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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

AMENDED 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 selected 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, taken from *Ravalli Republic*’s website-[http://www.ravallirepublic.com/news/local/crime-and-courts/article\\_0e5f11e0-a349-11df-9316-001cc4c002e0.html](http://www.ravallirepublic.com/news/local/crime-and-courts/article_0e5f11e0-a349-11df-9316-001cc4c002e0.html)- on September 21, 2011.

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, dated August 24, 2010.

13. Exhibit K is a true and accurate copy of a *Ravalli Republic* article entitled “Spreadbury lawsuits begin pretrial hearings,” dated and published on

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August 9, 2010.

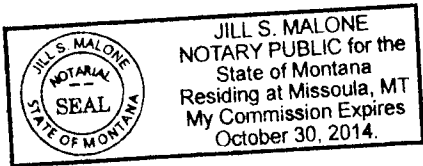
DATED this 18 day of October, 2011.

Attorneys for Defendant, Lee Enterprises, Inc.:  
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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 18 day of October, 2011, by  
Jeffrey B. Smith.



Jill S. Malone  
Jill S. Malone  
(Type or print name)

NOTARY PUBLIC FOR  
THE STATE OF MONTANA  
Residing at Missoula, Montana  
My commission expires: 10.30.2014

CERTIFICATE OF SERVICE

I hereby certify that on October 18th, 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.

/s/ Jeffrey B. Smith  
Attorneys for Defendant, Lee Enterprises, Inc.