

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 97-1033**

---

MICHAEL H. DITTON,

Plaintiff - Appellant,

versus

LEGAL TIMES; AM-LAW PUBLISHING CORPORATION;  
AMERICAN LAWYER MEDIA, L.P., ASSOCIATED  
PROPERTIES OF DELAWARE, INCORPORATED,

Defendants - Appellees.

---

Appeal from the United States District Court for the District of Virginia, at Alexandria. Robert G. Doumar, Senior District Judge. (CA-96-1277-A)

---

Submitted: September 30, 1997

Decided: October 29, 1997

---

Before ERVIN and MOTZ, Circuit Judge, and PHILLIPS, Senior Circuit Judge.

---

Affirmed by unpublished per curiam opinion.

---

Michael H. Ditton, Appellant Pro Se. Richard S. Hoffman, Megan E. Hills, WILLIAMS & CONNOLLY, Washington, D.C., for Appellees.

---

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Michael H. Ditton appeals the district court's entry of summary judgment against him in this defamation action under the court's diversity jurisdiction. 28 U.S.C.A. § 1332 (West 1993 & Supp. 1997). Ditton alleged that he was defamed in an article published in the Legal Times on August 12, 1996, and subsequently republished in at least two other outlets. The article discussed a lawsuit Ditton had brought against a law firm with which he had been associated. The district court heard oral argument on defendants' motion for summary judgment, and subsequently granted the motion. Ditton appeals this order, as well as an order denying his Fed. R. Civ. P. 59 motion to vacate the judgment and to compel production of documents.

The district court, in a thorough opinion, concluded that defendants were protected by the privilege to fairly report on judicial proceedings.\* Ditton challenges the applicability of this privilege on appeal. We have thoroughly reviewed his claims, and conclude that they are without merit. We agree with the district court's conclusion that the privilege applies in this case, and affirm the judgment. In addition, we hold that the district court did not abuse its discretion in refusing to vacate the judgment on Ditton's Rule 59 motion. We dispense with oral argument because the

---

\* Ditton v. Legal Times, 947 F. Supp. 227 (E.D. Va. 1996).

facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED