

# MEMO TO MEDIA: DON'T DEFAME THIS GUY

ELIZABETH AMON  
American Lawyer  
November 2004

## **Richard Sprague wins lots of libel suites-more than one on his own behalf.**

PROMINENT PHILA-delphia attorney Richard Sprague Appears to have developed a lucrative sideline to his law practice at Sprague & Sprague. The former prosecutor-turned-defense-lawyer recently received a hefty windfall from a media company he sued from a media company he sued for defamation, his second such settlement in less than a year.

In September, Infinity Broadcasting Corporation and radio talk show host Howard Eskin agreed to pay Sprague "substantial compensation," says Sprague's lawyer. At issue was the radio host's on-air accusations regarding Sprague's representation of Allen Iverson, the 76ers basketball star. According to Sprague's complaint, Eskin wrongly said that Sprague had paid a witness to lie in court and also falsely accuse Sprague of trying to discredit a prosecution witness by claiming the witness had failed a lie detector test. As a result of the settlement, Eskin was suspended for 30 days, and both he and the company issued on-air apologies. Infinity and Eskin's lawyer, Lee Levine, of Levine Sullivan Kock & Schulz in Washington, D.C., declined comment. (Levine Sullivan represents American Lawyer Media in media matter.)

The Infinity matter came ten months after a libel settlement Sprague reached with the ABA Journal. According to court documents, the magazine had described Sprague in an article as "perhaps the most powerful lawyer-cum-fixer" in Pennsylvania. Sprague objected to the word fixer, on the grounds that it implied that he illegally secured favorable judicial decisions. The amount of the settlement was undisclosed, though Sprague's lawyer, (the recently deceased) James Beasley, described it the newspapers as "damned good." The magazine published a correction.

Media companies should have been on guard. Sprague is no stranger to libel litigation. Last year he represented in Philadelphia judge in a defamation suit against the *Philadelphia Daily News*, a suit that was dismissed. In 1997 he settled a suit on behalf of a former Philadelphia prosecutor against *The New York Times*, which had alleged the prosecutor hid evidence and kept blacks off juries, the paper ran a correction.

Eight years ago Sprague himself made headlines when a jury awarded him what was reportedly the highest libel verdict to date. In 1996 *The Philadelphia Inquirer* settled a lawsuit stemming from a series of 1973 articles that alleged that Sprague, while serving as assistant district attorney, had quashed the murder prosecution of a friend's son. Sprague won a \$34 million jury verdict, which was later reduced to \$24 million and then settled on appeal. The amount of the settlement was undisclosed. According to news accounts, Sprague also settled a suit against the *Philadelphia Bulletin*, which folded in 1982, for an article that he said wrongly described his conduct during a murder trial.

Sprague referred questions to his attorney in the Eskin Matter, Thomas Kline, of Kline & Specter in Philadelphia. Kline also worked on the *Inquirer* suit while working for Beasley. Kline calls Sprague, who has been practice law for 50 years, an "extraordinary" lawyer, a fact he says might attract attention to him. Though he noted that the cases differed from one another, he said they were linked, because "none of them was a close call in terms of was this or wasn't this defamatory. All proved that Sprague had been unjustly attacked."