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# Pennsylvania Judge Called “QAnon-Linked” Loses False Light Lawsuit Against The Daily Beast

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Judge Paula A. Patrick, a Philadelphia County trial court judge, sued The Daily Beast Company LLC (“the Daily Beast”) and its reporter Laura Bradley claiming that a headline describing her as a “QAnon-Linked Judge” cast her in a false light. An Eastern District of Pennsylvania judge dismissed the case on the basis of actual malice pleading, quoting the adage: “sticks and stones may break my bones, but names can never hurt me.” [Patrick v. Daily Beast Co.](#), No. 2:22-cv-01520-JDW, 2023 U.S. Dist. LEXIS 90529 (E.D. Pa. May 24, 2023) (Wolson, J.). Judge Patrick did not appeal the ruling.

## Background

On October 9, 2021, *The Daily Beast* published an article on Philadelphia’s iteration of the country’s ongoing statue wars, written by Bradley and titled *QAnon-Linked Judge Rules in Unhinged War Over Philly’s Columbus Statue*. It covered Judge Patrick’s ruling that a plywood box covering a statue of Christopher Columbus that the city had put in place – the source of much public controversy at the time – must be removed.

The Article began:

It’s hard to imagine being more in need of a hobby than the members of a group called Friends of Marconi Plaza. According to the *Philadelphia Inquirer* [hyperlink to article published three hours earlier], the local group has taken up the most noble of crusades—fighting to defend a statue dedicated to Christopher Columbus. And on Friday a judge who was once allegedly on the speaker’s list for a QAnon-linked event ruled that the plywood box covering the statue must be removed.

The Article noted that Judge Patrick, an unsuccessful 2021 GOP primary candidate for the Pennsylvania Supreme Court, had been “embroiled in her own drama,” including that: (a) she had participated in “an interview with supporters of the [QAnon] conspiracy theory,” (b) she “was once allegedly on the speaker’s list for a QAnon-linked event,” (c) she later “denied that she ever planned to attend a QAnon-affiliated event,” and (d) she had “told the *Philadelphia Inquirer* she had no idea why she was listed as a speaker” for the event. Judge Patrick, who remains a sitting judge, did not deny any of this.

# QAnon-Linked Judge Rules in Unhinged War Over Philly's Columbus Statue

**GOOD GRIEF**

After a lawyer threatened to tear down a plywood box covering the statue himself, Judge Paula Patrick ruled that it must remain visible to the public.



Laura Bradley  
Senior Entertainment Reporter

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The Article hyperlinked to several local news sources, including the *Philadelphia Inquirer* article noted in the lede paragraph, which had been published earlier that same day. The *Inquirer* article had reported that Judge Patrick “faced criticism earlier this year when she was listed as a speaker at a Gettysburg event linked to the QAnon conspiracy theory.” It continued: “Patrick, however, said she never planned to attend the event and didn’t know why she was listed as a speaker.” The Article also hyperlinked to CBS3 and ABC 6 articles focused solely on Judge Patrick’s Columbus statue ruling.

Judge Patrick initially filed suit in February 2022 in the Philadelphia Court of Common Pleas, the same court in which she sits. The lawsuit challenged both the Article and an earlier article by the *Inquirer* that focused heavily on Judge Patrick’s connections to QAnon during her Supreme Court campaign. Not long after an out-of-county judge was assigned to preside over the matter, Judge Patrick voluntarily dismissed the entire action. She then refiled in federal court in April 2022 against only the *Daily Beast* and Bradley.

## Motions to Dismiss and Court Rulings

The *Daily Beast* and its reporter moved to dismiss on several grounds. They argued that (1) the court lacked personal jurisdiction over them because they had insufficient connections to the Commonwealth of Pennsylvania; (2) “QAnon-Linked” is an expression of protected opinion, or, in the alternative, it is true; and (3) Judge Patrick failed to plead facts that could support a finding of actual malice. The motion was fully briefed in July 2022, and in March 2023 was reassigned to the Honorable Joshua D. Wolson, appointed to the bench of the Eastern District of Pennsylvania by President Donald Trump in 2019.

