

Exhibit 1

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

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

- - -
HONORABLE MANUEL L. REAL
UNITED STATES DISTRICT JUDGE PRESIDING
- - -

COURTHOUSE NEWS SERVICE,)
) CERTIFIED COPY
)
) PLAINTIFF,)
)
) VS.) CV 11-8083 R
)
) MICHAEL PLANET,)
)
) DEFENDANT.)
)
 -----)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
MONDAY, AUGUST 18, 2014
A.M. SESSION
LOS ANGELES, CALIFORNIA

SHERI S. KLEEGER, CSR 10340
FEDERAL OFFICIAL COURT REPORTER
312 NORTH SPRING STREET, ROOM 402
LOS ANGELES, CALIFORNIA 90012
PH: (213)894-6604

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

APPEARANCES OF COUNSEL:

ON BEHALF OF PLAINTIFF:

RACHEL MATTEO-BOEHM, ATTORNEY AT LAW

ON BEHALF OF DEFENDANT:

JOHN FETTERLY, ESQUIRE

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

LOS ANGELES, CALIFORNIA; MONDAY, AUGUST 18, 2014

A.M. SESSION

- - -

THE CLERK: Calling item No. 4,
CV-11-8083-R: Courthouse News Service versus Michael
Planet.

Please step forward and make your
appearances.

MS. MATTEO-BOEHM: Good morning, Your Honor.
Rachel Matteo-Boehm, Bryan Cave, appearing
for plaintiff Courthouse News Service.

MR. FETTERLY: Good morning, Your Honor.
Jonathan Fetterly, also appearing for
plaintiff.

MS. MATTEO-BOEHM: And we also have Bill
Girdner, the president, owner and editor of Courthouse
News Service here today.

MR. NAEVE: Good morning, Your Honor.
Robert Naeve on behalf of the defendant.

MS. REILLEY: Good morning, Your Honor.
Erica Reilley on behalf of the defendant.

THE COURT: Counsel have anything to add to
the documents which have been filed?

MR. NAEVE: No, Your Honor.

1 MS. MATTEO-BOEHM: Your Honor, I have just a
2 few brief points pertaining to the reply papers filed in
3 this case.

4 I think it's important to note that
5 defendant's argument has changed a bit since the filing
6 of the moving papers.

7 In the moving papers the focus was on
8 defendant's contention that the First Amendment right of
9 access does not apply to newly filed complaints until
10 after the Court has taken action.

11 That argument shifted in the reply papers to
12 an argument of there is no First Amendment right of
13 access to a newly filed complaint until after that
14 complaint has been processed, even if that is days or
15 weeks later.

16 In support of this argument defendant
17 points, among other things, to Rule of Court 2.550,
18 which is not cited in the moving papers. It is for that
19 reason that we filed our supplemental request for
20 judicial notice asking the Court to take notice of two
21 items relevant to Rule of Court 2.550, as those
22 materials make clear, first off, that rule is e-filing
23 rule and that has no application to a Ventura Superior,
24 which a paper filing court.

25 Secondly, Rule of Court 2.550(b)(7) itself

1 says that the activity of filing comes before processing
2 and review by the clerk's office.

3 So just very briefly, I note that under
4 defendant's June 18th procedures for access, while those
5 procedures are not perfect and could be changed at any
6 time, Courthouse News is currently seeing approximately
7 80 percent of new civil complaints on a same-day basis,
8 which just goes to show that when a clerk puts his mind
9 to it same-day access is entirely doable.

10 With that, to sum up, we just do ask for a
11 ruling on our request for judicial notice, our
12 supplemental request for judicial notice, and our
13 request to strike in our reply in support of our request
14 for judicial notice and in our objection to defendant's
15 request for judicial notice.

16 MR. NAEVE: Very briefly, Your Honor.

17 We were very careful in our moving and our
18 reply papers to refer to the receipt of a complaint as
19 opposed to its filing. That's the point of this entire
20 motion.

21 With respect to the request for judicial
22 notice, we don't object to submission of any them.

23 What we did object to, Your Honor, was the
24 argument in the original request. But the statutes are
25 what the statutes are.

1 true, the Court does not accept legal conclusions as
2 true.

3 Ashcroft versus Iqbal, 556 U.S. 662, 2009.

4 CNS is a news wire service that specializes
5 in reporting on civil lawsuits with 3,000 subscribers
6 ranging from major media outlets to universities, and
7 law school libraries.

8 CNS sends reporters to visit courthouses
9 around the country to review recently filed complaints.

10 VSC has begun to allow same-day access to
11 complaints filed before 3 p.m. by scanning the
12 documents. These scanned copies are not yet official
13 documents and may still be rejected by the clerk.

