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## Quackbusters CRUSHED by California Supreme Court...

Opinion by Consumer Advocate [Tim Bolen](#)

Tuesday, November 23rd, 2006

I don't know how the "quackbusters" can even come out in public any more. The the US Court system has got to be incredibly embarrassing. I don't know how they stream of laughter from the general public.

It's not just the losses in Court (and they are legion), it's how badly they lose, and t themselves by the participants in the Court system. They just don't seem to learn.

Yesterday, November 20th, 2006, the California Supreme Court voted unanimous slap down the latest "quackbuster" attempt to use, and abuse, the US Court syste The case, originally known as Barrett v. Clark, then for the appeals process renam began over five years ago when three individuals decided to sue "a room full of pe

In the end, the GOOD GUYS, that's us, had drawn the support of some of the large and more.

"Friend of the Court" Briefs, arguing in our favor, were provided by Amazon, the E Foundation, EBay, the ACLU of Northern California, AOL, Microsoft, Yahoo, Goog Cable News Network, Compuserve, Earthlink, ESPN, Netscape, SBC Internet, Tim Post, Association for Competitive Technology, California Newspaper Publishers A: Technology of America Association, Internet Commerce Coalition, National Cable Association, Netchoice, NetCoalition, Newspaper Association of America, Online N Publishers Association, Technet, and the United State Internet Service Providers /

The case became a rallying point for American free speech and an opportunity to t that would try, through intimidation, to stop Americans from exercising their free sp

The original poorly written case (Barrett v. Clark), almost forgotten, claimed that (c

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renowned scientist and author, Hulda Regehr Clark PhD hired Consumer Advocate Consultant Tim Bolen (that's me!) to defame them. More, they claimed that several "conspired" to defame them, including Ilena Rosenthal, the head of the Humantics

Those three individuals were de-licensed MD Stephen Barrett of "quackwatch.com" attorney Christopher Grell (the guy who was just humiliated by the California Supreme Court), Canada's low-rent version of Stephen Barrett.

The original case was a hoot to start with. The threesome filed the case in attorney Oakland, California, and before the Court Stamp ink was dry, the case was on Steve's website "quackwatch.com" bolstered with Barrett's asinine commentary.. No effort to "serve" anyone. The whole thing was viewed as an obvious attempt to "shut people up" technique designed to stop Health Freedom Activists from publicly criticizing the "c

My memory is a little foggy about the details, as it's been over five years, but as I recall the case had to order the threesome to finally "serve" me. After eighteen months they properly deliver the court paper to my legal address, and had gone to the Judge requesting to "publish" the lawsuit against me in my home town newspaper claiming it necessary because "Tim Bolen is hiding."

However, my attorney, the famous Carlos F. Negrete, pointed out the Judge that "if your hometown newspaper is, then they know where his legal address is." The Judge ruled at my legal address - or else.

But Barrett, et al, didn't count on California's anti-SLAPP law, legislation designed from just this kind of "shut up or I'll sue you" kind of lawsuits. "SLAPP" is short for Strategic Lawsuits Against Public Participation. In layman's language that means that, in California, if you are voicing their thoughts about a public issue and get caught - you lose - and pay the

And that's what happened to Barrett, Grell, and Polevoy in this case - they got caught. Ilena Rosenthal, and now they owe her all of her attorney fees from the case, the Supreme Court. You can read the details of the Court's decision by clicking [here](#).

And, I'd bet that right about now Ilena Rosenthal and her attorney Mark Goldowitz, are doing the paperwork to go after those fees (I'm estimating at about \$200,000 US) with Gusto

Stay tuned...

Tim Bolen - Consumer Advocate

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