

## Court Dismisses D.C. Restaurant Owner's Lawsuit Against Anti-Foie Gras Activists

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*The D.C. Coalition Against Foie Gras says it will continue protesting at Kinship and other Washington, D.C.-based restaurants until the city is foie-gras free.*

The Washington, D.C. Superior Court has ruled in favor of three animal rights activists sued for stalking by a restaurant owner attempting to curb their anti-foie gras protests and online speech. The activists, members of the D.C. Coalition Against Foie Gras, are calling on Eric Ziebold to stop selling the fatty liver product at his restaurants, Kinship and Métier.



The defendants' lawyers, Matthew Strugar, Nigel Barrella and Chris Carraway from the University of Denver Animal Activist Defense Project, won the case by filing Anti-SLAPP (Strategic Lawsuit Against Public Participation) motions. The motions argued that Ziebold was attempting to silence the activists by burdening them with legal costs. The Superior Court granted the anti-SLAPP motions and dismissed Ziebold's case. In addition to paying his own legal bills, Ziebold is obligated to pay those of the defendants.

Lead anti-SLAPP attorney Matthew Strugar stated, "Belligerent rich people like Eric Ziebold think they can shut down their critics through costly litigation. Anti-SLAPP laws are essential to protect free speech and punish bullies like Ziebold who try to weaponize the legal system to escape accountability."

Upon hearing the verdict, defendant Lauren Melchionda made the following statement on behalf of the D.C. Coalition Against Foie Gras: “Our silence cannot be bought or won in court. We began this campaign to end the sale of foie gras in D.C due its immense cruelty. We will not capitulate what amounts to a tantrum from Eric Ziebold and once again urge him to take the pledge.”



Co-defendant Jenn Werth added, “Eric Ziebold wants to continue operating restaurants like it’s the 80s. Meanwhile, the world around him is evolving. Foie gras has been banned in several developed countries, and D.C.’s progressive community doesn’t want to eat food that is a product of cruelty.”

According to the defendants, Ziebold grew increasingly agitated by the protests over the course of two months. On one occasion, he locked activists inside of the restaurant until police arrived and forced Ziebold to let the activists out. According to the police, forcing them to stay inside was tantamount to kidnapping.

Despite claiming that the suit was not about the protests or free speech, Ziebold's lawyers asked the court to curb the protesters' online activity and to prohibit future protests within 100 yards of Kinship.

A magistrate judge initially approved of these restrictions, but the Superior Court Judge removed them weeks before dissolving the injunction altogether. The court found that the stalking lawsuits were meritless because Ziebold sued the activists over their speech and protest activity, and Ziebold could not show he was likely to win his cases.

Co-counsel Chris Carraway said, "This victory reaffirms you cannot weaponize an anti-stalking measure, designed to protect actual victims of stalking, to silence criticism against the inhumane treatment inherent in serving foie gras."

Foie gras is the diseased liver of a force-fed duck or goose. Undercover investigations of the country's largest foie gras producer, Hudson Valley Foie Gras, have repeatedly found ducks dying from their injuries or choking to death as a result of the force-feedings. "Ducks on foie gras farms have been found with broken beaks, punctured esophaguses, choking to death on their own vomit," said Mark Schellhase, the third defendant. "It is the height of animal cruelty."

[Watch video HERE.](#)



Gavage, the process by which the livers of ducks and geese are fattened, is French for force feeding.

Foie gras is banned in California, Italy, Germany, the UK, and several other countries due to the cruelty associate with force-feeding.

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