



PRESS RELEASE - 3/19/14

SUFFOLK COUNTY JURY RETURNS LIBEL VERDICT AGAINST BOSTON HERALD IN FAVOR OF JOANNA MARINOVA, CO-DIRECTOR OF LOCAL NON-PROFIT

Boston, Massachusetts. A 15-member Suffolk County jury returned a libel verdict today in favor of Joanna Marinova, co-director of a local non-profit organization, Press Pass TV, and against the Boston Herald and its reporter, Jessica Van Sack. After a three-week trial, on the third day of jury deliberations, the jury found the Herald and its reporter published false and libelous statements about Ms. Marinova and issued a verdict in favor of Ms. Marinova on both counts of her complaint, awarding her over \$563,000 in damages. Under Massachusetts law, the judgment has accrued over \$270,000 in interest.

The case arises from a May 28, 2009 Boston Herald article written by reporter, Jessica Van Sack. The front page headline reported: “FOX IN THE BIG HOUSE: Pol Probed For Slipping Killer’s Galpal Into Prison.” The Herald reported that Ms. Marinova had been snuck into the prison by state legislator, Rep. Gloria L. Fox on May 7, 2009, that Ms. Marinova had previously been “bagged for engaging in ‘sexual acts’” with an inmate in the prison visitor room, and that Ms. Marinova had been “written up for engaging in ‘sexual acts’” at the prison. In response to a series of special questions, the jury found that these statements were negligently or recklessly published by the Boston Herald and Ms. Van Sack. Ms. Marinova was at the time and remains co-director of Press Pass TV, a local organization that works with youth in the city. The false reporting was devastating to Ms. Marinova, to her organization, Press Pass TV, to her friends, family and colleagues. The verdict today tells the world that the Herald and Ms. Van Sack knowingly published damaging and false statements about Ms. Marinova.

Joanna Marinova stated, “I want to thank the jury, my friends and family, my attorneys, and Darrell Jones, who was impacted by this story as well. On May 28, I read a story in the Boston Herald that degraded me and my humanity. The verdict today not only confirms that what was printed about me was false, and the paper knew it, but it restores my faith that members of the community can and should try to pursue good and the truth against all odds and adversities.”

Ms. Marinova’s counsel, David Rich and Megan Deluhery, stated, “It has been our distinct privilege to represent Joanna Marinova. The jury’s verdict informs the public that the Herald and its reporter knowingly published false and damaging statements about her. We both hope that the jury’s verdict today serves to remedy the injustice that was done to Joanna Marinova on May 28, 2009 and to begin to restore her reputation.”

Although the Court decided Ms. Marinova was a private figure for the article, as a matter of law, the jury nonetheless considered the limited purpose public figure standard of “actual



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malice” and found the standard was met here by Ms. Marinova, by clear and convincing evidence. The actual malice advisory question required Ms. Marinova to show that the Herald and Ms. Van Sack published the article with knowledge the statements were false or with reckless disregard of the truth.

FOR FURTHER COMMENT OR INFORMATION ABOUT THIS MATTER, PLEASE FEEL FREE TO CONTACT DAVID H. RICH, drich@toddweld.com OR MEGAN C. DELUHERY, mdeluhery@toddweld.com, TODD & WELD, LLP, ONE FEDERAL STREET, BOSTON, MASSACHUSETTS 02110, (P) 617-720-2626.