

#### Highlights from Chabot Motion to Dismiss:

- This lawsuit is the quintessential “SLAPP” suit. Frazier is a public official, whose reputation has been destroyed through his own actions. Instead of taking personal responsibility, he is lashing out at one of the chief critics in his reelection campaign with hair-splitting arguments regarding defamation. This is not permitted in a free society, where citizens are allowed to criticize their elected officials. The TCPA was made for a Petition like this, and it should be dismissed with sanctions.
- Plaintiff Frederick Frazier, an elected public official, should have known better than to file this baseless lawsuit. As someone who has served in public office, Frazier is no stranger to the scrutiny that accompanies public service. Yet, instead of accepting responsibility for his own misconduct—misconduct that led to his criminal charges, his dishonorable discharge from the Dallas Police Department, and his defeat at the polls—Frazier seeks to silence one of his many critics through litigation.
- Frazier got caught cutting down Paul Chabot’s campaign signs—an act unbecoming of any public servant, much less an elected representative. When Chabot rightfully complained, Frazier found himself facing criminal charges. He was indicted for impersonating a code services officer, and ultimately, he chose to settle the criminal cases against him, resulting in probation and a dishonorable discharge from the Dallas Police Department.
- In May, Frazier’s constituents sent him a resounding message by rejecting him in the primary runoff election. Instead of reflecting on his defeat and accepting the consequences of his crimes, Frazier now seeks to rewrite history by filing this defamation lawsuit.
- Typically, a criminal conviction and defeat at the polls is a time for introspection, but instead, Frazier has chosen to lash out at one of his many critics through this vindictive lawsuit. His attempt to punish legitimate criticism through legal action cannot be allowed to succeed.
- In other words, Frazier lost his job, lost his election, and he’s embarrassed.
- Frazier made his own choices to resign in lieu of termination and to accept plea bargains in his criminal cases rather than seek vindication at trial.
- Frazier’s reputation had already been destroyed by his own crimes, plea deals, dishonorable discharge, and other misconduct, all of which were widely reported. In short, after Frazier ruined his own reputation, there was nothing left of it to be harmed by Chabot’s allegedly defamatory statements. Texas law does not permit such a plaintiff to proceed in a defamation case. “A libel-proof plaintiff is one whose reputation on the matter at issue is so diminished that, at the time of an otherwise libelous publication, it could not be damaged further.”
- Accordingly, this Court should dismiss this lawsuit with prejudice and award attorneys’ fees to Defendant Paul Chabot. Additionally, given the nature of this frivolous lawsuit, this court should impose sanctions to send a clear message: abusive litigation aimed at silencing critics is unacceptable in a free society.