

## The 3 Different Types Of Damages in Defamation Cases

A California court may award three kinds of damages to an aggrieved party in a defamation case. What are damages? Damages are monetary compensation for loss or injury to a person or property. In defamation cases, a court is attempting to measure the plaintiff's loss of reputation as a result of the alleged defamatory statement or statements.

There are three types of damages that may be sought in a defamation case according to California Civil Code section 48a, et seq.

**General Damages** - these include "damages for loss of reputation, shame, mortification, and hurt feelings";

**Special Damages** - these "are all damages plaintiff alleges and proves that he has suffered in respect to his property, trade, profession or occupation including such amounts of money as the plaintiff alleges and proves he has expended . . ."; and

**Exemplary Damages** - "are damages which may be in the discretion of the court or jury to be recovered in addition to general and special damages for the sake of example and by way of punishing a defendant who has made the publication or broadcast with actual malice."

I'll explain why it's important to know what types of damages are available to you in a defamation case in an upcoming post.

Stay tuned and stay informed.