

Russ Pierce Prevails in First Circuit

[Russell Pierce](#) brought to a successful close complex litigation involving novel defamation and anti-SLAPP statutory claims in [Franchini v. Investor's Business Daily](#). The First Circuit's judgment and mandate in favor of Investor's Business Daily, LLC (now an indirect subsidiary of News Corporation), became final on November 14, 2024, after many years of battle and perseverance in federal trial and appellate courts. The case even involved at one point relatively rare "certified question" appellate proceedings in which the [First Circuit Court of Appeals asked the Maine Supreme Judicial Court](#) (Law Court) for guidance on a question of Maine law. [See Franchini v. Investor's Business Daily, 2022 ME 12.](#)

Ultimately, Pierce's client was fully vindicated, achieving summary judgment on unique First Amendment theory involving "voluntary limited-purpose public figure" status of the Plaintiff and concepts of constitutional "actual malice" in defamation law. The [First Circuit's final opinion](#) was issued this summer and a petition for rehearing was later denied. Accordingly, the First Circuit's final mandate and judgment in favor of the client was entered in court in November.

[Russell Pierce](#) counsels and represents businesses, non-profit organizations, and individuals in a broad civil litigation practice throughout the state of Maine and in the First Circuit Court of Appeals. Individuals and businesses from other states also often turn to Russ for handling this broad range of cases - matters such as class actions, complex business litigation, professional negligence and malpractice defense, tort and contract law, property rights, product liability, constitutional law and civil rights, First Amendment rights and defamation claims, and environmental and conservation law.