

THE
NATIONAL LAW REVIEW

Eddie Money Beats Discrimination Lawsuit Based On Free Speech Right

Friday, March 22, 2019

[Symmonds v. Mahoney](#), 31 Cal. App. 5th 1096 (2019)

After 41 years, singer/songwriter Edward Joseph Mahoney (aka “Eddie Money”) terminated the employment of Glenn Symmonds (the band’s drummer) in response to which Symmonds filed a lawsuit alleging discrimination based on age, disability and medical condition in violation of the California Fair Employment and Housing Act (“FEHA”). Mahoney filed an anti-SLAPP motion to dismiss the FEHA claim on the ground that Symmonds’ claim arose in connection with an issue of public interest given the media’s and the public’s interest in Mahoney and his music. The trial court denied Mahoney’s motion to dismiss, but the Court of Appeal reversed, holding that “a singer’s selection of the musicians that play with him both advances and assists the performance of the music, and therefore is an act in furtherance of his exercise of the right to free speech.” *See also Rall v. Tribune 365 LLC*, 31 Cal. App. 5th 479 (2019) (*Los Angeles Times*’ anti-SLAPP motion was properly granted, dismissing former blogger’s defamation and wrongful termination claims based on the *Times*’ “constitutionally protected editorial decision to stop publishing [the blogger’s] work”); *Laker v. Board of Trustees*, 2019 WL 969567 (Cal. Ct. App. 2019) (university’s anti-SLAPP motion should have been granted, dismissing professor’s defamation claim arising from several internal investigations).

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Article By [Proskauer Rose LLP](#)
[Anthony J Oncidi](#)
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