

Ex-Knicks star Charles Oakley's lawsuit over ejection from NBA game is revived

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NEW YORK, Nov 16 (Reuters) - A U.S. appeals court on Monday revived assault and battery claims by former New York Knicks star Charles Oakley against Madison Square Garden (MSG) over his forcible, televised ejection from a 2017 basketball game.

The 2nd U.S. Circuit Court of Appeals in Manhattan said Oakley, 56, can try to prove that security guards used excessive force in dragging him from his courtside seat at a Feb. 8, 2017 game between the Knicks and the Los Angeles Clippers.

Circuit Judge Jon Newman said it was reasonable to infer from the complaint that Oakley faced “an unreasonable amount of force,” citing his claim he was “thrown to the ground” by guards who “clearly exceeded the bounds of reasonable behavior.”

The appeals court also upheld the dismissal of defamation claims against MSG and Knicks owner James Dolan, after the team tweeted its hope Oakley “gets some help soon” and Dolan told ESPN radio Oakley might have an alcohol problem.

Oakley, a 19-year National Basketball Association veteran, offered no proof the defendants acted with “actual malice,” the court said.

Lawyers for the defendants did not immediately respond to requests for comment.

“The truth is going to come out at trial and Dolan will be held responsible for what he did,” Oakley said in a statement provided by his lawyer Douglas Wigdor. Oakley is seeking unspecified damages.

The incident deepened a feud between Dolan, who is unpopular with many fans because of the Knicks’ many years of futility on the court, and Oakley, a fan favorite who played power forward for the Knicks from 1988 to 1998 and helped the team reach the 1994 NBA finals.

In February, Circuit Judge Richard Sullivan had dismissed Oakley’s case, after overseeing it as a district judge.

Manhattan prosecutors brought and later dropped misdemeanor assault and trespass charges against Oakley.

Dolan is chief executive of Madison Square Garden Entertainment Corp, which operates the arena, and executive chairman of MSG Networks Inc, which broadcasts Knicks games.

The case is Oakley v Dolan et al, 2nd U.S. Circuit Court of Appeals, No. 20-642. (Reporting

by Jonathan Stempel in New York; Editing by Bill Berkrot)