

Google, Inc., is not required to identify anonymous bloggers who posted their opinions regarding a real estate developer on a blog hosted by Google. The company had been subpoenaed by the developer to disclose the names of the posters. The trial court quashed the subpoena.

The New Jersey appellate court found that the bloggers comments were unverifiable opinions and did not attribute criminal behavior to the developer and his company. The posts alleged that the developer "short changed the tax payers with millions," and "cost the taxpayers when [he] took a piece of township land on County Line Road without paying for it." The posts also included comments that the developer was a "rip off artist" and an "under the table crook."

The statements "primary reflect the opinions of the authors and at best are 'rhetorical hyperbole' on matters of public concern involving a public figure. As such, the published statements were non-actionable, and disclosure of the identity of the anonymous defendants was not warranted," the appellate court wrote. "Because the offending publications are not actionable, plaintiffs are not entitled to the identity of the anonymous defendants."

*Somerset Development, LLC and Ralph Zucker v. Cleaner Lakewood, John Doe, and John Doe Nos. 1-10*, Superior Court of New Jersey Appellate Division No. A-2819-10T3, issues September 26, 2012.