

FOR IMMEDIATE RELEASE

**PETITION FOR TEMPORARY RESTRAINING ORDER DENIED-LAWSUIT
CONTINUES**

Chicago, Illinois, United States of America (March 18, 2011)

On Wednesday March 16, 2011, Alderman Rice's lawyers R. Tamara de Silva and Jonathan Lubin did not succeed in trying to stop aldermanic candidate Nicholas Sposato's campaign of disseminating sensationalized and manufactured facts through the use of robocalls. On March 11, 2011, Sposato amazingly decided to accuse Ald. Rice of criminal activity by wholly manufacturing sources and making up facts. Alderman Rice's lawyers thought the conduct sufficiently outrageous to attempt to seek injunctive relief in addition to the filing of a lawsuit for defamation per se.

"As a general rule, the law does not enjoin the publication of libel or slander-there is virtually not a single state or Federal case to support its doing so. However, the facts of this case were so grossly offensive to principles of truth and brought the standards of campaign conduct to such a low that I was compelled to try. A temporary restraining order is an extraordinary remedy and the courts have not stopped speech in a political campaign-I am referring to injunctive relief here and not of course the outcome of civil suits for defamation damages-there are many examples of the latter succeeding. Injunctive relief is different. Judges are understandably very reticent to issue injunctive relief in granting TROs, but almost never when they involve speech." said lead counsel R. Tamara de Silva.

However, Chancery Court Judge Richard J. Billik was very clear in issuing his order denying injunctive relief (denying the lawyers petition for a temporary restraining order) that his decision was in no way to be taken as a commentary on the underlying case for defamation per se against aldermanic candidate Sposato, which is proceeding.

"Nicholas Sposato has made statements about Alderman Rice that are untrue and that have no basis whatsoever. Those statements are damaging to his career and to his reputation. That is the very essence of defamation. We are

committed to pursuing this suit and to sending the message that you can't defame someone's character maliciously and with reckless disregard for the truth and expect not to be held accountable for it." Attorney Jonathan Lubin.

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