

EXHIBIT P



Univision Execs Have No Backbone: Pull A Bunch Of Gawker Stories Over Legal Disputes

from the *no-credibility dept*

People celebrating the "demise" of Gawker in being forced into bankruptcy by a questionable lawsuit and ruling from Hulk Hogan, financed by Peter Thiel, keep insisting that it has no real impact on the freedom of the press. And yet... things keep showing that's wrong. Gawker filed for bankruptcy and sold off its assets to media giant Univision, which agreed to close down the flagship Gawker site and redistribute some of the reporters to other sites. But late Friday, Univision management made another decision, and this one is horrific: they **agreed to delete six stories on the site** (with a seventh one being considered) because those stories were the subject of lawsuits against Gawker.

The reasoning given by Univision is that it only agreed to buy the assets of Gawker, not the liabilities, and keeping those stories posted gave it liability. First of all, this is wrong on the legal side of things. As Gawker's executive editor, John Cook (who fought this decision) notes, Univision doesn't take on the liability here:

Though the posts were published by Gawker Media, and therefore under the so-called "first publication rule" should only be the legal responsibility of the Gawker Media estate being left behind in the transaction, Unimoda's legal analysis was that the continued publication of the posts under the new entity would constitute the adoption of liability, and that Unimoda is therefore obligated to delete them.

But that's not the most disturbing thing here. The really problematic issue is that the stories that are being removed involve stories where the lawsuits are almost entirely completely bogus SLAPP suits designed to annoy Gawker, rather than with any serious legal basis -- for example, the two stories that Gawker published about [Shiva Ayyadurai](#), the guy who keeps trying to convince the world that he invented email when he didn't. We've discussed Ayyadurai and his bogus claims many times, and also covered [the lawsuit](#). There is **no legitimate reason** to take down those posts.

Perhaps even *more* incredible is that Univision also agreed to take down the story that nutty troll Chuck C. Johnson **had filed a lawsuit against Gawker**. That's a lawsuit that is so ridiculous it was **laughed out of court** in Missouri. And while Johnson filed a nearly identical lawsuit (including references to Missouri) in California, it was similarly going nowhere, and Johnson recently said that he'd dropped the case.

And yet Univision voted to delete the story anyway.

This is... bad. It's one thing to make a decision to pull a story once you've analyzed the situation and decided that the story has problems and should be pulled. But that's not what happened here. Univision execs flat out told Cook that this was solely about not taking on the liability. In other words, Univision has absolutely zero backbone to stand up for its journalists. That's shameful.

This move basically immediately does two things. First, it alerts anyone who wants a heckler's veto to threaten Univision with a lawsuit. Second, it should immediately cause any good journalist working for Univision or its properties (including Gawker and Fusion) to start looking for a new job elsewhere. If you can't have your publisher back you up on things like this, that's a *dangerous* place for a reporter to work. Kudos to Cook for trying to stand up to Univision, but if those execs wouldn't listen to him, the company's got really big problems.

I communicated to Felipe and Jay in the strongest terms that deleting these posts is a mistake, and that disappearing true posts about public figures simply because they have been targeted by a lawyer who conspired with a vindictive billionaire to destroy this company is an affront to the very editorial ethos that has made us successful enough to be worth acquiring. I told them that I am proud that this company refused to delete its accurate posts about Shiva Ayudurrai's false claim to have invented the email system of communication, and that I am proud that our decision not to take

Failures
by Mike Masnick
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6:27am

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subscriber if you can't make your payment then you're on things like this, and it's a dangerous place for a reporter to work. Kudos to Cook for trying to stand up to Univision, but if those execs wouldn't listen to him, the company's got really big problems.

I communicated to Felipe and Jay in the strongest terms that deleting these posts is a mistake, and that disappearing true posts about public figures simply because they have been targeted by a lawyer who conspired with a vindictive billionaire to destroy this company is an affront to the very editorial ethos that has made us successful enough to be worth acquiring. I told them that I am proud that this company refused to delete its accurate posts about Shiva Ayyadurai's false claim to have invented the email system of communication, and that I am proud that our decision not to take down accurate posts about Mitch Williams' meltdown at a children's baseball game was vindicated by a federal judge, who ruled in our favor in his case against us. I am mortified to see them taken down now. We are at the center of an unprecedented assault on the ability of reporters and editors to challenge and critique public figures. While I believe that Univision is a company that values and defends aggressive, independent reporting, the decision to remove these posts is, in my view, at odds with its tradition of confronting bullies with honesty.

Univision just did a big thing badly. And it sullies the company's reputation and brand, and it makes all of the company's remaining journalistic staff look bad.

And, of course, this is the internet, where trying to make stuff disappear never works. I went over to archive.is soon after the announcement came out (and before the stories had been taken down) and every single one had been re-archived (many had been previously archived) within the previous hour. So if you're curious what was in the stories too hot for Univision's backboneless execs, here they are:

- [The Inventor of Email Did Not Invent Email?](#)
- [Corruption, Lies, and Death Threats: The Crazy Story of the Man Who Pretended to Invent Email](#)
- [Man Acquitted Of Sexual Assault Sues Blog For Calling Him Serial Rapist](#)
- [Wait, Did Clowntroll Blogger Chuck Johnson Shit On The Floor One Time?](#)
- [Uber Driver in California Will Be Considered Employee, Not Contractor](#)
- [Mitch Williams Ejected From Child's Baseball Game For Arguing, Cursing](#)
- [Witnesses: Mitch Williams Called Child "A Pussy," Ordered Beanball](#)

This is why we need publications that don't back down in the face of SLAPP suits. This is why we need stronger anti-SLAPP laws (and a federal anti-SLAPP law). This is why we express concerns about billionaires ganging up to sue publications out of existence in a vengeance play. Publications are vulnerable, but they're supposed to stand up to bogus threats, not cave in out of fear.

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country women:
http://m.theregister.co.uk/2016/12/08/winter_is_come time for the touches and pitchforks. I think.

Dark Helmet: Touches and pitchforks is my new favorite typo win

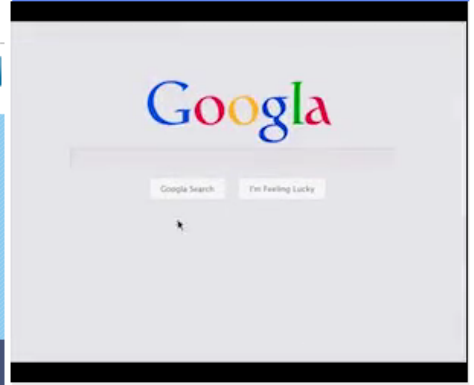
Jeffrey Nonken: hah. Well, mobile interface. That's my excuse.

Vidiot: WaPo article on copyright fight gets it wrong, of course... ASCAP and MPAA seen as the Office's only constituents. How about us citizens instead?
<https://www.washingtonpost.com/news/arts-and-entertainment/wp/2016/12/09/congressional-panel-calls-for-independent-copyright-office>

Mike Masnick: well, they do quote new head of the ALA too, and he's good

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