

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

CARL FOSTER

NO. 2016 CW 1376

VERSUS

RONALD BIAS

**DEC 28 2016**

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In Re: Ronald Bias, applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 643,817.

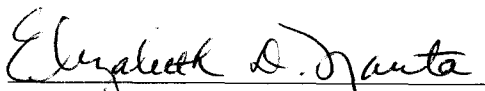
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**BEFORE: PETTIGREW, McDONALD AND CALLOWAY,<sup>1</sup> JJ.**

**WRIT GRANTED.** Louisiana Code of Civil Procedure Article 971(F)(1)(a) provides grounds for a special motion to strike when alleged defamatory statements are made in a judicial proceeding, or in another proceeding authorized by law. Herein, defendant/relator Ronald Bias's alleged defamatory statements were made during his deposition testimony. These statements were directly related to the grounds of Bias's federal False Claims Act cause of action against plaintiff/respondent Carl Foster. As such, because these relevant statements were made during a judicial or quasi-judicial proceeding, Bias is afforded absolute immunity from civil defamation liability regardless of malice or falsity. See Knapper v. Connick, 96-0434 (La. 10/15/96), 681 So.2d 944, 946; see also Marrogi v. Howard, 2001-1106 (La. 1/15/02), 805 So.2d 1118, 1124. Therefore, as the district court erred in denying Ronald Bias's special motion to strike, the district court's September 20, 2106 judgment is reversed and Bias's special motion to strike is granted. Additionally, we vacate the \$4,800 attorney fee awarded by the trial court.

**CAC**  
**JTP**  
**JMM**

COURT OF APPEAL, FIRST CIRCUIT

  
DEPUTY CLERK OF COURT  
FOR THE COURT

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<sup>1</sup> Calloway, J., serving as judge pro tempore of the Court of Appeal, First Circuit, by special appointment of the Louisiana Supreme Court.