14 VCS has always provided access to civil
15 complaints. There is no issue as to if access will be
16 granted, but the issue is when access must be given.

17 Although CNS argues that the Ninth Circuit
18 already precluded a Rule 12(b)(6) motion, the Ninth
19 Circuit only determined that this Court has standing and
20 should not abstain from hearing the case.

21 The Ninth Circuit explicitly stated that it
22 was making no decision on the merits, exactly what a
23 12(b)(6) motion is, a motion on the merits.

24 The issue in this case is whether the public
25 and CNS has a First Amendment right to review civil

1 complaints on the same day they are received by VSC
2 clerks before these complaints are processed, filed and
3 entered into the Courts official records.

4 This right to "same-day access" would give
5 the public the right to view unprocessed complaints
6 before they are available to the judges and their law
7 clerks or the parties to the suit.

8 The Ninth Circuit relies on the experience
9 and logic test enunciated in Press Enterprise Company
10 versus Superior Court, 464 U.S. 501 (1984) to determine
11 the extent of the right of access to judicial documents.

12 Under the experience and logic test, the
13 court examines (1) whether the proceeding has
14 historically been open to the public and (2) whether the
15 right of access plays an essential role in the proper
16 functioning of the judicial process and the government
17 as a whole.

18 CNS alleges that there is a tradition of
19 allowing same-day access to complaints before they are
20 processed and has submitted voluminous amounts of
21 documents that it requests this Court to take judicial
22 notice thereof.

23 There has not been a long tradition of
24 same-day access to complaints.

25 Justice Oliver Wendell Holmes, as part of

1 the Massachusetts Supreme Court, held that civil
2 complaints are not even proceedings in open court and
3 that the reporting privilege does not attach to them.

4 . Cowley versus Pulsifer, 137 Mass.392 (1884).

5 . Regardless of whether this is currently good
6 law, it shows there is not a long tradition of same-day
7 access to complaints for the press.

8 . Moreover, many of the state statutes that
9 provide access to complaints that CNS seeks to have this
10 Court take judicial notice of only contemplate making
11 the case file available to the public. None of these
12 require same-day access before a case file has even been
13 created.

14 . This experience comports with logic. States
15 have a compelling interest to safeguard unprocessed
16 documents from theft and damage and protect the privacy
17 interests of third parties.

18 . Bruce versus Gregory, 65 Cal.2d 666 (1967).

19 . Without some minimal processing by the clerk
20 it is impossible to ensure the integrity of the filed
21 complaints.

22 . Moreover, as CNS notes in its exhibit to its
23 complaint, that many of the courts that provide same-day
24 access to complaints only do so after the clerk has
25 either scanned the complaint or photocopied it. This is

1 logical to make sure that integrity of the documents is
2 not compromised.

3 Finally, many courts have a cutoff time,
4 usually two hours to half an hour before the end of day,
5 wherein complaints are received. That time will not be
6 available for same-day review.

7 Although many courthouses allow access to
8 complaints before they are fully processed, most either
9 scan or photocopy the complaint and assign a case number
10 before allowing access; thus both experience and logic
11 support courts not allowing access to complaints until
12 they have been minimally processed, usually to include
13 assigning a case number and making either a hard or
14 electronic copy.

15 The documents CNS has submitted with its
16 complaint and for judicial notice refute a tradition of
17 access to complaints before this minimal processing. As
18 a matter of law, CNS does not have a First Amendment
19 right to access civil complaints before this minimal
20 processing has been completed.

21 The motion to dismiss is granted.

22 Counsel to submit the order consistent with
23 this ruling.

24 MR. NAEVE: Thank you, Your Honor.

25 MS. MATTEO-BOEHM: Your Honor, may we have a

1 ruling on Courthouse's request for a judicial notice,
2 supplemental request for a judicial notice, and request
3 to strike in its reply in support of its request for
4 judicial notice and objection to defendant's request for
5 judicial notice.

