



Defamatory "Tweet" Complaint Dismissed

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On January 27, 2010, the Circuit Court of Cook County dismissed a property manager's defamation claim against a disgruntled tenant over a Twitter post. The tenant, Amanda Bonnen, posted the following "tweet"¹ on Twitter to vent her frustration with Horizon Realty, her property manager: "Who said sleeping in a moldy apartment was bad for you? Horizon realty thinks it's okay." Horizon Realty alleged it sustained \$50,000 in damages as a result of the disparaging post, despite the fact that Ms. Bonnen's Twitter account only had twenty followers.²

Ms. Bonnen filed a motion to dismiss the case, contending that her tweet statement was not a verifiable fact and instead was merely her opinion. In an unpublished opinion, Judge Diane Larson agreed, finding that "the tweet was non-actionable as a matter of law," and dismissed the complaint with prejudice.

The court's ruling raises important questions about how cases involving disparaging posts on Twitter may be handled going forward and how courts may apply the law of defamation in the realm of social media.

Although tweets may be capable of defamatory meaning in certain contexts, the ruling in this case reinforces the axiom that fleeting statements, including those made in social media, that are critical of others will not invariably be actionable in court. Nonetheless, there are certain statements, including allegations of criminal activity and dishonesty in business, that the law automatically assumes cause actionable harm. Thus, those who post tweets and other commentary in social networks must be aware of the risks in doing so.

¹ For those unfamiliar with Twitter and its vernacular, a "tweet" is a post on the Twitter social network that consists of 140 characters or less.

² Only Ms. Bonnen's "followers" – people who sign up to receive updates from the person followed – received her tweets.



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A copy of the complaint is available [here](#).

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