

<http://jlp-law.com/blog/libel-e-internet-libel/> In Philippine jurisdiction, the truth is not always a defense. While something is true, if the purpose is to besmirch, then liability still exists. To be liable for libel, the following elements must be shown to exist: (1) **the allegation of a discreditable act or condition concerning another;**

Here are some photo captions in Ella's blog:

- Marami pang pabubulokin - Sige, ideretso 'nyo ulit 'yan sa DSWD warehouse. Para AMAG naman ang abutin ng biskwit... at sapot ng gagamba. - Do you mean "do not delay ang dati nang delayed" - Sabay tatahiin na ang sako. O di ba, parang asong tinapunan ng buto ang mga nasalanta? - Relief goods na ayaw yata ibigay sa mga nasalanta.

Halatang-halata. Her Conclusion:

Susulpot din siguro ang laman ng mga mahiwagang kahon at mapapasakamay din ng mga tao...sa ARAW NG ELEKSYON. (2) **publication of the charge;**

<http://www.ellaganda.com/?p=1759> (3)

**identity of the person defamed; and**

<http://www.ellaganda.com/?p=1759> (4)

**existence of malice.**

Legal malice is a term that refers to one party's intention to do injury to another. Malice can either be expressed or implied.

- **Expressed malice occurs when the party gives outward notice that they intend to commit a crime or some other wrong towards another.**

Nagpalabas ng directive ang pangulo. Individuals, private companies and other nations were ENCOURAGED to send their donations to DSWD. I blogged about it here (blog entry not found ). **This PGMA directive sounded suspicious to me then.** Now I know why. Here's the story. A group of eight people, your ate Ella included, went to one of DSWD warehouses to help in repacking relief goods. We know they need volunteers pero hindi namin akalaing WALANG TAO TALAGA SA LOOB NG WAREHOUSE!

\*\*\*Ella suspected PGMA's directive. She went to volunteer and took photos expressly violating the instruction not to do so. She displayed these on her blog with the captions earlier mentioned.

- **Implied malice occurs when one party causes death or injury to another during the course of unlawful or disreputable actions.**

Pinagbawalan kaming kumuha ng pictures sa loob ng warehouse. I wonder why.

\*\*\* She took photos, posted the photos in her blog with abovementioned captions.

**Malice generally involves the intentional infliction of physical, mental, psychological, or financial damage to another party.**

Now how do you determine intention? 1.

**Do you base it on the blogger's action in response to her suspicion?**

**This PGMA directive sounded suspicious to me then.**

\*\*\*She volunteered then took photos inside the warehouse. 2.

**Do you base it on the accused and the accuser's history and connections, if any?**

There are claims that:

FORMER SOCIAL WELFARE and now Health Secretary Esperanza Cabral is reportedly using her office to harass a blogger who exposed the allegedly rotting relief goods at the warehouse of the Department of Social Welfare and Development (DSWD). **Ramon Tulfo**

Written by opiniononissues  
Sunday, 07 February 2010 19:18 -

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[http://services.inquirer.net/mobile/10/02/01/html\\_output/xmlhtml/20100130-250222-xml.html](http://services.inquirer.net/mobile/10/02/01/html_output/xmlhtml/20100130-250222-xml.html)

And that:

Cabral, **an alter-ego of President Arroyo**, should not use her powers to intimidate Ella Ganda <http://tonyocruz.com/?p=2773> If there's an allusion to motive because of political connection then you may be interested to check this link: <http://www.bulatlat.com/news/6-32/6-32-libel.htm> for this info:

**42 Journalists Face Libel Raps from Arroyo's Husband** Bandera (six counts, Tulfo's column "On Target" inilabas noong Jan. 26, May 23 at 27, June 6,8 at 17) 27. Eileen Mangubat (publisher) **28. Beting**

**Laygo Dolor (editor-in-chief)**

29. Jimmy Alcantara (associate editor) 30. Raymond Rivera (circulation manager)

**The Beting Laygo Dolor :**

**Of Philippine News Online:**

<http://philippinenews.com/article.php?id=5380>

**who started PCIJ (Philippine Center for Investigative Journalism )**

alongside Sheila Coronel, Malou Mangahas, Lorna Kalaw-Tirol, Howie Severino and David Celdran. <http://preciousanne.blogspot.com/>