6 THE COURT: That request is denied.

7 (PROCEEDINGS CONCLUDED.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

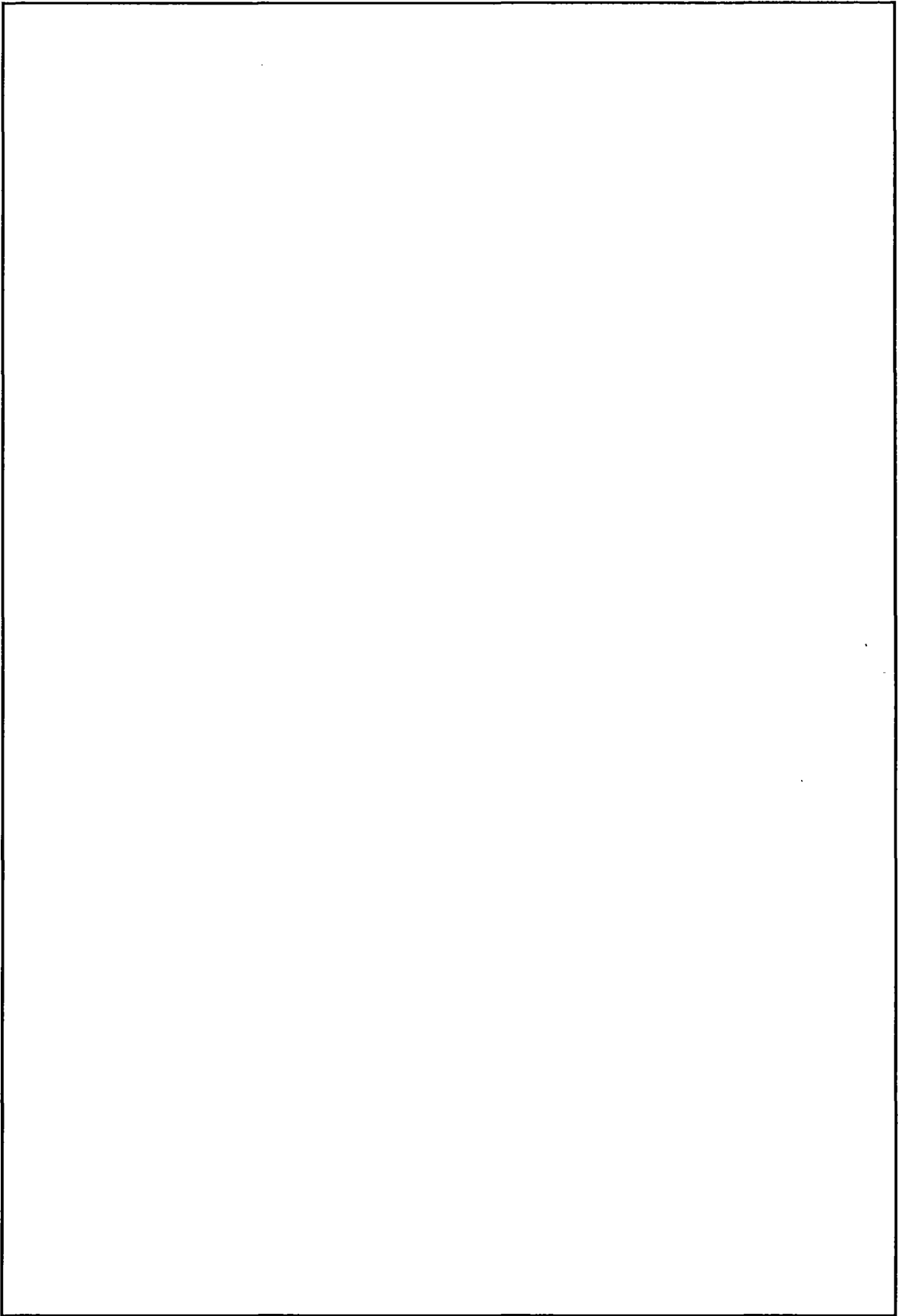
CERTIFICATE OF REPORTER

COUNTY OF LOS ANGELES)
) SS.
STATE OF CALIFORNIA)

I, SHERI S. KLEEGER, OFFICIAL COURT REPORTER, IN AND FOR
THE UNITED STATES DISTRICT COURT FOR THE CENTRAL
DISTRICT OF CALIFORNIA, DO HEREBY CERTIFY THAT PURSUANT
TO SECTION 753, TITLE 28, UNITED STATES CODE, THE
FOREGOING IS A TRUE AND CORRECT TRANSCRIPT OF THE
STENOGRAPHICALLY REPORTED PROCEEDINGS HELD IN THE
ABOVE-ENTITLED MATTER AND THAT THE TRANSCRIPT PAGE
FORMAT IS IN CONFORMANCE WITH THE REGULATIONS OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES.