Judge Wolson rejected the Defendants’ jurisdictional challenge, held that the phrase “QAnon-Linked” was factual, declined to adjudicate the truth of the statement on a motion to dismiss, and found that the article could not be read to imply that being “QAnon-Linked” affected Judge Patrick’s judicial decision-making.

The Court nevertheless dismissed the Complaint on actual malice pleading grounds, finding that Judge Patrick had failed to allege facts that, if proven, would constitute clear and convincing evidence “that Defendants acted with actual malice when they described her as a QAnon-linked judge.” Judge Patrick was permitted leave to replead if she had “a good faith basis to amend her pleading as to actual malice.”

Judge Patrick filed an amended complaint on March 29, 2023, asserting for the first time that the use of the phrase “QAnon-linked” also implied that she is “affiliated with and/or part of” QAnon” in addition to the meanings she had previously ascribed to the article. Defendants once again moved to dismiss, arguing that (1) none of Judge Patrick’s asserted interpretations of the Article was actionable and (2) Judge Patrick again failed to plead facts that could establish actual malice.

In particular, Defendants pointed out that the implication that Judge Patrick is “part of” or an adherent of QAnon was not supported by the text of the Article, given that it “takes pains to report that Judge Patrick disavowed any connection to QAnon, no reasonable reader would understand her to be an adherent of the group.” Defendants also argued that even if the article could be construed to convey that implication, statements about an individual’s beliefs are protected expressions of opinion.

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Defendants further argued that, despite continuing to sprinkle her amended complaint with actual malice “buzzwords,” Judge Patrick again had failed to plead facts capable of establishing actual malice. Additionally, they argued that their reliance on reputable news sources “dooms her claim.” *See, e.g., Tucker v. Fishbein*, 237 F.3d 275, 287 (3d Cir. 2001) (plaintiff could not establish actual malice where “the [challenged] article was clearly derived in large part from previously published articles”). Judge Patrick attempted to argue that the *Inquirer*’s prior reporting, which was the basis for the *Daily Beast*’s article, established that she was in no way linked to QAnon and put the Defendants on notice that their article was false. In response, Defendants noted that, in Judge Patrick’s earlier state court complaint, she had described the *Inquirer*’s reporting as reflecting an “objective, identifiable connection with and support of this radical, anti-Democratic QAnon conspiracy group.”

The Court dismissed the case, this time with prejudice on the basis of actual malice:

The Amended Complaint alleges only that: 1) Ms. Bradley used other news sources, rather than completing her own independent investigation, in writing the Article; 2) Judge Patrick denied any QAnon link in an interview with *The Philadelphia Inquirer*; and 3) Defendants disregarded and withheld from readers information about Judge Patrick’s QAnon link. None of these facts, individually or collectively, amounts to actual malice.

The court’s opinion relied upon foundational actual malice principles: ill will or a failure to investigate does not constitute actual malice; the press need not accept denials as the truth; and alleged omissions, without more, do not constitute actual malice.

While the court’s actual malice analysis was succinct and true to the law, Judge Wolson, who had previously quoted Taylor Swift’s “Shake it Off” lyrics in adjudicating an intellectual property dispute, began his opinion this way:

Being a Judge is a great job. But it comes with downsides. What we do, we do in public, and we subject ourselves to public discussion and criticism of our decisions, both fair and unfair. Federalist No. 78 noted the importance of Judges being independent of the “effects of those ill humors, which are the arts of designing men, or the influence of particular conjunctures [that] sometimes disseminate among the people themselves.” The Federalist No. 78 (Alexander Hamilton). That remains just as true today as it was in the 18th Century. Being a judge requires a thick skin and a willingness to make decisions in the face of criticism, even unfair criticism, and to remember that sticks and stones may break my bones, but names can never hurt me.

The deadline for Judge Patrick to file a notice of appeal has now passed.

*Seth Berlin, Kaitlin Gurney, and Leslie Minora of Ballard Spahr LLP represented The Daily Beast Company LLC and Laura Bradley. Plaintiff Judge Paula A. Patrick was represented by James E. Beasley, Jr. and Dion G. Rassias of The Beasley Firm, LLC.*

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