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Attorneys for Defendant, Lee Enterprises, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MICHAEL E. SPREADBURY,

Plaintiff,

v.

BITTERROOT PUBLIC LIBRARY,
CITY OF HAMILTON, LEE
ENTERPRISES, INC., and BOONE
KARLBERG P.C.,

Defendants.

Cause No. CV-11-064-M-DWM

FOUNDATIONAL AFFIDAVIT OF
JEFFREY B. SMITH IN SUPPORT
OF DEFENDANT LEE
ENTERPRISES, INC.'S MOTION
FOR SUMMARY JUDGMENT ON
REMAINING COUNTS

STATE OF MONTANA)
 : ss
County of Missoula)

I, Jeffrey B. Smith, being duly sworn and under oath, state as follows:

1. I am an attorney with the firm of Garlington, Lohn & Robinson, PLLP.

This firm has been retained to represent Defendant, Lee Enterprises, Inc., in this matter. I am one of the attorneys of record.

2. I provide this Affidavit as a foundation for certain documents provided in support of Defendant Lee Enterprises, Inc.'s Motion for Summary Judgment on Remaining Counts, Brief in Support and Statement of Undisputed Facts In Support of Motion for Summary Judgment

3. Exhibit A is a true and accurate copy of Defendant, Lee Enterprises, Inc.'s First Set of Written Discovery Requests to Plaintiff, dated August 12, 2011.

4. Exhibit B is a true and accurate copy of documents faxed from Michael E. Spreadbury to Jeffrey B. Smith on August 15, 2011, in response to Defendant, Lee Enterprises, Inc.'s First Set of Written Discovery Requests to Plaintiff.

5. Exhibit C is a true and accurate copy of the Amended Complaint, *Spreadbury v. Wetzsteon and Corn*, Ravalli County Cause No. DV-10-222, filed May 7, 2010.

6. Exhibit D is a true and accurate copy of the Transcript of Proceedings, *Spreadbury v. Wetzsteon and Corn*, Ravalli County Cause No. DV-10-222, dated August 6, 2010.

7. Exhibit E is a true and accurate copy of the Transcript of Proceedings, *Spreadbury v. Bell*, Ravalli County Cause No. DV-10-223, dated August 6, 2010.

8. Exhibit F is a true and accurate copy of the Transcript of Proceedings,

Spreadbury v. Roddy, Ravalli County Cause No. DV-10-224, dated August 6, 2010.

9. Exhibit G is a true and accurate copy of an Order Setting Hearing, *State v. Spreadbury*, Ravalli County Cause No. DC-10-26, filed August 6, 2010.

10. Exhibit H is a true and accurate copy of a *Ravalli Republic* article entitled “Spreadbury lawsuits begin pretrial hearings,” dated August 9, 2010.

11. Exhibit I is a true and accurate copy of an Order of Dismissal, *City of Hamilton v. Spreadbury*, Ravalli County Cause No. DC-10-26, filed August 17, 2010.

12. Exhibit J is a true and accurate copy of a *Ravalli Republic* correction,

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dated August 24, 2010.

DATED this 27 day of September, 2011.

Attorneys for Defendant, Lee Enterprises, Inc.:

GARLINGTON, LOHN & ROBINSON, PLLP
350 Ryman Street • P. O. Box 7909
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By: Jeffrey B. Smith
Jeffrey B. Smith

STATE OF MONTANA)

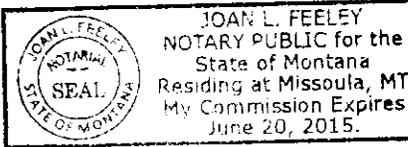
: ss.

County of Missoula)

Signed and sworn to before me on the 27th day of September, 2011, by
Jeffrey B. Smith.

Jean L. Feeley

(Type or print name)



NOTARY PUBLIC FOR
THE STATE OF MONTANA

Residing at _____, Montana

My commission expires: _____

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of September, 2011, a copy of the foregoing document was served on the following persons by the following means:

- 1, 3 CM/ECF
- Hand Delivery
- 2 Mail
- Overnight Delivery Service
- Fax
- E-Mail

1. Clerk, U.S. District Court

2. Michael E. Spreadbury
P.O. Box 416
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Pro Se Plaintiff

3. William L. Crowley
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Attorneys for Defendants Bitterroot Public Library, City of Hamilton, and
Boone Karlberg P.C.