

## Swiezy, Greenleaf file \$3 million defamation lawsuit against Investigative Post

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Angered over what it considers false accusations, a Buffalo developer has filed a defamation lawsuit against Investigative Post and one of its reporters, Daniel Telvock.

The suit, filed on April 3 in New York State Supreme Court, alleges that Greenleaf Development and Construction LLC and its principal and CEO, James Swiezy, have been harmed by reports made by Investigative Post and Telvock. Greenleaf and Swiezy are seeking \$3 million in damages.

At issue are reports Telvock aired in November and February on WGRZ-TV, that centered on Greenleaf's \$30 million Campus Walk One student housing project on Grant Street near SUNY Buffalo State. The reports focused on allegations that Swiezy used personal connections at Buffalo State to put the deal together. WGRZ-TV was not named in the lawsuit.

The project is nearing completion and should be ready for student renters this fall.

"By continually making false and unsupported statements in their reporting, selectively editing interviews to exclude key facts and statements, as well as incorrectly framing Greenleaf Development's reputation as 'unsavory,' Investigative Post and Dan Telvock have unnecessarily inflicted severe damages on the company, for which we believe they should answer," said David McNamara, a Phillips Lytle LLP partner and Greenleaf and Swiezy's attorney. "They crossed the line. The stories are based on total fabrication and a false narrative."

James Heaney, Investigative Post founder, editor and executive director, declined to comment and referred calls to investigative Post's attorney, Karim Abdulla, an associate with Barclay Damon. Abdulla could not be reached for comment.

For the five-year-old investigative Post, a Buffalo-based investigative journalism venture, this marks the first time it has been named in a libel or defamation suit, Heaney said.

Besides filing the lawsuit, Swiezy and Greenleaf have filed papers with the New York State Charities Bureau asking it to probe Investigative Post's tax-exempt status over allegations of "deceptive business and fundraising practices."

Investigative Post is a registered 501(c)(3) tax-exempt organization and seeks and obtains charitable donations to fund operations including salaries and benefits paid to Heaney and Telvock.

Swiezy and Greenleaf has a portfolio of more than 100 buildings and 500 apartments. Besides the Campus Walk project, the firm has renovated the Bosche Lofts on Main Street near the Buffalo Niagara Medical Campus as well as others within the Elmwood Village and Allentown districts.

No court dates have been set.

#### James Fink

Reporter

Buffalo Business First



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