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AFLC Forces Former Michigan State Rep. Lisa Brown to Dismiss Frivolous Defamation Suit against Young Pro-Life Mother

Lansing, Michigan (September 16, 2013) — Four months after threatening “full throttle litigation,” former Michigan State Representative Lisa Brown, facing a prospective filing of a motion for sanctions against her and her high-powered attorneys by the American Freedom Law Center (AFLC), a national, non-profit Judeo-Christian law firm, was forced to dismiss her defamation lawsuit against her former legislative assistant and AFLC client Ericah Caughey.

Brown had sued Caughey, originally alleging that Caughey had made defamatory statements about her in several YouTube videos that aired during Brown’s 2012 campaign for Oakland County Clerk. The statements related to Brown’s abrupt firing of Caughey in 2009 while Caughey was pregnant.

Brown gained worldwide notoriety last year when she was censured by the Michigan House of Representatives for making provocative comments, including an explicit reference to her female anatomy, while disparaging the legislators’ intentions (“I’m flattered that you are so interested in my v----a.”) and equating the passage of an anti-abortion bill to rape (“No means no.”). As a result of the censure, Brown quickly became a heroine to the “women’s reproductive rights movement.”

After being gerrymandered out of her House district seat last year, Brown successfully ran for Oakland County Clerk, beating out the Republican incumbent. During the course of this contentious political campaign, Caughey agreed to be interviewed on camera to discuss the way Brown treated her when she worked as a legislative assistant. In the published campaign videos, Caughey, who was pregnant at the time, claimed that “after making crude comments about chasing me with a coat hanger, [Brown] fired me without explanation.” According to Caughey, Brown was angered over a pro-life demonstration that was taking place outside, and her

comments were in reference to using Caughey to make a “pro-choice” point to the demonstrators.

On May 8, 2013, Brown filed a defamation lawsuit against Caughey, claiming that her comments were defamatory and that they harmed Brown’s “excellent reputation” as a “staunch advocate” for women’s rights. Moreover, in a letter dated May 10, 2013, Brown’s attorneys warned Caughey that if she did not remove the YouTube videos and stop defaming Brown, they were prepared to engage in “full throttle litigation” and “proceed with the adversarial process.” Shortly after receiving the letter, Caughey retained AFLC.

On June 19, 2013, AFLC Co-Founder and Senior Counsel Robert Muise responded to the lawyers’ letter. In his response, Muise not only accepted Brown’s lawyers’ challenge, but also relished the opportunity to engage in the age old maxim of speaking truth to power: “[Y]ou can appropriately ‘assume that [our client is] not interested in resolving this matter without ‘full throttle litigation.’ Consequently, we can ‘proceed with the adversarial process.’”

In July 2013, AFLC filed a motion for summary disposition in the Ingham County Circuit Court seeking to dismiss Brown’s lawsuit, arguing that Brown’s defamation claims were frivolous and therefore not actionable as a matter of law. In response, the judge gave Brown’s lawyers until August 28 to file an amended complaint since the original complaint was patently defective and failed to allege a defamation claim as a matter of law. Brown and her attorneys took the bait and filed an amended complaint.

The amended complaint, however, was even more defective and frivolous than the original, and AFLC gave notice to Brown’s lawyers that AFLC would not only file a motion to dismiss the amended complaint with prejudice, but would seek sanctions under Michigan law not only against Brown but against her lawyers. It took Brown and her lawyers no more than 72 hours to crumble and file a dismissal of the complaint with prejudice. On September 12, Ingham County Circuit Court Judge William Collette signed the final order dismissing the case.

Muise commented: “Lisa Brown is part of the Democratic Party machine in Michigan. She was represented by a powerful plaintiff’s injury law firm tied intimately to that machine. Apparently, they thought a young pro-life mother was no match for their bullying tactics. They were wrong. Indeed, AFLC’s job is to level the playing field and to defend the defenseless as we defend the Constitution and the First Amendment.”

Muise added, “It is ironic that a public official who has pushed the limits on acceptable speech in her quest against the so-called ‘war on women’ has started her own war against a

young mother for the express purpose of punishing the same political speech. However, as we made clear in our motion for summary disposition, Brown’s frivolous arguments did not stand a chance against the First Amendment.”

David Yerushalmi, AFLC Co-Founder and Senior Counsel, commented: “The so-called ‘women’s reproductive rights’ movement is nothing more than a sinister effort to make abortion as widespread as possible and to discredit those who uphold the sanctity of human life. The fact that Ms. Caughey’s political speech enraged Lisa Brown is just another example of the liberals’ ruthless crusade against those with contrary views.”

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