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12-10-74
state + cs +A. P. MADISON SUES KAIMIN EDITOR, OTHERS
IN \$102,000 DISTRICT COURT LIBEL ACTION

MISSOULA, Mont.--

A. P. Madison, director of Printing Services at the University of Montana in Missoula, filed a \$102,000 libel suit Monday Dec. 9, in district court against Carey Matovich Yunker, who is editor of the Montana Kaimin, the UM student newspaper.

Besides Yunker, other defendants named in the suit include several student government organizations and the University of Montana.

Madison alleges that Yunker libeled him in an editorial printed in the Kaimin on Oct. 8, 1974. The editorial, stemming from a controversy between UM Printing Services and the Kaimin over the costs of printing the newspaper, referred in part to Madison as "a congenital liar, an incompetent whose own (printing) operation has lost \$103,914.89 in the last four years."

Besides \$2,000 in special damages, Madison also seeks \$50,000 in general damages and \$50,000 in punitive damages.

In a news item about the libel suit Tuesday, Dec. 10, the Kaimin indicated that Montana law states that an individual must request a retraction from a publication before he sues for libel. According to the Kaimin, only special damages can be awarded if the publication prints a retraction within seven days following a retraction request.

Tuesday's Kaimin also reported that Madison did not request a retraction, but the newspaper said that Sam Haddon, Madison's attorney, indicated in the lawsuit that the retraction statute is unconstitutional from the standpoints of both U.S. and Montana constitutions.

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UM Publications Board fired Yunker from the Kaimin editor's post in October for alleged abuse of editorial power by name-calling and news manipulation, but she was reinstated as editor less than 24 hours later by a 15-3 vote of Central Board, the ASUM student governing body, to enable her to have a formal hearing on the Publications Board charges. A hearing for Yunker before Publications Board, an 11-member group with only one of its members a holdover from the previous group of board members, is set for 6:30 p.m. Tuesday, Oct. 10, in the University Center Montana Rooms.

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