DATE: AUGUST 25, 2014
/S/ _____
SHERI S. KLEEGER, CSR
FEDERAL OFFICIAL COURT REPORTER

- 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



/	662 [1] - 7:3 666 [1] - 9:18	April [1] - 6:9 argues [1] - 7:17 argument [5] - 4:5, 4:11, 4:12, 4:16, 5:24 Ashcroft [1] - 7:3 assertions [2] - 6:23, 6:25 assign [1] - 10:9 assigning [1] - 10:13 AT [1] - 2:3 attach [1] - 9:3 ATTORNEY [1] - 2:3 AUGUST [3] - 1:15, 3:1, 12:19 available [3] - 8:6, 9:11, 10:6	cited [1] - 4:18 Civil [1] - 6:20 civil [7] - 5:7, 6:5, 7:5, 7:14, 7:25, 9:1, 10:19 claim [3] - 6:14, 6:18, 6:22 claimed [1] - 6:23 claims [1] - 6:12 clear [1] - 4:22 Clerk [1] - 6:3 clerk [4] - 5:8, 7:13, 9:19, 9:24 CLERK [1] - 3:5 clerk's [1] - 5:2 clerks [2] - 8:2, 8:7 CNS [9] - 7:4, 7:8, 7:17, 7:25, 8:18, 9:9, 9:22, 10:15, 10:18 CODE [1] - 12:11 Company [1] - 8:9 compelling [1] - 9:15 complaint [14] - 4:13, 4:14, 5:18, 6:2, 6:7, 6:13, 6:16, 6:18, 6:22, 9:23, 9:25, 10:9, 10:16 complaints [2] - 4:9, 5:7, 6:5, 7:9, 7:11, 7:15, 8:1, 8:2, 8:5, 8:19, 8:24, 9:2, 9:7, 9:9, 9:21, 9:24, 10:5, 10:8, 10:11, 10:17, 10:19 completed [1] - 10:20 comports [1] - 9:14 compromised [1] - 10:2 CONCLUDED [1] - 11:7 conclusions [1] - 7:1 CONFERENCE [1] - 12:16 CONFORMANCE [1] - 12:15 consistent [1] - 10:22 constitution [1] - 6:12 contain [1] - 6:22 contemplate [1] - 9:10 contention [1] - 4:8 copies [1] - 7:12 COPY [1] - 1:7 copy [1] - 10:14 CORRECT [1] - 12:12 counsel [2] - 3:23,	10:22 COUNSEL [1] - 2:2 country [1] - 7:9 County [1] - 6:3 COUNTY [1] - 12:4 Court [12] - 4:10, 4:17, 4:20, 4:21, 4:25, 6:4, 7:1, 7:19, 8:10, 8:21, 9:1, 9:10 COURT [8] - 1:1, 1:21, 3:23, 6:1, 11:6, 12:8, 12:9, 12:22 court [5] - 4:24, 6:6, 6:15, 8:13, 9:2 COURTHOUSE [1] - 1:6 Courthouse [4] - 3:6, 3:12, 3:17, 5:6 courthouse [1] - 6:1 Courthouse's [1] - 11:1 courthouses [2] - 7:8, 10:7 Courts [2] - 6:10, 8:3 courts [4] - 6:11, 9:23, 10:3, 10:11 Cowley [1] - 9:4 created [1] - 9:13 CSR [2] - 1:20, 12:21 cutoff [1] - 10:3 CV [1] - 1:8 CV-11-8083-R [1] - 3:6	
/S [1] - 12:20	7				
1	7 [1] - 6:9 753 [1] - 12:11				
1 [1] - 8:13 10340 [1] - 1:20 11-8083 [1] - 1:8 11th [1] - 6:7 12(b)(6) [2] - 7:18, 7:23 12(b)(6) [1] - 6:20 137 [1] - 9:4 18 [2] - 1:15, 3:1 1884 [1] - 9:4 18th [1] - 5:4 1967 [1] - 9:18 1984 [1] - 8:10	8				
