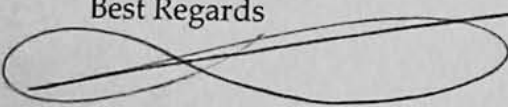


The whole point of protecting parody, from Jonathan Swift to Mark Twain to Lenny Bruce to this very site, is that our First Amendment (and in Swift's case similar guarantees in the UK) guarantees us the ability to discern between levels of truth on the page or screen. If a reader can reasonably (or, in the *Penthouse* case, not so reasonably) assume that what he or she is reading is a joke, then the courts have established that no harm is done. Our free speech protections enable us to make fun of others. Period. And public figures such as Mr. Diamond have been repeatedly subject to a much higher standard of proof-of-harm than more private persons.

It's no exaggeration to say that what has always separated American from every other nation is the noisy democracy of our big mouths. Everybody gets a say - that's the law. That say might be offensive to some, but unless it violates a rigorously upheld standard, that say is protected. www.dustindiamond.com clearly falls into protected speech and I strongly urge you to support its rights.

Please do not hesitate to contact me with any questions or if I can be of help in any way.

Best Regards



Professor David N Meyer