



GIBSON BROS. V.
OBERLIN COLLEGE

JUNE 20, 2019

BACKGROUND

Gibson Bros. v. Oberlin College is the single most important legal case involving campus social justice warfare and racial politics in more than a decade. **Legal Insurrection Foundation** covered the case more closely than anyone else, from the incident giving rise to the litigation to the trial and its aftermath, earning Legal Insurrection widespread praise and media coverage.

On the day after Donald Trump's election in 2016, owners of Gibson's Food Mart & Bakery stopped a black male Oberlin College student attempting to shoplift from them after being denied the sale of alcohol with his fake ID. While police were called, a scuffle ensued, and two black female Oberlin College students joined in the confrontation. All three students were arrested, and they would ultimately plead guilty to attempted theft and aggravated trespass.

But the facts of the case were not allowed to get in the way of campus activists who accused the more than 130-year-old business of engaging in racial profiling. College students, faculty and administrators joined in aggressive protests outside the market and coordinated a boycott of the fifth-generation bakery.

Activists handed out pamphlets that made unsubstantiated claims against the Gibson family, claiming without evidence that the bakery routinely engaged in racial profiling. Even Oberlin's Dean of Students allegedly distributed these flyers. Similar statements were made by the student senate, whose resolutions condemning the more than 130-year-old family business were allegedly promoted by the college.

Gibson's Bakery and its owners sued for libel, intentional interference with business and intentional infliction of emotional distress. The case was mostly ignored by the media, but **Legal Insurrection Foundation** saw an importance to the case that others missed. **Legal Insurrection Foundation** was the only national outlet to have a reporter in the courtroom every single day of the almost six-week trial. Daily reports were published as to the court activity.

The jury returned a compensatory verdict of \$11 million and a punitive damage verdict of \$33 million. Now the media started to pay attention, turning to **Legal Insurrection's** reporting. Professor William A. Jacobson, President of the **Legal Insurrection Foundation**, made numerous media appearance in connection with the case, including two appearances on Tucker Carlson tonight, and major radio shows such as Lars Larsen and Dan Rea.

There was only one national news outlet present every day of this trial: **Legal Insurrection Foundation**. Our coverage received numerous accolades and praise across media and social media

LIF COVERAGE

In total, Legal Insurrection Foundation published 72 stories concerning *Gibson Bros. vs. Oberlin College* and 125 stories concerning Oberlin College. As the only national outlet present for every day of the trial, LIF was uniquely positioned to provide original reporting and photographs, expert analysis and news as it happened. Below is just a small sampling of some of LIF's coverage:



VERDICT: Jury awards Gibson's Bakery \$11 million against Oberlin College

Punitive damage phase to start next Tuesday, which could increase the damages to \$33 million.

 Legal In-surrec-tion / Jun 7



Oberlin College vows to fight Gibson's Bakery Verdict: "This is not the final outcome"

Oberlin College president in blast email: "Let me be absolutely clear: This is not the final outcome. This is, in fact, just one step along the way of what may turn out to be a lengthy and complex legal process."

 Legal In-surrec-tion / Jun 14



Oberlin College mass email criticizing Jurors could influence Punitive Damages Hearing in Gibson's Bakery case

Publicly accusing jurors of disregarding "the clear evidence our team presented" when the trial is not over is another baffling move by Oberlin College.

 Legal In-surrec-tion / Jun 9



Gibson's Bakery v. Oberlin College – Trial Day 8 -- "my dad was going to pass away labeled as a racist"

David Gibson: "Without [Oberlin College] coming out and offering a message that we were not racist, it was going to go on forever. They caused this thing, and they needed to step up and do the right thing...."

 Legal In-surrec-tion / May 21

THE WALL STREET JOURNAL.

