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BuzzFeed Beats Russian's Defamation Case Over Trump Dossier

By

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BuzzFeed Inc. defeated a defamation lawsuit by a Russian entrepreneur and his tech company who were mentioned in a report by a former British spy about links between Russia and Donald Trump.

A federal judge in Florida on Wednesday ruled that BuzzFeed's publication of the Christopher Steele dossier, which included a report on Aleksej Gubarev and his companies XBT Holdings SA and Webzilla Inc., was protected as accurate reporting on an official proceeding.

Gubarev is appealing the ruling, according to his lawyer, Evan Fray-Witzer.

"First and foremost, nothing in today's ruling by the court suggests in any way that the allegations concerning Mr. Gubarev, Webzilla, or XBT Holding were true," Fray-Witzer said in an email. "Instead, the court ruled on a narrow legal issue, finding that BuzzFeed had a privilege to publish the information even if it was false."

Gubarev founded web-hosting company Webzilla in 2005, three years after moving to Cyprus from Russia, court filings show. The Steele dossier contained allegations that XBT and its subsidiary Webzilla carried out cyberattacks against the Democratic Party by transmitting viruses and stealing data. Gubarev played a

key role in the operation and was recruited under duress by Russia's Federal Security Service, the dossier alleged.

The BuzzFeed publication included a disclaimer that the Steele dossier contained "unverified and potentially unverifiable allegations."

"The court found that BuzzFeed behaved properly in printing the Steele dossier," BuzzFeed attorney Roy Black said in an email. "The ruling is a strong affirmation of the First Amendment. It's more important that the public know what is being discussed at the highest levels of government than anything else."

Earlier this year, Trump's former lawyer Michael Cohen dropped a defamation lawsuit against BuzzFeed over the publication. Steele also defeated a defamation lawsuit brought against him by the billionaire owners of Moscow-based Alfa-Bank over the dossier he compiled.

Ben Smith, BuzzFeed's editor-in-chief who was also a defendant in the lawsuit, said in a statement that the ruling vindicated the decision to publish the Steele dossier in 2017.

"As we have said from the start, a document that had been circulating at the highest levels of government, under active investigation by the FBI, and briefed to two successive presidents, is clearly the subject of 'official action,'" Smith said, referring to the judge's analysis that the publication fell within the so-called fair report privilege.