2	80 [1] - 5:7				
2 [1] - 8:14 2.550 [2] - 4:17, 4:21 2.550(b)(7) [1] - 4:25 2009 [1] - 7:3 2011 [1] - 6:6 2014 [4] - 1:15, 3:1, 6:9, 12:19 213)894-6604 [1] - 1:22 25 [1] - 12:19 28 [1] - 12:11	9				
3	90012 [1] - 1:22				
3 [1] - 7:11 3,000 [1] - 7:5 30 [1] - 6:6 312 [1] - 1:21	A				
4	A.M [2] - 1:15, 3:2 ABOVE [1] - 12:14 ABOVE-ENTITLED [1] - 12:14 abstain [1] - 7:20 abstention [1] - 6:8 accept [1] - 7:1 access [23] - 4:9, 4:13, 5:4, 5:9, 6:4, 7:10, 7:14, 7:15, 7:16, 8:4, 8:11, 8:15, 8:19, 8:24, 9:7, 9:9, 9:12, 9:24, 10:7, 10:10, 10:11, 10:17, 10:19 action [1] - 4:10 activity [1] - 5:1 add [1] - 3:23 alleges [1] - 8:18 allow [3] - 6:11, 7:10, 10:7 allowing [3] - 8:19, 10:10, 10:11 Amendment [6] - 4:8, 4:12, 6:7, 6:12, 7:25, 10:18 AMERICA [1] - 1:1 amounts [1] - 8:20 AND [3] - 12:8, 12:12, 12:14 ANGELES [4] - 1:16, 1:22, 3:1, 12:4 appearances [1] - 3:9 APPEARANCES [1] - 2:2 appearing [2] - 3:11, 3:14 application [1] - 4:23 apply [1] - 4:9	B			
4 [1] - 3:5 402 [1] - 1:21 464 [1] - 8:10	A				
5	based [1] - 6:17 basis [1] - 5:7 begun [1] - 7:10 BEHALF [2] - 2:3, 2:5 behalf [2] - 3:20, 3:22 Bill [1] - 3:16 bit [1] - 4:5 BOEHM [5] - 2:3, 3:10, 3:16, 4:1, 10:25 Boehm [1] - 3:11 brief [1] - 4:2 briefly [2] - 5:3, 5:16 Bruce [1] - 9:18 Bryan [1] - 3:11				
501 [1] - 8:10 556 [1] - 7:3	C				
65 [1] - 9:18	Cal.2d [1] - 9:18 CALIFORNIA [6] - 1:2, 1:16, 1:22, 3:1, 12:6, 12:10 capacity [1] - 6:3 careful [1] - 5:17 case [7] - 4:3, 7:20, 7:24, 9:11, 9:12, 10:9, 10:13 Cave [1] - 3:11 CENTRAL [2] - 1:2, 12:9 CERTIFICATE [1] - 12:2 CERTIFIED [1] - 1:7 CERTIFY [1] - 12:10 changed [2] - 4:5, 5:5 Circuit [5] - 6:9, 7:17, 7:19, 7:21, 8:8			D damage [1] - 9:16 DATE [1] - 12:19 days [1] - 4:14 deciding [1] - 6:10 decision [1] - 7:22 defendant [3] - 3:20, 3:22, 4:16 DEFENDANT [2] - 1:10, 2:5 defendant's [5] - 4:5, 4:8, 5:4, 5:14, 11:4 denied [1] - 11:6 determine [1] - 8:10 determined [1] - 7:19 determines [1] - 6:17 dismiss [3] - 6:13, 6:15, 10:21 dismissed [1] - 6:6 DISTRICT [5] - 1:1, 1:2, 1:4, 12:9, 12:10 District [1] - 6:10 DIVISION [1] - 1:2	