OBERLIN PAYS FOR SMEARING THE TOWN GROCER

By: William A. Jacobson
June 12, 2019

Ohio's Oberlin College has achieved national notoriety for the zeal of its progressive activism. According to a 2016 story in the *New Yorker*, students have bombarded administrators with endless demands for accommodation, including abolishing midterms, banning grades below C, the addition of "trigger warnings" to classic literature and even an \$8.20 hourly wage for engaging in activism. It isn't surprising in this light that a hate-crime hoax, spurred by a shoplifting incident at a nearby business, was enough to put students in attack mode.

On Nov. 9, 2016, an African-American male Oberlin student attempted to buy wine from Gibson's Food Mart and Bakery using a fake ID. Allyn D. Gibson, a grandson of the shop's owner, refused to sell the underage customer alcohol, then noticed the student had two bottles of wine concealed under his shirt.

As Mr. Gibson called the police the student fled, dropping the bottles on the floor. A scuffle ensued when Mr. Gibson pursued him. Two African-American female Oberlin students, apparently accomplices of the suspect, joined in the physical confrontation. When police arrived on the scene, the three were beating Mr. Gibson on the ground.

None of these facts were ever in dispute, even among the three suspects, who all pleaded guilty to an array of charges. The first suspect swore in his plea statement that Mr. Gibson "was within his legal rights" to detain him, and that he did not believe Gibson's actions were racially motivated.

On a different campus on a different day, it is unlikely a simple shoplifting case would have gained much attention. But the incident occurred the day after Donald Trump was elected president, in the wake of which Oberlin students appeared ready to build on the school's history of left-wing activism to exercise their angst. Thus this otherwise unexciting crime became their cause célèbre.

THE WALL STREET JOURNAL.

OBERLIN PAYS FOR SMEARING THE TOWN GROCER (CONT.)

Alleging these suspects were actually victims of racial profiling, students launched a campaign to destroy Gibson's, a fifth-generation family business that had served the Oberlin community for more than 130 years. They organized protests, distributed leaflets accusing the Gibson family of racism, and worked with school administrators to impose financial sanctions on the bakery. Demonstrations became so aggressive that police say they considered calling the riot squad to restore order.

Oberlin administrators agreed to boycott Gibson's, which had long held catering contracts with the college's dining service, and they allowed students to skip class to participate in protests. The Gibsons alleged that the administrators guided student-government leaders in promoting a resolution to condemn the bakery and Gibson family. Oberlin's dean of students, Meredith Raimondo, handed out a flier accusing Gibson's of having a "long account of racial profiling and discrimination."

The Gibson family claims administrators told them they'd reinstate the catering contract if they dropped charges against the three shoplifting students and promised to contact the school, not police, if other students stole from their store in the future. The family refused and instead sued Oberlin and Ms. Raimondo, seeking \$12.8 million at trial on numerous counts including libel, interference with business contracts and intentional infliction of emotional distress.

As a result of the protests, boycotts and lawsuits, the Gibson family business, which had survived two world wars and the Great Depression, suffered greatly. Its owners took no salary for two years, and nearly all the staff had to be let go. In their closing arguments, Mr. Gibson's lawyers lamented that without a ruling in their favor, the beloved Oberlin bakery could be forced to close.

On June 7 a jury awarded Gibson's Food Mart and Bakery, as well as the Gibson family, \$11 million in compensatory damages. After punitive damages are decided this week, Oberlin College could owe the Gibsons an additional \$22 million.

THE WALL STREET JOURNAL.

OBERLIN PAYS FOR SMEARING THE TOWN GROCER (CONT.)

This historic case received scant media attention during the trial. My publication, Legal Insurrection, was the only national outlet to be present for the entire trial, because we felt Gibson Bros. v. Oberlin College was emblematic of tensions in American culture, particularly the “town vs. gown” divide that pits activist colleges against the places that host them.

In this case, Oberlin students and administrators appeared happy to smear a family-run institution in pursuit of a “social justice” agenda. Ignoring the facts, they attempted to destroy a business without concern for the damage they were inflicting on a family and workers in their own community.

