lobster, Inc., et al v. Monterey Bay Aquarium Foundation*.

Constituents of the Maine lobster industry sued Monterey Bay Aquarium Foundation claiming that a Seafood Watch rating defamed them. Working with lead appellate counsel from Williams & Connolly in Washington D.C., Russ helped to invoke a seldom-used procedure to secure permission to appeal the district court's refusal to dismiss the case before discovery. The First Circuit heard the appeal and dismissed the case, entering final judgment for Monterey Bay Aquarium Foundation, ruling that the prohibition against "group libel" in defamation law barred the case.

The case drew broad national interest with many *amici curiae* ("friends of the court"), from press and media organizations to environmental and other advocacy organizations, all writing briefs submitted to the First Circuit. For more information, please contact Russell Pierce.

©2026 Norman Hanson DeTroy LLC All Rights Reserved