



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 750		DATE: 2/22/2023	
COMMITTEE: Judiciary			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JAMES HARRIS		PHONE NUMBER: 573-761-7875	
REPRESENTING: INSTITUTE FOR FREE SPEECH		TITLE:	
ADDRESS: 122 EAST HIGH STREET, SUITE 200			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/22/2023 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: JAY DAVID ADKISSON		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: adkissonpllc@gmail.com	ATTENDANCE: In-Person	SUBMIT DATE: 2/19/2023 10:32 PM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Mr. Chairman and esteemed Members of the Committee: Greetings. My name is Jay Adkisson from Henderson, Nevada, a suburb of Las Vegas. I am a native of Cushing, Oklahoma, and a graduate of the University of Oklahoma College of Law. I am currently the senior partner of Adkisson Pitet LLP, which practices in the area of creditor-debtor law and commercial litigation, and has offices in Newport Beach, California, and Henderson, Nevada. I am currently admitted to practice law in, and in good standing in, the States of Arizona, California, Nevada, Oklahoma and Texas. It was upon my proposal that the Uniform Law Commission undertook the drafting of the Uniform Public Expression Protection Act, known as "UPEPA", and I served as an American Bar Association Business Law Adviser to the drafting committee of that Act. I have also written extensively on the UPEPA, and Anti-SLAPP laws generally, for my contributor's column for Forbes.com and I have published a book on the technical aspects of the UPEPA. The UPEPA represents the cutting-edge of Anti-SLAPP laws, as the drafting process of the UPEPA included drawing from the better parts of the diverse Anti-SLAPP laws already adopted by a majority of States. The UPEPA drafting committee was also able to take advantage of several decades of decisional law which interpreted those statutes. The UPEPA is a cure against the so-called SLAPP suit, which is a lawsuit that is fundamentally without merit that is ultimately not intended to even succeed on its merits. Instead, a SLAPP suit seeks to intimidate, deter, and retaliate against a person for that person's exercise of their free speech and petition rights granted to them under the U.S. and their State Constitution. The SLAPP suit accomplishes this by the misuse of the litigation process itself, which seeks to inflict financial pain and emotional distress upon the defendant before the lawsuit is eventually dismissed. The UPEPA, and other Anti-SLAPP laws, attempt to remedy this situation by, essentially, moving the summary judgment motion from the back of the case to the front of the case, so that a meritless lawsuit may be dismissed at its outset, thus defeating an abusive litigant's attempt to punish a defendant with the litigation process. A UPEPA special motion to strike may be thought of, not too inaccurately, as either an "early summary judgment motion" or a "motion to dismiss on steroids". Ultimately, however, the standard to be employed by a court in reviewing a UPEPA special motion to strike employs the precise same standard as is currently used on a motion for summary judgment to determine if a lawsuit had sufficient minimum merit that it may proceed to resolution by a jury or other fact-finder. This works to protect a plaintiff's right to a jury trial, and to not inadvertently weed out meritorious litigation. The foregoing has provided a general overview of the UPEPA. I look forward to any comments and questions that the Committee might have.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: JEAN MANEKE		PHONE NUMBER: 816-753-9000	
BUSINESS/ORGANIZATION NAME: MISSOURI PRESS ASSOCIATION		TITLE: ATTORNEY	
ADDRESS: 2345 GRAND BLVD., SUITE 1600			
CITY: KANSAS CITY		STATE: MO	ZIP: 64108
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/22/2023 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JEFF SMITH		PHONE NUMBER: 314-323-0915	
REPRESENTING: ACLU - MISSOURI		TITLE:	
ADDRESS: 7 THE ORCHARDS			
CITY: ST LOUIS		STATE: MO	ZIP: 63132
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/22/2023 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JEREMY CADY		PHONE NUMBER: 573-799-3277	
REPRESENTING: AMERICANS FOR PROSPERITY		TITLE: STATE DIRECTOR	
ADDRESS: P O BOX 94			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/22/2023 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MARK GORDON		PHONE NUMBER: 573-636-6692	
REPRESENTING: MISSOURI BROADCASTERS ASSOC.		TITLE:	
ADDRESS: 1025 NORTHEST DR.			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65109
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/22/2023 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: ZACK POLLOCK		PHONE NUMBER: 573-645-3210	
REPRESENTING: THE BRITTON GROUP ON BEHALF OF THE MOTION PICTURE ASSOC.		TITLE:	
ADDRESS: 1030 WESTWOOD DRIVE			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65109
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/22/2023 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: Written		SUBMIT DATE: 2/22/2023 11:56 PM

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I am Opposed to this Bill and taking away Our Judicial Rights.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SUSAN GIBSON		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: Onesuegibson@protonmail.com		ATTENDANCE: Written	SUBMIT DATE: 2/19/2023 1:27 PM
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