

Media release – for immediate release

US Federal Court to Decide if Canadian Corporation’s Lawsuit Against Advocacy Will Proceed

Washington, Toronto, January 24, 2017 -- Greenpeace defendants and Stand.earth defendants have filed their final [replies](#) on independent motions to dismiss the multi-million dollar [lawsuit](#) filed on May 31, 2016 by logging company Resolute Forest Products (NYSE: RFP) in the United States District Court for Southern Georgia. The court will now be deciding to either dismiss the case or whether any of it will proceed, which has enormous implications for free speech and advocacy as we know it.

"We are asking for this meritless lawsuit to be dismissed. Resolute is trying to use intimidation as a distraction from its unsustainable environmental practices in Canada's Boreal forest. This case could set a dangerous precedent in targeting advocacy and public participation when we need them the most. Courts need to stop these corporate tactics to silence criticism in their tracks," said Annie Leonard, Executive Director of Greenpeace US, Inc. and Greenpeace Fund, Inc.

Resolute is asking for independent environmental organizations Greenpeace International, US Greenpeace entities and Stand.earth to be labeled a criminal enterprise under anti-racketeering laws (RICO) originally created to prosecute the mafia. These organizations consider the claims to be part of strategic lawsuit against public participation (SLAPP), intended to silence critics of Resolute's unsustainable logging practices in Canada's Boreal forest.

"Stand.earth does advocacy work to hold corporations accountable for destroying forests and damaging our climate. This lawsuit is a straightforward attack on free speech, on the U.S. Constitution's First Amendment, on advocacy groups across the nation, and a bully tactic that few people, other than President Trump, would feel comfortable pursuing," said Todd Paglia, Executive Director of Stand.earth.

Resolute's law firm in this case, Kasowitz Benson, is the same one who has been [defending President Trump for years](#) in cases ranging from defending Trump University to the recent publication of three pages of his 1995 tax filings by the New York Times.

Advocacy groups like Stand.earth and Greenpeace have the right to free speech and serve a vital role in speaking out on matters that are of public interest and concern. Over [100 independent organizations](#) have already spoken out against this lawsuit, including the Reporter's Committee for Freedom of the Press and 11 other media companies that filed an *amici* [brief](#) in this case supporting Greenpeace and Stand.earth's motions to dismiss the suit.

Since Resolute filed this case in Georgia last year, two copycat RICO cases have been filed by other plaintiffs in the United States: one filed against several environmental groups including Greenpeace in Texas by a climate denier, and another in New York against media companies, targeting advocacy about climate change and news stories about the election.

This is Resolute Forest Products' second lawsuit against Greenpeace. In 2013, the company filed a \$7 million defamation case against Greenpeace Canada in Ontario, which is still pending. In the most recent court ruling, a panel of appellate judges with the Ontario Superior Court struck out parts of Resolute's defamation pleadings, ruling that Resolute had attempted to "greatly expand the scope of the litigation".

"Resolute's RICO lawsuit is this company's most blatant - and most excessive - attempt to crush any criticism of their forestry practices. Rather than work with critics to find solutions for the forests and communities that depend on them, Resolute has chosen the path of sheer intimidation and brute force. We are ready for engagement whenever Resolute chooses. Until then, we will stand strong against their tactics," said Joanna Kerr, Executive Director of Greenpeace Canada.

-30-

Notes to editors:

- On May 31, 2016 Resolute Forest Products filed a \$300 million dollar (CAD) lawsuit under the Racketeer Influenced and Corrupt Organizations Act (RICO) in the United States District Court for Southern Georgia, against Greenpeace International and U.S. Greenpeace entities, as well as STAND (formerly ForestEthics), and five individual staff members of these independent organizations.
- For more information and documents about the existing legal cases between Resolute Forest Products and defendants click [here](#) or copy this to your browser: <http://greenpeace.ca/resolutelawsuits>

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