

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

GATEHOUSE MEDIA MASSACHUSETTS I,
INC., DOING BUSINESS AS GATEHOUSE MEDIA
NEW ENGLAND,

Plaintiff,

v.

THE NEW YORK TIMES COMPANY,
DOING BUSINESS AS BOSTON.COM,

Defendant.

Civil Action No. 08-12114-WGY

**THE NEW YORK TIMES COMPANY'S MOTION TO JOIN
GLOBE NEWSPAPER COMPANY, INC. AND BOSTON GLOBE
ELECTRONIC PUBLISHING, INC., AND LEAVE TO FILE ANSWER,
AFFIRMATIVE DEFENSES AND COUNTERCLAIMS INCLUDING THE SAME**

Pursuant to Federal Rule of Civil Procedure 20(a)(1), Counterclaim-Plaintiff The New York Times Company ("New York Times") hereby moves this Court to join Globe Newspaper Company, Inc. and Boston Globe Electronic Publishing, Inc. (together, "The Boston Globe") as Counterclaim-Plaintiffs in the above-captioned action.

As grounds therefore, New York Times states that judicial economy and the expeditious resolution of this matter will be served by joining The Boston Globe as Counterclaim-Plaintiffs. As the Court is aware, this matter has proceeded on an unusually expedited pace and trial is currently set for as early as January 26, 2009. As noted in the January 5, 2009 status conference, Defendant intends to file Counterclaims, but the Plaintiff has not yet named the parties sought to be joined in the original Complaint.

The allegations raised in Plaintiff's Complaint relate directly to the actions and interests of The Boston Globe, and the allegations stated in the Counterclaim, along with the relief sought, directly concern the interests of both New York Times and its subsidiary The Boston Globe. In addition, questions of law and fact common to both New York Times and The Boston Globe predominate both Plaintiff's Complaint and the Counterclaims. Given the unique posture of this case, judicial economy and justice will be served by having all relevant parties before the Court at trial.

WHEREFORE, Counterclaim-Plaintiff New York Times respectfully requests that this Court (i) join Globe Newspaper Company, Inc. and Boston Globe Electronic Publishing, Inc. as Counterclaim-Plaintiffs in this action, as reflected in New York Times' proposed Answer, Affirmative Defenses, and Counterclaims, attached hereto as Exhibit A, and (ii) grant leave to file the same.

Dated: January 16, 2009

Respectfully submitted,

THE NEW YORK TIMES CO.,

By its attorneys,

/s/ R. David Hosp

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LOCAL RULE 7.1(A)(2) CERTIFICATE AND CERTIFICATE OF SERVICE

The undersigned certifies pursuant to Local Rule 7.1(A)(2) that the moving party has conferred with opposing counsel on the matter set forth herein and reports that Plaintiffs' counsel has not consented to the relief sought herein. I, R. David Hosp, further certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on January 16, 2009.

/s/ R. David Hosp _____