



FOR IMMEDIATE RELEASE

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SEN. DENNING RESPONDS TO RULING BY JUDGE GURNEY
Johnson County District Judge Gurney rules against State Senator in defamation case

OLATHE – Today, Johnson County District Court Judge Paul C. Gurney ruled against Senator Jim Denning in the defamation case against former Kansas City Star columnist Steve Rose. Denning, Majority Leader of the Kansas Senate, filed the initial lawsuits after false and misleading statements were attributed to him in a January 26 article written by Rose.

“We are disappointed with Judge Gurney’s ruling. Rose has over 50 years of experience as a journalist. He knew better,” Denning said. “He misled readers in every aspect of his article. The purposeful implication of a recent meeting, the use of falsified quotes, and the misattribution of comments was reckless for someone with five decades of experience.”

Despite being unable to conduct meaningful discovery, the case forced The Star to produce internal emails in which Colleen Nelson, Star editor, wrote the article “was misleading at best and gave readers (and me) the impression that Denning said this recently.” Rose responded to Nelson by stating “I see the gravity of all of this. Let’s cancel my column.” Rose attempted to hide his wrongdoing when he wrote to Ethan Patterson, Denning’s Chief of Staff, “I think Jim and you both are right. I would like to make this suggestion. Let it drop, and I will resign my column in The Star, effective today.”

In an email dated January 26, Nelson wrote that her impression was that Rose had cleared the article with Denning and later that “if that’s not what happened, we have a problem.” The article was not, and never would have been, cleared by Denning. The last time the two met was in August 2016. The only other contact Denning had with Rose was in November 2017, when Rose requested his assistance as a constituent for a family matter. Denning was able to resolve the issue in less than 24 hours, to which Rose thanked him for his help.

JimDenning4Kansas.com

11184 Antioch, Suite 290
Overland Park, Kansas 66210-2420

Jim@JimDenning4Kansas.com

Paid for by Jim Denning for Kansas Senate – Kathy Vance, Treasurer



This lawsuit is about journalistic integrity and telling the truth. Rose continues to claim that Denning “opposes Medicaid expansion vehemently” but fails to report on the extensive work Denning has done in the Senate to produce a fiscally sound bill for expansion in the 2020 session. In his 2019 explanation of vote on Medicaid expansion, Denning said, “Today I vote pass. I’m not saying no; I’m saying this policy isn’t ready. ... I have committed to working on a Medicaid plan over the interim in a transparent manner and I believe a modernized present-day bill will be debated on the Senate floor early next session. This body should not support policy based on political wins or losses, but rather good sound policy that benefits the State of Kansas and its constituents.” In the motion to strike, The Star used a 2017 ‘No’ vote as their claim of Denning’s opposition. This was despite the fact that even Nelson, their own editor, highlighted to Rose that “we don’t actually know what he thinks today” when she discovered the two had not communicated since 2016.

Michael Kuckelman, who represents Denning, voiced his frustration about the lack of a retraction by The Star. The Star has distanced themselves from Rose over the course of the lawsuit and repeatedly asserts that as a columnist, Rose was not an employee therefore they are not responsible for the article. Rose, as an independent columnist, was contractually obligated to insure “that the work is accurate and the details have been (or will be) checked or verified close enough prior to the proposed publication date to insure that the work is current and accurate.” Rose instead knowingly misled readers into thinking the comments by Denning were both recently made and his actual beliefs.

“The media has to be held accountable and should be a source the people can trust,” said Kuckelman. “It is farce when a massive, New York Stock Exchange traded, corporation like McClatchy Company, is allowed to use a law designed to protect the people from corporate bullying to oppress the little guy.”

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