<p>DO [1] - 12:10 doable [1] - 5:9 doctrines [1] - 6:8 documents [8] - 3:24, 7:12, 7:13, 8:11, 8:21, 9:16, 10:1, 10:15</p> <p style="text-align: center;">E</p> <p>e-filing [1] - 4:22 editor [1] - 3:17 either [3] - 9:25, 10:8, 10:13 electronic [1] - 10:14 end [1] - 10:4 ensure [1] - 9:20 entered [1] - 8:3 Enterprise [1] - 8:9 entire [1] - 5:19 entirely [1] - 5:9 ENTITLED [1] - 12:14 enunciated [1] - 8:9 Erica [1] - 3:22 ESQUIRE [1] - 2:5 essential [1] - 8:15 exactly [1] - 7:22 examines [1] - 8:13 exhibit [1] - 9:22 experience [4] - 8:8, 8:12, 9:14, 10:10 explicitly [1] - 7:21 extent [1] - 8:11</p>	<p>first [2] - 4:22, 6:11 focus [1] - 4:7 FOR [2] - 12:8, 12:9 FOREGOING [1] - 12:12 FORMAT [1] - 12:15 forward [1] - 3:8 fully [1] - 10:8 functioning [1] - 8:16</p> <p style="text-align: center;">G</p> <p>Girdner [1] - 3:17 given [1] - 7:16 government [1] - 8:16 granted [3] - 6:19, 7:16, 10:21 Gregory [1] - 9:18</p> <p style="text-align: center;">H</p> <p>half [1] - 10:4 hard [1] - 10:13 hearing [1] - 7:20 HELD [1] - 12:13 held [1] - 9:1 HEREBY [1] - 12:10 historically [1] - 8:14 Holmes [1] - 8:25 Honor [10] - 3:10, 3:13, 3:19, 3:21, 3:25, 4:1, 5:16, 5:23, 10:24, 10:25 HONORABLE [1] - 1:4 hour [1] - 10:4 hours [1] - 10:4</p>	<p style="text-align: center;">J</p> <p>JOHN [1] - 2:5 Jonathan [1] - 3:14 JUDGE [1] - 1:4 judges [1] - 8:6 JUDICIAL [1] - 12:16 judicial [15] - 4:20, 5:11, 5:12, 5:14, 5:15, 5:21, 8:11, 8:16, 8:21, 9:10, 10:16, 11:1, 11:2, 11:4, 11:5 June [1] - 5:4 justice [1] - 8:25</p> <p style="text-align: center;">K</p> <p>KLEEGER [3] - 1:20, 12:8, 12:21</p> <p style="text-align: center;">L</p> <p>law [4] - 7:7, 8:6, 9:6, 10:18 LAW [1] - 2:3 lawsuits [1] - 7:5 legal [1] - 7:1 libraries [1] - 7:7 logic [4] - 8:9, 8:12, 9:14, 10:10 logical [1] - 10:1 LOS [4] - 1:16, 1:22, 3:1, 12:4</p> <p style="text-align: center;">M</p> <p>major [1] - 7:6 MANUEL [1] - 1:4 Mass.392 [1] - 9:4 Massachusetts [1] - 9:1 materials [1] - 4:22 MATTEO [5] - 2:3, 3:10, 3:16, 4:1, 10:25 Matteo [1] - 3:11 MATTEO-BOEHM [5] - 2:3, 3:10, 3:16, 4:1, 10:25 Matteo-Boehm [1] - 3:11 MATTER [1] - 12:14 matter [1] - 10:18 media [1] - 7:6 merely [1] - 6:24 merits [2] - 7:22, 7:23 Michael [2] - 3:6, 6:2</p>	<p>MICHAEL [1] - 1:9 mind [1] - 5:8 minimal [3] - 9:19, 10:17, 10:19 minimally [1] - 10:12 MONDAY [2] - 1:15, 3:1 moreover [2] - 9:8, 9:22 morning [4] - 3:10, 3:13, 3:19, 3:21 most [1] - 10:8 motion [6] - 5:20, 6:15, 7:18, 7:23, 10:21 moving [4] - 4:6, 4:7, 4:18, 5:17 MR [5] - 3:13, 3:19, 3:25, 5:16, 10:24 MS [5] - 3:10, 3:16, 3:21, 4:1, 10:25 must [2] - 6:22, 7:16</p> <p style="text-align: center;">N</p> <p>NAEVE [4] - 3:19, 3:25, 5:16, 10:24 Naeve [1] - 3:20 new [1] - 5:7 newly [2] - 4:9, 4:13 NEWS [1] - 1:6 news [1] - 7:4 News [5] - 3:6, 3:12, 3:18, 5:6, 6:1 Ninth [5] - 6:9, 7:17, 7:18, 7:21, 8:8 none [1] - 9:11 NORTH [1] - 1:21 note [2] - 4:4, 5:3 notes [1] - 9:22 notice [14] - 4:20, 5:11, 5:12, 5:14, 5:15, 5:22, 8:22, 9:10, 10:16, 