

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MEANITH HUON,
Plaintiff,
-against-
GAWKER MEDIA a/k/a GAWKER.COM,
JEZEBEL.COM, NICK DENTON, IRIN
CARMON & GABY DARBYSHIRE
Defendants
CIVIL ACTION NO.:
1:11-CV-3054 (MEA JTG)

GAWKER DEFENDANT’S RESPONSE TO PLAINTIFF’S MOTION TO STRIKE

Earlier this evening (approximately 6:00 PM (CST), December 29, 2011), Counsel received a letter via e-mail complaining about Exhibit A of Defendants’ Reply, which was filed several hours earlier. Mr. Huon indicated he believed that the Attachment contained information that should have been redacted pursuant to Rule 5.2.1 Immediately upon receiving Plaintiff’s letter, Counsel sent a letter to Plaintiff and all counsel, promising to “review the attachment promptly, and make all necessary corrections.” (Attached hereto as Exhibit A). In that same letter, Counsel agreed that should there be a problem he would “both correct it and consent to have the unredacted attachment stricken.”

Within an hour of sending that first letter, Counsel followed up with a second letter (Attached as Exhibit B) which said:

1 Counsel will leave aside for now the issue of whether as both an agency proceeding and the official record of a state court proceeding the document would fall under the exceptions of Rule 5.2 (b)(3) or (4).

Pursuant to your letter, I have just reviewed the attachment and noted that in the corner of page 5 (of 9) there is information that arguably should have been redacted. As I understand your sensitivity to this issue, and certainly have no interest in publicizing your personal information I will endeavor to redact that information now, and will promptly refile the additionally redacted copy. As there is no dispute that this exhibit pertains to you, if there is any additional personal information you would like us to redact, please let me know promptly and I will be glad to do so. It goes without saying that we will consent to the motion to strike the exhibit and will re-file the redacted version promptly.

Counsel indicated in the footnotes that while there was an open issue as to whether the document would fall under the exceptions of Rule 5.2 (b)(3) or (4) (being both an agency proceeding and the official record of a state court proceeding), in an abundance of caution and in light of Plaintiff's evident and understandable sensitivity, Counsel would make the redactions as requested. Counsel further indicated that even though he did not believe there to be any bar on driver's license information, nor any prohibition on the disclosure of addresses, assuming there is no dispute that the documents referred to Plaintiff, given Plaintiff's objections, would redact that information as well.

As indicated in the prompt letters to plaintiff, the Gawker Defendants do indeed consent to strike Exhibit A, and are attaching herewith a further redacted copy (Exhibit C) in its stead². Beyond that, Plaintiff's requests for relief should be denied.

Respectfully Submitted,

² Though Plaintiff uses the phrase "Defendant's attach what appears to be the police report from Case No. 11231631)" in his motion, Defendant's are willing to make the requested redactions on the understanding that Plaintiff cannot then claim that the court documents and police reports do not relate to him.

Dated: New York, New York

GAWKER MEDIA A/K/A
GAWKER.COM, JEZEBEL.COM,
NICK DENTON, IRIN CARMON
& GABY DARBYSHIRE,

By: /S/ David Feige
One of their attorneys

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CERTIFICATE OF SERVICE

Under penalties of law, I attest the following documents or items have been or are being electronically served on all counsel of record for all parties on 12/29/11.

Dated: New York, New York
December 29, 2011

Respectfully Submitted,

By: /S/ David Feige
David Feige

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