
Second Department Provides Guidance on the Applicable Standard for a Matter of “Public Interest” Under New York’s Anti-SLAPP Statute

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New York’s anti-Strategic Lawsuit Against Public Participation (“SLAPP”) statute provides an accelerated dismissal procedure for claims that discourage participation in matters of public interest. To trigger the statute, a defendant must demonstrate that the plaintiff’s action involves issues of “public petition and participation.” In 2020, the New York legislature expanded the definition of “action[s] involving public petition and participation” to include “any subject other than a purely private matter.” On November 20, 2024, in *Tsamasiros v. Jones*, the Second Department continued a significant trend of New York courts borrowing from case law in the defamation context to determine what constitutes matters of “public interest” that trigger the protections of the anti-SLAPP statute.

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