11:1, 11:2, 11:4, 11:5 November [1] - 6:6 number [2] - 10:9, 10:13</p>	<p>12:10, 12:12, 12:15, 12:16 office [1] - 5:2 OFFICIAL [3] - 1:21, 12:8, 12:22 official [3] - 6:3, 7:12, 8:3 Oliver [1] - 8:25 ON [2] - 2:3, 2:5 open [2] - 8:14, 9:2 opposed [1] - 5:19 order [1] - 10:22 original [1] - 5:24 outlets [1] - 7:6 owner [1] - 3:17</p> <p style="text-align: center;">P</p> <p>p.m [1] - 7:11 PAGE [1] - 12:14 paper [1] - 4:24 papers [6] - 4:2, 4:6, 4:7, 4:11, 4:18, 5:18 part [2] - 6:7, 8:25 parties [2] - 8:7, 9:17 percent [1] - 5:7 perfect [1] - 5:5 pertaining [1] - 4:2 PH [1] - 1:22 photocopied [1] - 9:25 photocopy [1] - 10:9 PLAINTIFF [2] - 1:7, 2:3 plaintiff [2] - 3:12, 3:15 PLANET [1] - 1:9 Planet [3] - 3:7, 6:2, 6:13 plausible [1] - 6:24 plays [1] - 8:15 pleaded [1] - 6:16 point [1] - 5:19 points [2] - 4:2, 4:17 possible [1] - 6:24 precluded [1] - 7:18 president [1] - 3:17 PRESIDING [1] - 1:4 Press [1] - 8:9 press [1] - 9:7 privacy [1] - 9:16 privilege [1] - 9:3 Procedure [1] - 6:20 procedures [2] - 5:4, 5:5 proceeding [1] - 8:13 PROCEEDINGS [3] - 1:14, 11:7, 12:13</p>
<p style="text-align: center;">F</p> <p>facts [2] - 6:16, 6:17 factual [2] - 6:23, 6:25 failing [1] - 6:4 failure [1] - 6:14 federal [1] - 6:20 FEDERAL [2] - 1:21, 12:22 FETTERLY [2] - 2:5, 3:13 Fetterly [1] - 3:14 few [1] - 4:2 file [2] - 9:11, 9:12 filed [10] - 3:24, 4:2, 4:9, 4:13, 4:19, 6:2, 7:9, 7:11, 8:2, 9:20 filing [5] - 4:5, 4:22, 4:24, 5:1, 5:19 finally [1] - 10:3 First [5] - 4:8, 4:12, 6:11, 7:25, 10:18</p>	<p style="text-align: center;">I</p> <p>important [1] - 4:4 impossible [1] - 9:20 IN [3] - 12:8, 12:13, 12:15 include [1] - 10:12 integrity [2] - 9:20, 10:1 interest [1] - 9:15 interests [1] - 9:17 Iqbal [1] - 7:3 IS [2] - 12:12, 12:15 issue [3] - 7:15, 7:16, 7:24 item [1] - 3:5 items [1] - 4:21 itself [1] - 4:25</p>	<p>major [1] - 7:6 MANUEL [1] - 1:4 Mass.392 [1] - 9:4 Massachusetts [1] - 9:1 materials [1] - 4:22 MATTEO [5] - 2:3, 3:10, 3:16, 4:1, 10:25 Matteo [1] - 3:11 MATTEO-BOEHM [5] - 2:3, 3:10, 3:16, 4:1, 10:25 Matteo-Boehm [1] - 3:11 MATTER [1] - 12:14 matter [1] - 10:18 media [1] - 7:6 merely [1] - 6:24 merits [2] - 7:22, 7:23 Michael [2] - 3:6, 6:2</p>	<p style="text-align: center;">O</p> <p>object [2] - 5:22, 5:23 objection [2] - 5:14, 11:4 OF [13] - 1:1, 1:2, 1:14, 2:2, 2:3, 2:5, 12:2, 12:4, 12:6,</p>	<p>part [2] - 6:7, 8:25 parties [2] - 8:7, 9:17 percent [1] - 5:7 perfect [1] - 5:5 pertaining [1] - 4:2 PH [1] - 1:22 photocopied [1] - 9:25 photocopy [1] - 10:9 PLAINTIFF [2] - 1:7, 2:3 plaintiff [2] - 3:12, 3:15 PLANET [1] - 1:9 Planet [3] - 3:7, 6:2, 6:13 plausible [1] - 6:24 plays [1] - 8:15 pleaded [1] - 6:16 point [1] - 5:19 points [2] - 4:2, 4:17 possible [1] - 6:24 precluded [1] - 7:18 president [1] - 3:17 PRESIDING [1] - 1:4 Press [1] - 8:9 press [1] - 9:7 privacy [1] - 9:16 privilege [1] - 9:3 Procedure [1] - 6:20 procedures [2] - 5:4, 5:5 proceeding [1] - 8:13 PROCEEDINGS [3] - 1:14, 11:7, 12:13</p>

