

FOR IMMEDIATE RELEASE

Noted “Free-speech” attorney and City Council Candidate Sues Organizations with Opposing Views

San Diego, California- April 26, 2012- Environmental activist, public interest attorney and City Council Candidate Bryan Pease has filed suit on behalf of the Animal Protection and Rescue League (APRL) against the Friends of the Children’s Pool (FoCP), San Diego Council of Divers (CoD), Earth Light, Spirit of the Environment and several individuals over “free-speech” tables at the Children’s Pool.

The case was filed on January 20, 2012 alleging “unlawful business practice” while engaged in protected “free-speech” activities and “First Amendment sales” at the Children’s Pool beach in La Jolla. As acknowledged in his complaint, Pease’s organization, Animal Protection and Rescue League engages in similar activity at the Children’s Pool. His complaint alleges lost revenue and damages caused by the presence of opposing viewpoints in the case of FoCP and CoD as well as non-conforming viewpoints in the case of Earth Light and Spirit of the Environment. Regardless of the fact that all four organizations have participated in the City of San Diego’s permit system for First Amendment sales at the Children’s Pool and the fact that APRL has never once applied for such a permit, Pease alleges illegal competition. Likewise, despite “notable victories” touted by Pease in defending LGBT and animal activists right to engage in free speech and petition on public property in other areas of California, Pease feels that organizations with opposing or non-conforming viewpoints should be prevented from competing with APRL at the Children’s Pool.

Fortunately, the State of California recognizes such lawsuits as a **Strategic Lawsuit Against Public Participation**, “SLAPP” and a “special motion to strike” or “Anti-SLAPP” motion was filed on March 21, 2012 consistent with Cal. Civ. Proc. Code 425.16. This Code protects those who engage in the exercise of constitutionally protected rights from being “chilled through abuse of the judicial process”. A hearing is scheduled for Friday ~~April~~ **May** 4, 2012 at 8:30 AM in Department C-62 of the San Diego Superior Court.

The San Diego Council of Divers is a California non-profit organization devoted to education, safety, conservation, sportsmanship, ocean access, the preservation of wise legislation and to the furthering of knowledge of marine phenomena. This organization was founded in 1951 and has championed access for divers and the general public at the Children’s Pool Beach in La Jolla through establishing an information table with signs and message-bearing merchandise in coordination with the Friends of the Children’s Pool.

The Friends of the Children’s Pool is a California non-profit organization devoted to promoting public access and use of the Children’s Pool consistent with the California State Constitution and State law. This organization has worked in coordination with the San Diego Council of Divers to establish an information table with signs and message-bearing merchandise at the Children’s Pool Beach in La Jolla.

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