



IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION
CASE NO. 79-9919 (08)

ASSOCIATION OF VETERANS OF THE
BAY OF PIGS, BRIGADA 2506, a
Florida non-profit corporation,
et al.,

Plaintiffs,

vs.

MANUEL ESPINOSA, et al.,

Defendants,

:
:
:
: ORDER GRANTING DEFENDANT'S
: MOTION TO DISMISS

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THIS CAUSE coming to be heard upon the Defendant's, Manuel
Espinosa, Motion to Dismiss, and the Court, having heard argument of
counsel, received memoranda of law, done further research, and being
otherwise fully advised in the premises, it appears that:

1. A corporation has no right of action in libel or slander
for a publication imputing to it the commission of a
personal crime, to wit, murder, assault, or adultery.
59 Am. Jur. 2d. Libel & Slander, §315.
2. Libels against a corporation are confined to attacks
which injure the property, credit or business of the
corporation. Diplomatic Electric, Inc. v. Westinghouse
Supply, 378 F. 2d 377 (5th Cir. 1967).
3. Although individual members of a group have a cause of
action for a defamatory imputation concerning the group
only if the group is so small that the imputation is
reasonably understood to refer to that particular member,
Restatement of Torts §564 A, when the group is large,
the defamatory matter must point to the particular plaintiff
as the person involved. Macauley v. Bryan, 339 P. 2d
377 (Nev. 1959).
4. Therefore, individual members of the corporation or groups
have no cause of action based on imputations about the
corporations or groups generally.

Accordingly, it is hereby

Ordered and Adjudged

That said Motion to Dismiss be and the same is hereby granted,
and that this complaint is dismissed with prejudice.

DONE AND ORDERED in Chambers, at Miami, Dade County, Florida,
this 19th day of September, 1979.

James X. [Signature]
Circuit Judge

Copies sent:

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