

FAKE NEWS AND WEAPONIZED DEFAMATION: GLOBAL PERSPECTIVES

JANUARY 26, 2018

SCHEDULE

8:00 – 8:30 am Registration and Breakfast

8:30 – 8:40 am Welcome Remarks:

- **Susan Westerberg Prager**, Dean of Southwestern Law School
- **Michael M. Epstein**, Professor of Law, Southwestern Law School, and Supervising Editor, Journal of International Media and Entertainment Law

8:40 - 9:00 am Morning Keynote

- **Erwin Chemerinsky**, Dean, University of California at Berkeley School of Law

9:00 - 10:30 am Fake News Panel I

Paper Presentations:

- **Tommaso Tani**, University of Leiden Law School. *Legal Responsibility for False News.*
- **Andrei Richter**, Senior Adviser of the OSCE Representative on Freedom of the Media. *Fake News and Freedom of Media.*
- **Amy Kristen Sanders**, Associate Professor in Residence, Northwestern University in Qatar, **Rachel Jones**, Research Fellow for the Center for Media Law and Policy at the University of North Carolina-Chapel Hill, and **Xiran Liu**, Northwestern University. *Stemming the Tide of Fake News: A Global Case Study of Decisions to Regulate.*
- **David Goldberg**, Visiting Professor of Law, Southwestern Law School; Lecturer, University of London. *Responding to 'fake news': Is there an alternative to law and regulation?*

Peer Review and Discussion:

10:30 – 10:40 am Break

10:40 - 12:20pm Weaponized Defamation Panel I

Paper Presentations:

- **Jane Kirtley**, Director, Silha Center for the Study of Media Ethics and Law *Criminal Defamation: Still "An Instrument of Destruction" in the Age of Fake News.*
- **Alexander Heinze**, Department for Foreign and International Criminal Law, University of Göttingen. *The Defamation of Foreign State Leaders in Times of Globalized Media and Growing Nationalism.*
- **David Acheson**, Lecturer in Media Law, University of Kent, and **Ansgar Wohlschlegel**, Professor, University of Portsmouth. *The Economics of Weaponized Defamation Lawsuits: Analysing Potential Law Reforms in the U.S. and England.*
- **Elena Sherstoboeva**, Associate Professor, Moscow Higher School of Economics, Russia. *Defamation Law in Russia in the context of the Council of Europe (CoE) Standards on Media Freedom.*

Peer Review and Discussion:

12:30 - 1:30pm Gala Luncheon, Louis Room, Second Floor, Bullocks Wilshire

Luncheon Keynote:

Russell L. Weaver, Professor of Law and Distinguished University Scholar, University of Louisville. *The First Amendment, "Fake News" And "Weaponized Defamation."*

1:40 - 3:10 pm Fake News Panel II

- **Monroe Price** Full Adjunct Professor, University of Pennsylvania and Professor, Cardozo Law School, and **Adam Barry**, Munger, Tolles & Olson. *Combating Russian Disinformation in Ukraine: Case Studies in a Market for Loyalties*.
- **Kyu Ho Youm**, Jonathan Marshall First Amendment Chair, University of Oregon, and **Dr. Ahnan Park**, Korea Press Foundation, Republic of Korea. *Fake News from a Legal Perspective: the United States and South Korea Compared*.
- **Jelena Surculija Milojevic**, Assistant Professor & Faculty of Political Sciences, University of Belgrade. *Defamation as a "Weapon" in Europe and Serbia: Legal and Self-Regulatory Frameworks*.
- **Teresa Rodriguez De La Heras Ballel**, Associate Professor of Commercial Law, Oxford University. *Credibility-Enhancing Regulatory Models To Counter Fake News: Risks of a Non-Harmonized Intermediary Liability Paradigm Shift*.
- **Roberto Mastroianni**, Dipartimento di giurisprudenza, Università di Napoli "Federico II." *Fake News, Free Speech and Democracy: A (bad) Lesson from Italy*.

Peer Review and Discussion

3:10- 3:20pm Break

3:20 - 4:40 pm Weaponized Defamation Panel II

Paper Presentations:

- **Anthony Fargo**, Associate Professor, Indiana University. *A Federal Shield Law That Works: Protecting Sources, Fighting Fake News and Confronting Modern Challenges to Effective Journalism*.
- **Charlie Holt**, Campaigns Lawyer, Greenpeace International, and **Daniel Simons**, Legal Counsel Communications, Greenpeace International. *RICO as a Case-Study in Weaponizing Defamation and the International Response to Corporate Censorship*.
- **Hilary A.N. Young**, Associate Professor, University of New Brunswick. *Responsible Communication and Protection of Public Participation: Assessing Canada's newest Public Interest Speech Protections*.
- **Roy S. Gutterman**, Associate Professor/Director, Tully Center for Free Speech, Newhouse School at Syracuse University.. *Actually ... A renewed stand for the First Amendment actual malice defense*.
- **Wesley Pippert**, Professor of Journalism Emeritus, University of Missouri and **Nadine Epstein**, Editor and Publisher, *Moment Magazine*.

Peer Review and Discussion

4:40 – 5:00 pm Panel Discussion-- Fake News and Weaponized Defamation: Reactions and Further Thoughts

Neville Johnson, Johnson & Johnson, LLC. *Defamation and Privacy in the Internet Age*

Wannes Vanderbussche, Associate Research Scholar, Yale Law School. *Is there a place for court-ordered apologies in defamation law?*

Gabriel Latner, Attorney-at-Law, Toronto. *I Voted For This?*

Jeremy Geltzer, Attorney-at-Law, Los Angeles. *Fake News and Film: How Alternative Facts Influence the National Discourse*.

5:00 pm Reception and Closing Remarks