

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT

Michael Lawrence Lombardo v. Hannah Lee Goodine

Lombardo · No. 3:25-CV-00768 (SFR) · Decided March 17, 2026

SUMMARY

The United States District Court for the District of Connecticut denied the defendant’s Rule 12(b)(1) motion to dismiss a defamation action and denied a motion to certify a question to the Connecticut Supreme Court. The court held that Connecticut’s anti-SLAPP statute, Conn. Gen. Stat. § 52-196a, does not confer immunity or deprive a federal court of subject matter jurisdiction. The court also concluded that certification would not affect the jurisdictional issue before it.

CASE DETAILS

COURT	United States District Court for the District of Connecticut
WRITING FOR THE COURT	Sarah F. Russell
JURISDICTION	United States District Court for the District of Connecticut
DECIDED	March 17, 2026
DOCKET	3:25-CV-00768 (SFR)
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(1) to dismiss a diversity defamation action for lack of subject matter jurisdiction, asserting that Connecticut's anti-SLAPP statute conferred immunity and deprived the federal court of jurisdiction. Defendant also moved to certify a question concerning the jurisdictional effect of the anti-SLAPP statute to the Connecticut Supreme Court.
STANDARD OF REVIEW	On a Rule 12(b)(1) motion, the plaintiff bears the burden of establishing subject matter jurisdiction by a preponderance of the evidence. The court accepts material factual allegations as true but may consider evidence outside the pleadings and need not draw favorable inferences for the plaintiff. Certification of a state-law question is discretionary.
PRECEDENTIAL VALUE	unknown

TOPICS

- subject matter jurisdiction
- motions to dismiss
- civil procedure
- defamation
- statutory interpretation

PRACTICE AREAS

civil procedure

defamation

constitutional law

federal courts

QUESTIONS PRESENTED

1. Whether Connecticut General Statutes § 52-196a provides immunity from suit that deprives a federal court of subject matter jurisdiction over a defamation action.
2. Whether Connecticut's anti-SLAPP procedure may be used in federal court to obtain dismissal or otherwise circumvent the Federal Rules of Civil Procedure.
3. Whether the court should certify to the Connecticut Supreme Court the question whether a successful anti-SLAPP motion implicates the subject matter jurisdiction of a trial court.

HOLDINGS

1. Section 52-196a does not confer immunity from suit and does not deprive the federal court of subject matter jurisdiction. State-created immunity defenses, even if applicable on the merits, do not limit the jurisdiction of a federal court.
2. Connecticut's anti-SLAPP special motion to dismiss cannot be used in federal court where it conflicts with or answers the same question as the Federal Rules of Civil Procedure. The federal procedural rules govern.
3. Certification is denied because Connecticut appellate authority states that § 52-196a does not implicate subject matter jurisdiction, and any contrary state-law determination would not affect the federal court's jurisdictional analysis.

KEY QUOTATIONS

"I conclude that § 52-196a does not confer immunity and instead functions as state procedural mechanism to shorten meritless litigation." (at 9)

"The jurisdiction of federal courts is rooted in Article III of the Constitution." (at 11)

"Therefore, I find that this court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332(a)." (at 12)

FACTUAL BACKGROUND

Lombardo, an audio engineer and podcast creator, alleged that Goodine made and repeated false statements accusing him of using his professional reputation to lure younger women into relationships by promising professional advancement in exchange for sexual favors. He alleged that the statements spread through the professional audio-engineering community, causing loss of clients and income, reputational harm, and emotional and physical distress. The Complaint alleged diversity jurisdiction based on differing state citizenship and more than \$75,000 in controversy.

PROCEDURAL HISTORY

Lombardo filed a two-count Complaint for defamation per se and defamation on May 12, 2025. Goodine moved to dismiss on August 1, 2025, and later moved to certify a question to the Connecticut Supreme Court. The

district court denied both motions.

DISPOSITION

other

CASES CITED

- Lafferty v. Jones, 336 Conn. 332, 337 n.4 (2020)
- Luckett v. Bure, 290 F.3d 493, 496-97 (2d Cir. 2002)
- Matthias v. United States, 475 F. Supp. 3d 125, 133 (E.D.N.Y. 2020)
- Aurecchione v. Schooman Transportation Systems, Inc., 426 F.3d 635, 638 (2d Cir. 2005)
- J.S. ex rel. N.S. v. Attica Central School, 386 F.3d 107, 110 (2d Cir. 2004)
- Student Members of Same v. Rumsfeld, 321 F. Supp. 2d 388, 392 (D. Conn. 2004)
- Pop Bar, LLC v. Fellows, 2013 WL 4446227, at *6 (S.D.N.Y. Aug. 19, 2013)
- National Academy of Television Arts & Sciences, Inc. v. Multimedia Systems Design, Inc., 551 F. Supp. 3d 408, 431 (S.D.N.Y. 2021)
- La Liberte v. Reid, 966 F.3d 79, 87-88 (2d Cir. 2020)
- Shady Grove Orthopedic Associates, P.A. v. Allstate Insurance Co., 559 U.S. 393, 398-99 (2010)
- Hanna v. Plumer, 380 U.S. 460, 463-64 (1965)
- Carroll v. Trump, 590 F. Supp. 3d 575, 582 (S.D.N.Y. 2022)
- Black Rock Gardens, LLC v. Berry, 312 A.3d 588, 590 (Conn. App. 2024)
- Ning v. Zyda, 2024 WL 3400519, at *3 (D. Conn. July 12, 2024)
- Sentementes v. LaMont, 2021 WL 5447125, at *2-3 (D. Conn. Nov. 22, 2021)
- Simms v. Seaman, 308 Conn. 523, 531 (2013)
- Chien v. Jensen, 2025 WL 1135407, at *4 (D. Conn. Apr. 16, 2025)
- Sakon v. Johnson, 2024 WL 1175370, at *3 (D. Conn. Mar. 19, 2024)
- Wang v. Delphin-Rittmon, 664 F. Supp. 3d 205, 216 (D. Conn. 2023)
- Baroni v. Port Authority of New York & New Jersey, 161 F.4th 48, 54-56 (2d Cir. 2025)
- Mulvihill v. Spinnato, 228 Conn. App. 781, 782, 788 n.12 (2024)
- Pryor v. Brignole, 346 Conn. 534 (2023)
- Smith v. Supple, 346 Conn. 928, 946, 949 (2023)
- Elder v. Kauffman, 204 Conn. App. 818, 824 (2021)
- Nevada v. Hicks, 533 U.S. 353, 373 (2001)
- R. Co. v. Tompkins, 304 U.S. 64 (1938)
- Lopez v. Smiley, 375 F. Supp. 2d 19, 26 (D. Conn. 2005)
- Karas v. Liberty Insurance Corp., 2018 WL 2002480, at *1 (D. Conn. 2018)
- O'Mara v. Town of Wappinger, 485 F.3d 693, 698 (2d Cir. 2007)
- L. Cohen & Co. v. Dun & Bradstreet, Inc., 629 F. Supp. 1419, 1422-25 (D. Conn. 1986)

- Anthology, Inc. v. Tarrant County College District, 136 F.4th 549, 553 (5th Cir. 2025)

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