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Authors:

[Ryan W. Goellner](#)

[Kevin T. Shook](#)

Frost Brown Todd Secures Sixth Circuit Victory for Rolling Stone in Nicholas Sandmann Defamation Case

Frost Brown Todd (FBT) recently achieved a significant triumph for the First Amendment and its clients Rolling Stone and Penske Media Corporation. On August 17, the U.S. Court of Appeals for the Sixth Circuit upheld the dismissal of a defamation lawsuit filed by former Covington Catholic High School Student Nicholas Sandmann in connection with an online Rolling Stone article covering his viral 2019 standoff with Native American activist Nathan Phillips on the steps of the Lincoln Memorial in Washington D.C.

Led by FBT attorneys Kevin Shook and Ryan Goellner, Rolling Stone's defense was successful in both the U.S. District Court for the Eastern District of Kentucky District Court and now in the Sixth Circuit. Sandmann's defamation claim sought \$10 million dollars stemming from the republication of Phillips' statements that Sandmann "blocked" him or "would not allow him to retreat" during their encounter, which was captured on video and gained national attention. The 2-1 decision by the Sixth Circuit upheld the District Court's ruling, granting summary judgment to Rolling Stone and dismissing the case on the grounds that Phillips' statements were constitutionally protected expressions of opinion.

FBT's [Media & First Amendment](#) practice group assists clients with alleged defamation, invasion of privacy, copyright, newsgathering, access to courts and public records matters.

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