

FOR IMMEDIATE RELEASE

Miss. Supreme Court Allows Suit Against *Sun Herald* Publisher to Proceed to Trial

Jackson, Miss., March 12, 2012—The Mississippi Supreme Court has allowed a small family business to proceed to trial against the publisher of *The Sun Herald* newspaper.

In 1997, small business Bay Jourdan Publishing Co. began publishing a local newspaper as a joint venture with the Diamondhead Property Owners Association, *The Diamondhead News*. BJP is operated by coast residents Anne and T.R. “Skip” Alfonso and located in Diamondhead. Afterwards, BJP lost the contract to print the paper to Gulf Publishing, Inc., the company that also prints *The Sun Herald*.

BJP believed that Gulf Publishing had campaigned to sway *The Diamondhead News* to use its printing services. BJP ultimately filed suit, alleging that the company had interfered with its contract to print the newspaper. Even though BJP had evidence that Gulf Publishing may have interfered with its contract, the trial court dismissed the case.

BJP retained Jackson appellate attorney David Neil McCarty to pursue the case on appeal. On Thursday, March 8, 2012, the Supreme Court reversed the trial court, and allowed BJP’s suit to go to trial.

The Supreme Court held that whether Gulf Publishing actions improperly influenced Diamondhead to breach its contract with BJP was “a question of fact at this stage.”

“We are extremely proud that the Mississippi Supreme Court recognized that Bay Jourdan Publishing should be allowed to go to trial, and allowed this case to move forward,” said Mr. McCarty. “We are pleased that the Supreme Court overwhelmingly rejected the arguments of Gulf Publishing and will let the Alfonso family have their day in court.”

OPINION AVAILABLE AT:

<http://courts.ms.gov/Images/HDList/..%5COpinions%5CCO75295.pdf>

About David Neil McCarty Law Firm, PLLC

David McCarty focuses his practice on civil and criminal appeals before the Mississippi Supreme Court, the Fifth Circuit Court of Appeals, and the Mississippi Court of Appeals.

In 2011 he achieved a landmark victory at the Fifth Circuit on behalf of former Supreme Court Presiding Justice Oliver E. Diaz, Jr., when the court declared that former U.S. Attorney Dunn Lampton was not immune to a civil lawsuit by the former judge. In 2009 he was part of the legal team that obtained a partial reversal of the bribery conviction of former Circuit Judge

John H. Whitfield. He has successfully represented many clients in civil and criminal appeals before the state and federal appeals courts.

Mr. McCarty serves as adjunct professor at Mississippi College School of Law for classes in Appellate Advocacy, Pretrial Practice, and Legal Writing. He is also admitted to the U.S. Supreme Court.

www.McCartyAppeals.com

RELEASE CONTACT:

David Neil McCarty
David Neil McCarty Law Firm, PLLC
416 East Amite Street
Jackson, MS 39201
Email: david@mccartyappeals.com
Web: www.McCartyAppeals.com

###