**Editor- of:**

1. Bandera 2. Prime Asia and Pinoy Global Access

<http://www.upjournalismclub.org/gallery/photos/suit-of-cards-a-forum-on-libel/> 3. Playboy

Philippines <http://www.bworldonline.com/Weekender072508/main.php?id=focus1> 4. Business World <http://www.grabeh.com/forum/index.php>

**CONTRIBUTING EDITOR of:**

<http://www.filglobe.com/files/augpage22forum.pdf>

**Same Beting Laygo Dolor**

who released this: <http://philippinenews.com/article.php?id=5380>

Donated goods sitting in DSWD warehouse Published, October 23, 2009 ... after **Ella** released this: <http://www.ellaganda.com/?p=1759>

Aanhin pa ang damo kung patay na ang kabayo? (A special report from a volunteer) Published, Oct 21st, 2009 **Same Beting Laygo Dolor** who co-wrote the articles

appearing here: <http://pinoybsn.blogspot.com/2006/10/arroyo-to-nurses-retake-board-test.html>

[http://bolanon.com/forums\\_topic\\_view.aspx?page=1&tid=3363&fid=2929&=desc](http://bolanon.com/forums_topic_view.aspx?page=1&tid=3363&fid=2929&=desc) ...with the **girl whose name appears here**

: [http://services.inquirer.net/mobile/10/01/22/html\\_output/xmlhtml/20100121-248693-xml.html](http://services.inquirer.net/mobile/10/01/22/html_output/xmlhtml/20100121-248693-xml.html) ...and

**whose identity is confirmed here**

: <http://forums.seo.ph/showthread.php?t=10191>

**Re: DSWD vs Jade?**

- 01-22-2010, 11:36 AM Quote: Originally Posted by kickmoko teka maihabol ko lang..member din ba dito si jade? Yes. Si vlette

3.

**Do you base it on the snowballing imputations the blog entry has spawned?**

a. Such as the blog entries of her fellow bloggers like:

<http://gurlalien.blogspot.com/2010/01/para-kay-ella.html>

Wow... di maka get over? bakit kaya? well... ang sabi niya, hindi daw dapat palampasin ang mga ganitong 'paninira' sa gobyerno. huh? pero bakit? Alam mo madam, kung di ka talaga guilty, dapat madali kang makaka move-on. eh bakit parang hanggang ngayon eh hurt na hurt ka pa din sa mga nabasa mong blog post? dahil ba the truth hurts? at kahit pa na hindi na ikaw ang mei hawak ng DSWD eh nag file ka pa din ng kaso? yung mga againsta kay ella, obvious na obvious na related sa DSWD. kung makapag post eh damang dama nila every word.

Whose alias appears here:

<http://forums.seo.ph/showthread.php?s=81b8794c5836bf5d9aae7608177a1b3f&t=5216> b.

Or the published articles of media men like: Ramon Tulfo Whose article:

**It pays to be honest**

[http://services.inquirer.net/mobile/10/02/01/html\\_output/xmlhtml/20100130-250222-xml.html](http://services.inquirer.net/mobile/10/02/01/html_output/xmlhtml/20100130-250222-xml.html)  
states:

FORMER SOCIAL WELFARE and now Health Secretary Esperanza Cabral is reportedly using her office to harass a blogger... The same group also allegedly went to the Parañaque residence of the Dolor family, as Cabral was reportedly convinced that Ella was a member of that family. Same Tulfo who happens to appear here:

**42 Journalists kinasuhan ng Libelo** Bandera (six counts, **Tulfo's** column "On Target" inilabas noong Jan. 26, May 23 at 27, June 6,8 at 17) 27. Eileen Mangubat (publisher)

**28. Beting Laygo Dolor (editor-in-chief)**

29. Jimmy Alcantara (associate editor) 30. Raymond Rivera (circulation manager)

[http://zumel.com/index.php?option=com\\_content&task=view&id=14&Itemid=2](http://zumel.com/index.php?option=com_content&task=view&id=14&Itemid=2)

As confirmed from this column: <http://tulfo.net/column1.htm>

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