Sadly, many victims of similar smear campaigns don't persevere like the Gibsons did. For individuals and businesses facing progressive political mobs, succumbing to the bullying might seem the easiest way out, even when the accusations are false. But that could result in loss of livelihoods, safety and peace.

The Gibson family showed that, using the legal system, it is possible to fight back and win. The verdict in Gibson Bros. v. Oberlin confirms that colleges and universities aren't immune from accountability for participating in aggressive activism among their students, especially when that activism is built on lies and smears

For Oberlin, it didn't have to end this way. At the height of the controversy, the Gibson family says it asked the school to send a letter to students reiterating what had already become clear: The bakery didn't engage in racial profiling. Administrators refused. Had the college agreed to refute the baseless claims of racism, it is unlikely that the Gibson family would have pursued the matter in court.

The verdict is in, and it regards more than money. The jury held accountable an unhinged progressive activist college that lost concern for the lives of working people in its community.

Mr. Jacobson is a professor at Cornell Law School and president of Legal Insurrection Foundation.

LIF MEDIA APPEARANCES



As the only national outlet following this *Gibson Bros. vs. Oberlin College*, Legal Insurrection Foundation received many media requests to discuss the case. Here are links to some of these appearances:

TUCKER CARLSON TONIGHT (Fox News): https://www.youtube.com/watch?v=Jw51yY9_RR0

LARRY O'CONNOR SHOW (PODCAST & WMAL):
<https://www.stitcher.com/podcast/westwood-one-2/the-larry-oconnor-show/e/61921618>

MICHAEL BERRY SHOW: <https://legalinsurrection.com/2019/06/what-the-media-is-getting-wrong-about-gibsons-bakery-libel-verdict-against-oberlin-college/>

LARS LARSEN: <https://soundcloud.com/thelarslarsonshow/william-jacobson-universities-cannot-simply-wind-up-and-set-loose-student-social-justice-warriors?in=thelarslarsonshow/sets/interviews-2019-b>

CAMPUS REFORM: <https://www.campusreform.org/?ID=13311>

HOWIE CARR: <https://legalinsurrection.com/wp-content/uploads/2019/06/William-Jacobson-on-Howie-Carr-Show-06-12-2019-re-Gibsons-Bakery-v.-Oberlin-College.mp3>

TONY KATZ RADIO SHOW: <https://www.wibc.com/blogs/tony-katz/oberlin-college-loses-university-ordered-pay-over-30-million-gibsons-bakery-libel>

NIGHTSIDE WITH DAN RAE (WBZ BOSTON): <https://player.fm/series/nightside-with-dan-rea-1761579/dining-hall-privilege-10pm>

L I F M E N T I O N S

Legal Insurrection Foundation was quoted across dozens of media stories, and many linked to LIF's coverage of the trial.

PITTSBURGH POST-GAZETTE: <https://www.post-gazette.com/news/crime-courts/2019/06/08/Ohio-gibson-s-bakery-wins-11-million-lawsuit-against-Oberlin-College/stories/201906080041>

FOX NEWS: <https://www.foxnews.com/politics/oberlin-college-to-pay-bakery-over-11-m-after-accusing-it-of-racial-profiling>

NATIONAL REVIEW: <https://www.nationalreview.com/corner/jury-hammers-oberlin-for-libeling-local-business/>

NEW YORK POST: <https://nypost.com/2019/06/17/woke-apocalypse-the-oberlin-college-suit/>

THE ATLANTIC: <https://www.theatlantic.com/ideas/archive/2019/06/the-publicly-shamed-sue-oberlin-college-verdict/591379/>

WASHINGTON TIMES: https://www.washingtontimes.com/news/2019/jun/7/ohio-jury-awards-11-million-to-bakery-owners-target/utm_campaign=shareaholic&utm_medium=facebook&utm_source=socialnetwork&fbclid=IwAR18wjeCtsPKrbSthHgL3m8pqSyPk0C_yoY_uvlizxPmTFo3J1jjG5Pxe_o

