

Snell & Wilmer

LLP
LAW OFFICES
One Arizona Center, 400 E. Van Buren
Phoenix, Arizona 85004-2202
(602) 382-6000

1 Michael K. Dana (State Bar No. 019047)
Teresa K. Anderson (State Bar No. 024919)
2 SNELL & WILMER L.L.P.
One Arizona Center
3 400 E. Van Buren
Phoenix, AZ 85004-2202
4 Telephone: (602) 382-6000
Attorneys for Robert Russo, QED Media Group, L.L.C., and
5 Internet Defamation League, LLC

6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

8 XCENTRIC VENTURES, LLC, an Arizona
9 corporation, d/b/a "RIPOFFREPORT.COM";
ED MAGEDSON, an individual,

10 Plaintiff,

11 v.

12 WILLIAM "BILL" STANLEY, an
13 individual; WILLIAM "BILL" STANLEY
d/b/a DEFAMATION ACTION.COM;
14 WILLIAM "BILL" STANLEY d/b/a
COMPLAINTREMOVER.COM;
15 WILLIAM "BILL" STANLEY aka JIM
RICKSON; WILLIAM "BILL" STANLEY
16 aka MATT JOHNSON; ROBERT RUSSO,
an individual; ROBERT RUSSO d/b/a
17 COMPLAINTREMOVER.COM; ROBERT
RUSSO d/b/a DEFENDMYNAME.COM;
18 ROBERT RUSSO d/b/a QED MEDIA
GROUP, L.L.C.; QED MEDIA GROUP,
19 L.L.C.; QED MEDIA GROUP, L.L.C. d/b/a
DEFENDMYNAME.COM; QED MEDIA
20 GROUP, L.L.C. d/b/a
COMPLAINTREMOVER.COM;
21 DEFAMATION ACTION LEAGUE, an
unincorporated association; and INTERNET
22 DEFAMATION LEAGUE, an
unincorporated association,

23 Defendants.
24

Case No. CV07-00954 PHX NVW

**RESPONSE IN OPPOSITION
TO PLAINTIFFS' MOTION
FOR ORDER TO SHOW CAUSE
RE: CONTEMPT**

28

1 ROBERT RUSSO, an individual; and QED
2 MEDIA GROUP, L.L.C.,

3 Counterclaimants,

4 v.

5 XCENTRIC VENTURES, LLC, an Arizona
6 corporation, d/b/a
"RIPOFFREPORT.COM"; ED
MAGEDSON, an individual,

7 Counterdefendants.
8

9 Defendants Robert Russo, QED Media Group, and Internet Defamation League
10 (the "QED Parties") oppose Plaintiffs' Motion for Order to Show Cause re: Contempt.

11 Plaintiffs' Motion goes beyond the scope of the Court's June 21, 2007
12 Preliminary Injunction and Findings of Fact by attempting to hold Defendant Robert
13 Russo ("Russo") in contempt for actions (1) for which Russo was not held accountable
14 by the Court in its Preliminary Injunction and (2) that Russo has not committed or
15 participated in committing. All of the concerns raised by Plaintiffs in their Motion are
16 directed at activities involving content on websites purportedly operated by Defendant
17 William Stanley ("Stanley"). The Court's June 21, 2007 Preliminary Injunction
18 specifically ordered Stanley to remove certain content from his websites and other
19 websites where such content was posted. (*See* June 21, 2007 Order at 6-9.) Because
20 Russo played no role establishing those websites or posting the prohibited content, that
21 portion of the Court's Preliminary Injunction does not apply to Russo or any of the QED
22 Parties. (*See id.*)

23 Defendant Stanley has apparently evaded the jurisdiction of this Court and has
24 failed to comply with the Court's Orders. Plaintiffs and their counsel have therefore
25 made another desperate attempt to conflate the actions of Stanley with those of Russo, a
26 Maine Resident who voluntarily submitted to the jurisdiction of this Court when this
27 lawsuit was initiated, in order to hold at least somebody responsible for the content
28 posted about Plaintiffs, Jaburg & Wilk, and its lawyers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2007 I electronically transmitted the foregoing to the Clerk's Office using the CM/ECF System for filing to the following CM/ECF participant:

Maria Crimi Speth
Jaburg & Wilk
3200 North Central Avenue, Suite 2000
Phoenix, Arizona 85012
Attorneys for Plaintiffs
mcs@jaburgwilk.com

I further certify that on September 17, 2007, I served a courtesy copy of the aforementioned document and transmittal of a Notice of Electronic Filing by mail on the following:

The Honorable Neil V. Wake
United States District Court
401 West Washington Street,
Phoenix, Arizona 85003

/s/ Donna Razo
2047917.1

Snell & Wilmer

LLP
LAW OFFICES
One Arizona Center, 400 E. Van Buren
Phoenix, Arizona 85004-2202
(602) 382-6000