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 6 Attorneys for Defendants/Counterclaimants  
 7 Regan Media, Inc. and Judith Regan

8  
 9 UNITED STATES DISTRICT COURT  
 10 DISTRICT OF ARIZONA

11 JENNA MASSOLI p/k/a JENNA )  
 JAMESON, )  
 12 ) Plaintiff, )  
 13 vs. )  
 14 "REGAN MEDIA," and JUDITH )  
 REGAN, an individual, )  
 15 ) Defendants. )

No. CV 05-0854 PHX EHC  
  
**STATEMENT OF MOVING  
 COUNSEL IN SUPPORT OF  
 REGAN MEDIA'S SECOND  
 MOTION TO COMPEL AND  
 REQUEST FOR SANCTIONS**

**(ORAL ARGUMENT  
 REQUESTED)**

17 REGAN MEDIA, INC., a New York )  
 corporation, and JUDITH REGAN, an )  
 18 individual, )  
 19 Defendants/Counterclaimants, )

(Assigned to the Honorable  
 Earl H. Carroll)

20 vs. )  
 21 JENNA MASSOLI p/k/a JENNA )  
 JAMESON, an individual, )  
 22 ) Plaintiff/Counterdefendant, )  
 23 and )  
 24 JAY GRDINA, an individual, )  
 25 ) Third-Party Counterdefendant. )  
 26

1 Pursuant to Fed.R.Civ.P. 37(a)(2)(B) and Local Rule 7.2(j), counsel for  
2 Defendants/Counterclaimants submits this Statement of Moving Counsel in support of  
3 Regan Media's Second Motion to Compel and Request for Sanctions. Undersigned  
4 counsel certifies that Counterclaimants have, after personal consultation and sincere  
5 efforts to do so, been unable to resolve this dispute with Counterdefendants.  
6

7 On November 5, 2005, Defendant/Counterclaimant Regan Media, Inc.  
8 ("Regan Media") served its First Set of Requests for Production of Documents on  
9 Plaintiff/Counterdefendant Jenna Massoli p/k/a Jenna Jameson and Counterdefendants Jay  
10 Grdina and Dolce Amore, Inc. (collectively, "Counterdefendants"). When no written  
11 response was received and no documents were produced, Regan Media filed a Motion to  
12 Compel on January 5, 2006. On January 23, 2006, Counterdefendants filed a Response to  
13 the Motion to Compel, admitting that they had failed to respond to Regan Media's  
14 document requests and representing that responsive documents would be produced on  
15 February 7, 2006.  
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17

18 No response to Regan Media's Request for Production was received on  
19 February 7. Counterdefendants hand-delivered a written response and small set of  
20 documents at the end of the day on February 9. The documents produced included (a)  
21 Articles of Incorporation for Dolce Amore, Inc.; (b) Dolce Amore's tax returns for 2002  
22 and 2003; and (c) approximately 30 e-mail messages. I reviewed these e-mails and  
23 concluded that ten were responsive to Regan Media's document requests. The remainder  
24 related to Jenna Jameson's book and other business affairs not relevant to Regan Media's  
25 requests for production.  
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1           On February 10, 2006, I telephoned Counterdefendants' counsel, Roger  
2 Hall, regarding the documents produced. I indicated that Counterdefendants' production  
3 appeared to be deficient. Mr. Hall indicated that he did not know if additional responsive  
4 documents exist and could not explain what efforts had been made to identify and produce  
5 all responsive documents. I informed Mr. Hall that, in light of the late and deficient  
6 production, Counterclaimants would be postponing the depositions of Jenna Jameson and  
7 Jay Grdina scheduled for February 14 and 16, 2006 and would be filing a motion to  
8 compel.  
9  
10

11                       RESPECTFULLY SUBMITTED this 17<sup>th</sup> day of February, 2006.

12   STEPTOE & JOHNSON LLP

13  
14   By: /s/ Dennis K. Blackhurst

15   David J. Bodney  
16   Dennis K. Blackhurst  
17   Collier Center  
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21   Attorneys for Defendants/  
22   Counterclaimants Regan Media, Inc. and  
23   Judith Regan  
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CERTIFICATE OF SERVICE

I hereby certify that on the 17<sup>th</sup> day of February, 2006, I caused the attached document to be electronically transmitted to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electric Filing to the following CM/ECF

Registrants:

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*Attorneys for Plaintiff/Counterdefendant and  
Third-Party Counterdefendant*

I hereby certify that on the 17<sup>th</sup> day of February, 2006, I served the attached document by mail on the following, who are not registered participants of the CM/ECF System:

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/s/ Beth Gibson  
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