<p>proceedings [1] - 9:2 process [1] - 8:16 processed [5] - 4:14, 8:2, 8:20, 10:8, 10:12 processing [4] - 5:1, 9:19, 10:17, 10:20 proper [1] - 8:15 protect [1] - 9:16 provide [3] - 6:4, 9:9, 9:23 provided [1] - 7:14 public [4] - 7:24, 8:5, 8:14, 9:11 Pulsifer [1] - 9:4 PURSUANT [1] - 12:10 puts [1] - 5:8</p>	<p>11:3, 11:4, 11:6 requests [1] - 8:21 require [1] - 9:12 respect [1] - 5:21 reversed [1] - 6:9 review [4] - 5:2, 7:9, 7:25, 10:6 Robert [1] - 3:20 role [1] - 8:15 ROOM [1] - 1:21 Rule [5] - 4:17, 4:21, 4:25, 6:20, 7:18 rule [3] - 4:22, 4:23, 6:11 ruling [3] - 5:11, 10:23, 11:1</p>	<p>9:14 statutes [3] - 5:24, 5:25, 9:8 STENOGRAPHICAL [1] - 12:13 step [1] - 3:8 still [1] - 7:13 STREET [1] - 1:21 strike [2] - 5:13, 11:3 submission [1] - 5:22 submit [1] - 10:22 submitted [2] - 8:20, 10:15 subscribers [1] - 7:5 suit [1] - 8:7 sum [1] - 5:10 Superior [3] - 4:23, 6:4, 8:10 supplemental [3] - 4:19, 5:12, 11:2 support [4] - 4:16, 5:13, 10:11, 11:3 Supreme [1] - 9:1</p>	<p>universities [1] - 7:6 unprocessed [2] - 8:5, 9:15 up [1] - 5:10</p>
R	S	T	V
<p>RACHEL [1] - 2:3 Rachel [1] - 3:11 ranging [1] - 7:6 REAL [1] - 1:4 reason [1] - 4:19 receipt [1] - 5:18 received [2] - 8:1, 10:5 recently [1] - 7:9 records [1] - 8:3 refer [1] - 5:18 refute [1] - 10:16 regardless [1] - 9:5 REGULATIONS [1] - 12:15 REILLEY [1] - 3:21 Reilley [1] - 3:22 rejected [1] - 7:13 relevant [1] - 4:21 relief [2] - 6:19, 6:23 relies [1] - 8:8 remainder [1] - 6:8 remanded [1] - 6:10 reply [5] - 4:2, 4:11, 5:13, 5:18, 11:3 REPORTED [1] - 12:13 REPORTER [4] - 1:21, 12:2, 12:8, 12:22 REPORTER'S [1] - 1:14 reporters [1] - 7:8 reporting [2] - 7:5, 9:3 request [14] - 4:19, 5:11, 5:12, 5:13, 5:15, 5:21, 5:24, 11:1, 11:2,</p>	<p>safeguard [1] - 9:15 same-day [1] - 5:7, 5:9, 6:4, 7:10, 8:4, 8:19, 8:24, 9:6, 9:12, 9:23, 10:6 scan [1] - 10:9 scanned [2] - 7:12, 9:25 scanning [1] - 7:11 school [1] - 7:7 secondly [1] - 4:25 SECTION [1] - 12:11 seeing [1] - 5:6 seeks [2] - 6:13, 9:9 sends [1] - 7:8 Service [3] - 3:6, 3:12, 3:18 SERVICE [1] - 1:6 service [1] - 7:4 Services [1] - 6:2 SESSION [2] - 1:15, 3:2 SHERI [3] - 1:20, 12:8, 12:21 shifted [1] - 4:11 show [1] - 5:8 shows [1] - 9:6 six [1] - 6:21 specializes [1] - 7:4 SPRING [1] - 1:21 SS [1] - 12:5 standing [1] - 7:19 state [4] - 6:11, 6:14, 6:22, 9:8 STATE [1] - 12:6 state's [1] - 6:12 STATES [6] - 1:1, 1:1, 1:4, 12:9, 12:11, 12:16 states [2] - 6:18,</p>	<p>test [2] - 8:9, 8:12 THAT [2] - 12:10, 12:14 THE [13] - 3:5, 3:23, 6:1, 11:6, 12:9, 12:11, 12:12, 12:13, 12:14, 12:15, 12:16 theft [1] - 9:16 thereof [1] - 8:22 third [1] - 9:17 TITLE [1] - 12:11 TO [1] - 12:11 today [1] - 3:18 tradition [4] - 8:18, 8:23, 9:6, 10:16 TRANSCRIPT [3] - 1:14, 12:12, 12:14 trial [1] - 6:15 TRUE [1] - 12:12 true [3] - 6:16, 7:1, 7:2 two [2] - 4:20, 10:4</p>	<p>VCS [1] - 7:14 Ventura [2] - 4:23, 6:3 versus [5] - 3:6, 7:3, 8:10, 9:4, 9:18 view [1] - 8:5 violate [1] - 6:12 visit [1] - 7:8 voluminous [1] - 8:20 VS [1] - 1:8 VSC [2] - 7:10, 8:1</p>
R	S	U	W
<p>weeks [1] - 4:15 well-pleaded [1] - 6:16 Wendell [1] - 8:25 WESTERN [1] - 1:2 wherein [1] - 10:5 whole [1] - 8:17 wire [1] - 7:4 WITH [1] - 12:15</p>		<p>U.S. [2] - 7:3, 8:10 under [4] - 5:3, 6:7, 6:8, 8:12 UNITED [6] - 1:1, 1:1, 1:4, 12:9, 12:11, 12:16</p>	