
First Department Clarifies “Substantial Basis” Standard Under New York’s Anti-SLAPP Statute

Date: 10/10/24

New York’s anti-Strategic Lawsuit Against Public Participation (SLAPP) statute aims to protect free speech by providing an accelerated summary dismissal procedure for claims that discourage participation in matters of public interest. Under the statute’s burden-shifting framework, if the defendant can demonstrate that an action against it involves “public petition and participation,” the plaintiff must show that its cause of action has a “substantial basis in law” or face dismissal.

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