

The Cost of Voicing "Opinions" on the Internet - Epilogue

Editorial Staff

Dynamic Chiropractic previously reported that a court in California awarded \$25,000 in damages to chiropractic attorney Michael Schroeder for slanderous statements made by Oregon chiropractor Todd Gastaldo via e-mail. (See "The Cost of Voicing 'Opinions' on the Internet" in the February 7, 2000 issue of DC - <http://www.chiroweb.com/archives/18/04/05.html>).

The point of the article was that free speech is sometimes expensive. Whether presenting opinions in a chat room, on a bulletin board or an email list, all of the liabilities of slander and defamation are in full force.

Mr. Schroeder demanded a retraction and public apology from Dr. Gastaldo for his slander. When that was not forthcoming, Mr. Schroeder filed for redress in a California court. Dr. Gastaldo attempted to get the trial moved to Oregon, but was unsuccessful. Dr. Gastaldo failed to respond to the lawsuit and Mr. Schroeder won the case by default. The court judged damages at \$25,000 plus court costs.

To update, Mr. Schroeder has since filed documents in Oregon to recover his damages, via wage garnishing or other means. Dr. Gastaldo was forced to undergo the unpleasant debtor-exam hearing, a legal process applied when a person is unable or unwilling to pay a judgment. Dr. Gastaldo was required to bring all documents relating to his assets and liabilities, and to answer probing questions under oath regarding his debts and assets.

Such hearings bare one's financial soul and dignity. Dr. Gastaldo was forced to reveal debts deriving from child support and thousands in California back taxes. Mr. Schroeder, apparently, must wait in line to collect his damages.

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