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Councilman threatens slander suit

Accusations over money given to fund anger Smith

By Kerry Cavanaugh
Staff Writer

Tuesday, July 26, 2005 - NORTHRIDGE -- Leaders of a neighborhood council on Monday accused City Councilman Greig Smith of trying to silence opponents by threatening to file a defamation suit over statements implying he'd been bought off by Wal-Mart.

The angry exchange was prompted by comments made at a public hearing that Smith's support for a proposed Wal-Mart store, given after the company agreed to pay \$166,000 into a community fund, was "nothing short of bribery."

Last week, Smith demanded a retraction from Northridge West Neighborhood Vice President Sherry Ramstead, who made the comments, and President Jim Alger, who later repeated them.

"If you fail to comply with these requests, I will have no choice but to proceed in a manner appropriate to protect my rights and reputation," said letters sent to both Alger and Ramstead.

The neighborhood council leaders said they were shocked by Smith's letter.

"It saddens me that Mr. Greig Smith, my councilman, feels a need to threaten me with legal action over a verbal opposition to his position on his issue," Ramstead said in a statement.

Alger, who is running for the Keith Richman's 38th Assembly District seat, said Smith is trying to intimidate his opponents.

"It's going to have a chilling effect on opposition against Mr. Smith. People are always going to be concerned that Mr. Smith is going to use strong-arm tactics against them and their business."

But Smith's chief of staff, Mitchell Englander, said Alger is attacking the councilman to heighten his own political profile. While Smith has put up with mudslinging before, he decided to consider a lawsuit because the accusations were particularly malicious.

"We're not trying to silence anybody. The only thing we're trying to prevent is slander and lying and those kind of tactics."

But Joshua Koltun, a San Francisco attorney who specializes in free-speech issues, said the neighborhood council leaders' statements are based on their opinion -- that the community fund is like a bribe to win support for the project -- which is protected by the First Amendment.

"The court would not let this out of the starting block and in California she (Ramstead) could probably get her attorneys' fees back" if Smith sued her.

Wal-Mart has proposed razing the former Best and Levitz buildings at Nordhoff Street and Tampa Avenue to build a 24-hour store. Some residents have opposed the project, fearing increased traffic to a congested shopping district.