

# Siemer loses defamation appeal in Stiassny case

Rebecca Stevenson • 15:04, Mar 30 2011



Auckland businessman Vincent Siemer will have to pay Michael Stiassny \$825,000 in damages – the country's highest ever defamation award – after his appeal failed.

Siemer was found guilty of defaming the Vector chairman in December 2008 on a website he set up specifically to criticise Stiassny.

The pair had a commercial disagreement over the receivership of a company that Siemer held shares in, Paragon Oil Systems.

Stiassny was awarded damages for defamation of \$825,000 and his business, now known as Korda Mentha, was awarded damages of \$75,000 plus \$20,000 for another dispute settlement.

The entire ruling was challenged by Siemer but the Court of Appeal has found he could only appeal against the amount of the damages awarded.

The court said it didn't consider there was any principled basis on which the court could intervene in the award.

The \$825,000 is made up of \$650,000 general damages, \$150,000 aggravated damages and \$25,000 exemplary damages.

It was just one ruling in a number of court actions brought by Stiassny against Siemer in an attempt to have the defamatory website material, and a matching billboard, taken down.

Injunctions restraining Siemer from publishing further information and removing the current defamatory statements were ignored and in the end Siemer was jailed for six weeks in July 2007 as well as being fined \$15,000 in 2006.

While imprisoned Siemer republished the offending material, earning him a further six-month stint behind bars in July 2008.

The Court of Appeal said it was the worst case of defamation in the British Commonwealth, and Siemer defamed Korda Mentha boss Stiassny knowingly and persistently.