

/TEXAS

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\$58 million libel award will stand

ASSOCIATED PRESS

WACO — A judge Friday upheld a jury's decision to award former McLennan County district attorney Vic Feazell a record \$58 million in a libel suit against a television station and a reporter.

The award, which was handed down in April, is the largest for libel in U.S. history.

"Well, I'm very pleased but this is what I expected him to do," Feazell said Friday.

Feazell, 39, said the 11-part series by Dallas television station WFAA and reporter Charles Duncan ruined his reputation and led to an FBI investigation.

The series accused him of taking payoffs in exchange for dismissing drunken driving cases. Feazell contended in a lawsuit the series was malicious and filled with inaccuracies and defamatory statements.

Feazell was indicted in 1986 on federal racketeering charges and acquitted in June 1987. He resigned in September 1988 to go into private practice in Waco.

Mike McCarthy, senior vice president and general counsel of A.H. Belo Corp., which owns WFAA, said he had not reviewed the judge's order.

Attorneys for Belo have contended Duncan's series was fair comment on the performance of a public official.

The libel award exceeds the \$34 million a jury ordered The Philadelphia Inquirer to pay in May 1990 over a 1973 story that criticized a lawyer's handling of a homicide case when he was an assistant district attorney.

Feazell's 1986 lawsuit named Duncan, Belo Broadcasting Corp. and A.H. Belo Corp. as defendants.

A.H. Belo was dismissed from the lawsuit last March after attorneys for WFAA proved that Duncan never worked for the parent company. Duncan no longer works at WFAA.

State District Judge James Meyers' decision includes a post-judgment provision that requires Belo to pay interest at a rate of 10 percent annually, should the company lose another appeal.

That provision, Feazell said, should encourage Belo to end the fight.