

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ROBERT STEINBUCH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:05-CV-970 (PLF)
	)	Judge Paul L. Friedman
JESSICA CUTLER,	)	
	)	
Defendant	)	
_____ )	)	

**MOTION FOR SANCTIONS  
PURSUANT TO RULE 11  
OF THE FEDERAL RULES OF CIVIL PROCEDURE**

COMES NOW DEFENDANT JESSICA CUTLER and serves this Motion for Sanctions Pursuant to Rule 11 of the Federal Rules of Civil Procedure on Plaintiff and his counsel. Service of this Motion begins the 21 day safe harbor period pursuant to Rule 11. Plaintiff is invited and requested, within that period, to dismiss his claims in this matter, in whole or in part, as set forth below. Rule 11(b) provides:

By presenting to the court (whether by signing, filing, submitting, or later advocating) a pleading, written motion, or other paper, an attorney or unrepresented party is certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances,--

- (1) it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;
- (2) the claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
- (3) the allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary

support after a reasonable opportunity for further investigation or discovery; and

(4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.

Plaintiff is given notice of the specific conduct alleged to violate the foregoing provisions, as follows:

1. Plaintiff filed this action for the improper purpose of seeking to harass Defendant and third parties, including those persons referenced in the Washingtonienne blog, without a legitimate basis in fact or law;
2. Plaintiff has claimed "severe emotional distress" in this case, seeking damages in excess of ten million dollars (\$ 10,000,000), contending that he has sought medical treatment for such emotional distress, without legitimate basis in law or fact and contrary to sworn testimony he has given in other matters, in which he was represented by present counsel;
3. Plaintiff has claimed severe harm to his reputation, seeking damages in excess of ten million dollars (\$ 10,000,000), without legitimate basis in law or fact and contrary to sworn testimony he has given in other matters, in which he was represented by present counsel;
4. Plaintiff has sought recovery for the tort of invasion of privacy, despite his knowledge that his claims are barred by the applicable statute of limitations; despite his personal knowledge of facts showing his own waiver of those same privacy interests; and otherwise without legitimate basis in law or fact;
5. Plaintiff has sought recovery for the tort of intentional infliction of emotional distress, despite his knowledge that his claims are barred by the applicable statute of limitations; despite his personal knowledge that he cannot present evidence sufficient to prove the elements of this cause of action; and otherwise without legitimate basis in law or fact.

On account of the foregoing actions, Defendant therefore intends, following the expiration of the 21 day safe harbor period and unless Plaintiff withdraws the offending claims within that period, to seek her reasonable attorneys' fees incurred in this action.

Respectfully submitted this day, September 7, 2006.

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**LOCAL COUNSEL**