

**QUESTION 11 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK
IV OR IN EXAMPLIFY ANSWER SCREEN 11**

George Jones had a stellar reputation, and was considered one of the nicest, trustworthy residents of Anytown, Michigan. Jones loved coaching baseball and had been a coach in the Anytown recreational league for many decades. This year, one of his players was Mikey Smith, the 16 year-old son of Tom Smith. Mikey had a strong dislike for Jones, who had coached Mikey the previous two years. Mikey believed that Jones did not let him pitch enough, and was certain this year he would again rarely pitch. Because this was Mikey's last year of league eligibility, he was determined to get Jones removed as coach so he could pitch more.

Mikey's plan was as simple as it was untrue: accuse Jones of cheating by failing to follow league rules. Specifically, Mikey verbally spread the word amongst players and parents that Jones had repeatedly violated league rules by not allowing all players to play the league minimum three innings. It took less than two weeks for the rumor to spread. An investigation ensued. It was Mikey's word against Jones and, out of an abundance of caution, the league sided with Mikey. As a result, Jones was terminated from the league and banned from coaching. Jones was terribly embarrassed by the allegations and resulting ban, and eventually lost his sales job because of his damaged reputation.

Jones sued Mikey for defamation, and Tom Smith for negligence, claiming Tom was responsible for his miserable child's defamatory actions. Mikey seeks dismissal of the defamation claim arguing that Jones cannot establish the elements. Tom seeks dismissal of the negligence claim on the ground that he cannot be held liable for a defamatory statement of his son.

Applying Michigan law, explain in detail:

- 1. Whether Jones can establish a defamation claim against Mikey, and**
- 2. Whether Tom can be liable for his son making the allegedly defamatory statement.**

*******THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK IV*****
OR IN EXAMPLIFY ANSWER SCREEN 11**