<https://www.washingtontimes.com/news/2019/jun/13/oberlin-college-ordered-pay-gibson-bakery-33-milli/>

DAILY SIGNAL: <https://www.dailysignal.com/2019/06/19/im-an-oberlin-graduate-they-had-it-coming/>

DAILY WIRE: <https://www.dailywire.com/news/48169/ohio-family-bakery-stopped-shoplifter-protesters-hank-berrien>

<https://www.dailywire.com/news/48220/oberlin-college-may-end-paying-bakery-much-more-11-ashe-schow>

<https://www.dailywire.com/news/48373/after-being-fined-11-million-damages-oberlin-ashe-schow>

L I F M E N T I O N S (C O N T .)

PJ MEDIA: <https://pjmedia.com/trending/oberlin-college-ordered-to-pay-bakery-11-2-million-in-damages-for-school-sponsored-racism-witch-hunt/>

TIMCAST (506K views): <https://youtu.be/QQBE2mLTt4s>

POWERLINE BLOG: <https://www.powerlineblog.com/archives/2019/06/accountability-for-oberlin.php>

<https://www.powerlineblog.com/archives/2019/06/the-jury-hated-oberlin.php>

AMERICAN GREATNESS: <https://amgreatness.com/2019/06/14/oberlin-college-hit-with-44-million-judgement-for-libelous-racism-claims/>

AMERICAN THINKER:

https://www.americanthinker.com/blog/2019/06/catering_to_the_pc_mob_is_going_to_cost_oberlin_college_big_bucks.html

https://www.americanthinker.com/blog/2019/06/oberlin_college_ignored_the_first_law_of_holes_responding_to_the_jury_verdict_against_it.html

HOT AIR: <https://hotair.com/archives/2019/06/08/bakery-near-oberlin-college-wins-11-million-verdict/>

THE COLLEGE FIX: <https://www.thecollegefix.com/oberlin-college-ordered-to-pay-11-million-to-local-bakery-for-libel-emotional-distress/>

RICOCHET: <https://ricochet.com/629904/oberlin-college-destroyed-small-bakery-now-it-will-pay-up/>

THE BLAZE: <https://www.theblaze.com/news/college-ordered-to-pay-11-million-for-libeling-bakery-amid-student-protests-that-called-family-owned-shop-racist>

<https://www.theblaze.com/news/family-bakery-labeled-by-college-amid-student-protests-calling-shop-racist-awarded-maximum-punitive-damages>

COMMENTARY: <https://www.commentarymagazine.com/politics-ideas/at-oberlin-a-tipping-point/>

LIF MENTIONS (CONT.)

TOWNHALL: <https://townhall.com/tipsheet/timothymeads/2019/06/13/wham-bam-thank-you-maam-oberlin-now-has-to-pay-triple-the-fine-for-bogus-racial-hoax-defamation-n2548216>

INSIDE HIGHER ED: <https://www.insidehighered.com/news/2019/06/10/oberlin-ordered-pay-bakery-11-million-over-protests>

FREE BEACON: <https://freebeacon.com/issues/oberlin-college-owes-baker-33-million-after-court-ruling/>

ABA JOURNAL: <http://www.abajournal.com/web/article/oberlin-college-ordered-to-pay-44.4-million-damages-in-libel-case-brought-by-small-business>



Le-gal In-sur-rec-tion Foun-da-tion

TWITTER BUZZ



As a result of Legal Insurrection Foundation's coverage of the case, the site, its leadership and its stories received unprecedented traction on Twitter. This is thanks in part to the part of support of LIF's influential allies boosting this important work. Here are just a few:


 **Howie Carr** ✓
@HowieCarrShow

VERDICT: Jury awards Gibson's Bakery \$11 million against Oberlin College legalinsurrection.com/2019/06/verdict...
GREAT NEWS -- VICTORY OVER POLITICAL CORRECTNESS!


