

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

MEANITH HUON,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.:
-against-	)	1:11-CV-3054 (JJT)
	)	
GAWKER MEDIA LLC, et at.	)	
	)	
Defendants	)	
	)	

**MOTION TO DISMISS PLAINTIFF’S FOURTH AMENDED COMPLAINT  
PURSUANT TO FED. R. CIV. PRO. 12(B)(6), 47 U.S.C 230, AND 805 ILCS 180/10-**

**10**

**NOW COME THE DEFENDANTS**, Gawker Media a/k/a Gawker.com, Jezebel.com, Nick Denton, Irin Carmon, and Gaby Darbyshire (collectively, “Gawker,” or “Defendants”), by their attorneys, Oren Giskan and David Feige of Giskan Solotaroff Anderson & Stewart LLP. For reasons set forth in the attached Memorandum of Law, and Exhibits annexed thereto, the Defendant’s move this court to dismiss Plaintiff’s complaint with prejudice pursuant to Fed. R. Civ. Pro. 12(b)(6) (failing to state a claim upon which relief can be granted), Section 230 of the Communications Decency Act (which protects Defendants against liability for comments posted on Defendant’s website by third parties), 805 ILCS 180/10-10 (which immunizes managers), innocent construction, the fair report privilege, the doctrine of “incremental harm,” and basic rules of statutory construction, which prevent Plaintiff from suing under criminal laws such as cyberstalking and cyberbullying that provide no private civil right of action.

WHEREFORE, the Gawker Defendants respectfully request that the Court dismiss each and every claim in Plaintiff's Fourth Amended Complaint with prejudice, and provide such further relief as is just and proper.

Dated: New York, New York  
January 7<sup>th</sup>, 2013

Respectfully Submitted,

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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