

Jury Awards \$600,000 to Arizona Rancher; Environmental Group Found Libel for False Statements and Accusations

(Tucson) A Tucson jury Friday found the Center for Biological Diversity, a well-known environmental group, guilty of making “false, unfair, libelous and defamatory statements” against Jim Chilton, a fifth generation Southern Arizona Rancher.

In a judgment announced during the noon hour, the jury awarded Chilton \$100,000 in actual damages, and \$500,000 in punitive damages for defaming him and his family business in a two-page press release and 21 photographs posted on the Center’s website in July 2002 that were false and misleading regarding Chilton’s 21,500 acre Montana grazing Allotment northwest of Nogales.

“This case is more about the truth than about money. After all expenses have been covered, I am going to donate all the remaining money to the Arizona Cattle Growers Association to be used for the truth and responsibility for cattle grazing issues”, said Chilton.

The suit was filed, according to Chilton, because he wanted to challenge the way the Center for Biological Diversity does business.

“They don’t use science, they use scare tactics,” said Chilton. “They also use endangered species as surrogates to obtain their own goals and to raise money,” he added.

According to last year’s annual statement, the Center for Biological Diversity has an annual budget of \$2.9 million, and assets of \$2.4 million. The jury agreed with Chilton’s claim, citing the

Center did make false statements in a news advisory, and that misleading photographs were used in an unsuccessful effort to block renewal of Chilton’s grazing permit. The jury also cited that the Center did not accurately describe the condition of the grazing allotment.

The judge in the case asked the jury specific questions related to the claim, in which the jury responded in favor of Chilton.

“It’s not very common for a rancher to sue an environmental group. But in this case, they attacked my client personally and misstated the facts,” said Kraig Marton, Chilton’s attorney. “We are very pleased with the jury’s decision and judgment,” said Marton.

The lawsuit named not only the Center for Biological Diversity, but also three of its current and former employees: Martin Taylor, author of the release; Shane Jimerfield, the Web site designer who posted it; and A.J. Schneller, who was responsible for some photos and captions, and Kieran Suckling, the Executive Director of the Center who, Marton says, set the tone for making the false statements.