 VERDICT: Jury awards Gibson's Bakery \$11 million against Ob...
Punitive damage phase to start next Tuesday, which could increase the damages to \$33 million.
legalinsurrection.com

2:49 PM · Jun 7, 2019 · [Twitter Web Client](#)

74 Retweets 190 Likes


 **Andy Ngo** ✓
@MrAndyNgo

Major update: A jury has awarded Gibson's Bakery \$11m in their lawsuit against [@oberlincollege](#) for their role in whipping up students into a near-riot over a hate crime hoax. legalinsurrection.com/2019/06/verdict...


 **Andy Ngo** ✓ @MrAndyNgo · May 13

Nov 2016: Black [@oberlincollege](#) student stole alcohol from bakery & was detained by owner's son who then got jumped by other black students. Activists & admin on campus claimed bakery was racist & nearly rioted. Now the bakery is suing Oberlin. chronicler.com/cops-and-court... #HateHoax

[Show this thread](#)

 **Ellen Carmichael** ✓
@ellencarmichael

BREAKING: Jury awards Gibson's Bakery & owners maximum punitive damages, bringing total judgment against Oberlin College to \$33 million. This historic case proves colleges can be held accountable for defamation of private individuals & businesses.

 Oberlin College hit with maximum PUNITIVE DAMAGES (capp...
Added to \$11 million compensatory damages, brings total to \$33 million
legalinsurrection.com


2:36 PM · Jun 13, 2019 · [Twitter Web App](#)

[View Tweet activity](#)

6.2K Retweets 19.8K Likes

 **((AG))**
@AG_Conservative

Really a shocking case. A social justice mob encouraged by Oberlin tried to smear and destroy this bakery simply for not letting some students steal from them. Now Oberlin will have to pay for it.

 **Ellen Carmichael** ✓ @ellencarmichael · Jun 7

Pretty huge news here: Gibson Bakery, a fifth-generation family establishment, wins \$11 million judgment against Oberlin College for defamation. This is an absolutely bonkers case:

legalinsurrection.com/2019/06/gibson...
[Show this thread](#)

6:19 PM · Jun 7, 2019 · [Twitter Web App](#)

461 Retweets 1.3K Likes

 **Michelle Malkin** ✓
@michellemalkin

Via [@LegInsurrection](#) : Allyn W. Gibson awarded \$5.8 million, David Gibson \$3 million, Gibson Bros. \$2,274,500. Next Tuesday there will be separate punitive damages which could double award (meaning tripling the \$11 million to \$33 million).
legalinsurrection.com/2019/06/verdict... [#gibsonsbakery](#)

 VERDICT: Jury awards Gibson's Bakery \$11 million against Ob...
Punitive damage phase to start next Tuesday, which could increase the damages to \$33 million.
legalinsurrection.com

4:00 PM · Jun 7, 2019 · [Twitter Web Client](#)

396 Retweets 1.1K Likes

 **Dana Loesch** ✓
@DLoesch

Thread

 **Ellen Carmichael** ✓ @ellencarmichael · Jun 7

Pretty huge news here: Gibson Bakery, a fifth-generation family establishment, wins \$11 million judgment against Oberlin College for defamation. This is an absolutely bonkers case:

legalinsurrection.com/2019/06/gibson...
[Show this thread](#)

6:30 PM · Jun 7, 2019 · [Twitter for iPhone](#)

256 Retweets 1K Likes

 **Mark R. Levin** ✓
@marklevinshow

Justice done in Gibsons bakery case

 VERDICT: Jury awards Gibson's Bakery \$11 million against Ob...
Punitive damage phase to start next Tuesday, which could increase the damages to \$33 million.
legalinsurrection.com

9:33 AM · Jun 8, 2019 · [Facebook](#)

1.6K Retweets 5.1K Likes