

StandWithUs

Supporting Israel And Fighting Antisemitism Around The World

Despite what various media outlets are reporting, the recent decision by a Washington State Court of Appeals confirming a trial court's dismissal of the Olympia Food Co-op case has not handed the BDS campaign a victory, major or otherwise. The case was in fact not about the merits of BDS at all; it was instead entirely about whether the Co-op adhered to its own policies when it implemented a boycott of Israeli goods in 2010. While the Co-op staff never reached the requisite consensus to authorize implementation of a boycott, the Co-op's board sidestepped this requirement to further its own agenda, and the court concluded that this was within the board's authority. The attorneys for the plaintiffs respectfully disagree with the court's decision.

The plaintiffs in the case were Co-op members who oppose discriminatory boycotts against Israel and had the courage to file the lawsuit in an attempt to hold the board accountable to its own governing rules. We applaud the plaintiffs and their attorneys for their dedication to this near decade-long litigation, which included a 9-0 reversal by the Washington State Supreme Court, striking down an earlier lower court decision to grant the defendant's motion to dismiss the lawsuit under Washington's Strategic Lawsuits Against Public Participation statute (anti-SLAPP) and assess fees and costs against the plaintiffs for bringing the complaint in the first place. Importantly, in this recent decision, the court expressly held that the plaintiffs' claims against the decision to boycott Israeli goods were not frivolous and therefore denied defendants' request for attorney's fees. Furthermore, the litigation in this case has been ongoing for nearly ten years, demonstrating the necessity and solidifying our determination to continue fighting anti-Israel activity.

This case only strengthens the resolve of StandWithUs to fight antisemitic boycott, divestment and sanctions (BDS) campaigns that attempt to bully or coerce individuals, businesses, students, academic faculty members and/or community members. "Boycotts of Israel will never be taken lightly, and this lawsuit serves as a reminder that anyone contemplating such bullying or boycotts should prepare for a lengthy battle," StandWithUs co-founder and CEO Roz Rothstein said. "StandWithUs will always be there, to stand up for Israel and combat antisemitic discrimination and bigotry wherever and whenever they arise. Additionally, StandWithUs now has the Saidoff Legal Department, which is a powerhouse with three attorneys on staff and over 175 dedicated pro bono attorneys ready to stand up and step in at a moment's notice to defend Israel and Jews around the world."



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Crucially, the law continues to favor StandWithUs' mission in this regard. Currently 28 states have anti-BDS legislation in effect prohibiting those states from contracting with businesses engaged in antisemitic boycotts against Israel. The International Holocaust Remembrance Alliance (IHRA) [Working Definition of Antisemitism](#) – which identifies the application of double standards to Israel as a form of antisemitism – has been adopted by the [U.S. Department of State](#), recognized by the [U.S. Department of Education](#) and was used as a template for an antisemitism law passed by the [Florida state legislature](#) in 2019. Most recently, in the December 11 [Executive Order on Combating Antisemitism](#), the White House mandated that executive agencies utilize the IHRA definition when investigating potential violations of Title VI of the Civil Rights Act of 1964.

StandWithUs extends immeasurable gratitude to pro bono attorneys Robert Sulkin and Avi Lipman of the Seattle-based law firm McNaul Ebel Nawrot & Helgren, who worked tirelessly for the nine-year duration of this lawsuit to protect the rights of Jewish and pro-Israel activists everywhere.

About StandWithUs

StandWithUs (SWU) is an international, non-profit and non-partisan Israel education organization that works to inspire and educate people of all ages about Israel, as well as challenge misinformation and fight against antisemitism.

Through university fellowships, high school internships, middle school curricula, conferences, materials, social media, educational films and missions to Israel, StandWithUs supports people around the world who want to educate their schools and communities about Israel.

Founded in 2001 and headquartered in Los Angeles, the organization has programs on five continents with chapters and offices throughout the U.S., in Israel, the UK, Canada and Brazil. For the last 7 years, SWU has consistently received the highest possible ratings from Charity Navigator (4 stars) and Guidestar (Platinum).

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