

Tabloid May Face Further Damages in Libel Lawsuit

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A Santa Monica Superior Court jury will reconvene this morning to consider whether the Globe tabloid must pay punitive damages in addition to a \$675,000 libel award for falsely suggesting that a Bakersfield farmer was the assassin of Robert F. Kennedy.

After a nearly four-week trial that featured an extensive review of the June 5, 1968, shooting of Kennedy in Los Angeles, the jury Friday found that the Globe must pay Khalid Khawar for injury to his reputation and emotional distress.

The tabloid newspaper in April, 1989, carried a story on a book by author Robert Morrow, entitled "The Senator Must Die: The Murder of Robert F. Kennedy," which alleged that a secret Iranian police hit squad—and not convicted assassin Sirhan Sirhan—was responsible for the slaying.

The article was accompanied by a photograph showing Kennedy claiming victory in the California Democratic presidential primary on stage at the Ambassador Hotel moments before he was killed. Over the photo was an arrow pointing to Khawar, then a young free-lance photographer, who was clad in a yellow sweater and carrying a camera while standing not far from Kennedy.

A caption said Morrow claims that an Iranian agent in the photograph killed Kennedy with a gun disguised to look like a camera.

Santa Monica attorney Francis C. Pizzulli, who represented Khawar, said the \$675,000 judgment shows "if you repeat a lie and you know it's a lie, you can't get away with it."

Khawar, who grows oranges and grapes on his Bakersfield farm, was present for the verdict and is "very pleased that his name has been cleared," Pizzulli said.

Beverly Hills attorney Anthony M. Glassman, who represented the Globe, expressed "obvious disappointment" with the jury's decision.

Although he said "the book apparently did not tell the truth about Mr. Khawar," Glassman questioned how the tabloid could be forced to pay damages when it "accurately, fairly and in a neutral fashion" reported on the publication.

"It's a book," he said. "I don't think we shoot the messenger in America."

Glassman expressed the hope that the award will be set aside by Superior Court Judge Richard Harris.

The same jury will consider whether Khawar should receive punitive damages after legal arguments this morning.