

Rejoinder from Matthew Caruana Galizia

14 June 2021

“The material cited by Ellul & Schranz (E & S) consists of a series of tweets and no articles. The tweets are fair comment, for which a request for comment was never sent because they are tweets and not opinion columns or full-blown reports. Out of all the tweets cited by Ellul & Schranz in their three separate but identical lawsuits (one in the name of the company and one each for the two partners) only one is not time-barred - the rest were published over a year before the lawsuit was filed and are therefore inadmissible, making the claims built upon them baseless and vexatious. No request for mediation was communicated to me before the lawsuits were filed. The plaintiffs themselves testified under cross-examination by my lawyer that they only filed the claim under pressure from the Malta Gaming Authority (MGA), when the MGA threatened to revoke E & S' license. The MGA found Ellul to be not 'fit and proper' to hold a gaming licence and revoked the firm's gaming license. The Malta Financial Services Authority (MFSA) separately imposed a five-year ban on the provision of corporate services by the firm. Commentary on irregular activity by the firm is therefore justified, not libellous, and well-founded. The tweets cited in the lawsuits are not the basis for the regulatory action by Malta's authorities, but rather, it is vice-versa. The firm should focus on learning what it did wrong and adjusting its business practices, rather than lashing out at journalists in a hissy fit.”