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## EDUCATION

# McKinley High School player, former coaches settle defamation case over pizza discipline



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### Key Points AI-assisted summary ⓘ

A defamation lawsuit stemming from a 2021 incident involving the discipline of a McKinley High School football player has been settled without a trial.

Former head football coach Marcus Wattley and five assistant coaches had alleged their reputations were damaged by false accusations regarding the disciplining of the player.

The attorney for the coaches plans to appeal the previous dismissal of other defendants in the case.

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CANTON – A [defamation lawsuit](#) filed over statements made about the [May 2021 discipline](#) of a former McKinley High School football player that involved him eating a pepperoni pizza has been settled.

The plaintiffs' attorney, Peter Pattakos, said out-of-court agreements have been reached with the former player, his father Kenny Walker and their attorney Edward Gilbert. Pattakos declined to disclose settlement terms.

Attorneys representing Gilbert and the Walkers were offered the opportunity to comment on their settlements Monday and had not responded by Tuesday.

They were the last three defendants remaining in a case brought by former McKinley High School head football coach Marcus Wattley and five of his assistant

coaches over statements the defendants made about how the coaches disciplined the player.

The coaches' 103-page long complaint, lodged in May 2023, was the second version of a case originally filed in 2021 in Stark County Common Pleas Court, which was voluntarily dismissed by the plaintiffs.

Stark County Common Pleas Judge Natalie R. Haupt closed the case via an entry filed on Friday.

Haupt had [previously dismissed](#) two defendants, Superintendent Jeffery Talbert and then-school board President John “J.R.” Rinaldi, and granted summary judgments in favor of two other defendants, then-Safety and Security Director Stephen Humphrey and former McKinley assistant football coach Josh Grimsley.

Pattakos said the coaches will appeal Haupt's decisions regarding Talbert, Rinaldi, Humphrey and Grimsley.

The former coaches – Wattley, and assistant coaches Frank McLeod, Zachary Sweat, Romero Harris, Cade Brodie and Tyler Thatcher – claimed the defendants damaged their reputations by spreading the false accusation that they punished a then-17-year-old football player by forcing him to eat a pepperoni pizza against his Hebrew Israelite religious beliefs.

The coaches have maintained that they did not force the player to stay and eat the pizza, that they offered an alternative without pork, and that the discipline was intended to rescue a troubled player whose off-the-field behavior was negatively influencing his teammates and jeopardizing his future as a Division I college athlete.

They sought compensation for the damage to their reputations, their lost wages, their diminished earning capacity and for the mental distress, pain and anguish they have suffered.

In dismissing Talbert and Rinaldi from the suit, Haupt wrote that the defamation claims were not made within the one-year statute of limitations. She wrote that the officials could not be held liable for damages for their statements because they are covered by sovereign immunity.

Haupt further wrote that Talbert's statements contained no factual errors. She wrote that statements made by Talbert and Rinaldi in their official capacities are "protected by absolute privilege as a matter of law."

In granting summary judgments in favor of Grimsley and Humphrey, Haupt wrote that they are entitled to immunity as employees of a political subdivision.

Regarding Humphrey alone, the judge wrote that the coaches had failed to prove their claim that he had destroyed any video evidence of the pizza-eating incident.

In granting summary judgment to Grimsley, Haupt wrote that the plaintiffs failed to produce evidence that he had interfered with their employment, made any false and defamatory statements about them, or acted with malice. She wrote that Grimsley's statements are protected by qualified privilege.

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