

Jeffrey B. Smith  
GARLINGTON, LOHN & ROBINSON, PLLP  
350 Ryman Street • P. O. Box 7909  
Missoula, MT 59807-7909  
Telephone (406) 523-2500  
Telefax (406) 523-2595  
jbsmith@garlington.com  
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

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: (a) Defendant Lee Enterprises, Inc.'s, Statement of Genuine Issues in Opposition to Plaintiff's Motion for Partial Summary Judgment

3. Exhibit A is a true and accurate copy of the Affidavit of Stacey Mueller dated June 20, 2011.

4. Exhibit B are true and accurate copies of two September 10, 2009, *Ravalli Republic* articles.

5. Exhibit C is a true and accurate copy of a November 3, 2009, *Ravalli Republic* article.

6. Exhibit D are true and accurate copies of relevant orders in Ravalli County Cause No. DV-10-93.

7. Exhibit E is a true and accurate copy of a November 10, 2009, *Missoulian* article.

8. Exhibit F is a true and accurate copy of a November 11, 2009, *Ravalli Republic* article.

9. Exhibit G is a true and accurate copy of a December 3, 2009, *Missoulian* article.

10. Exhibit H is a true and accurate copy of a December 4, 2009, *Ravalli Republic* article.

11. Exhibit I is a true and accurate copy of a February 18, 2010, City

Court, City of Hamilton Verdict and a February 18, 2010, Sentencing Order.

12. Exhibit J is a true and accurate copy of a February 22, 2010, *Ravalli Republic* article.

13. Exhibit K is a true and accurate copy of an August 18, 2010, *Missoulian* article.

14. Exhibit L is a true and accurate copy of an August 19, 2010, *Ravalli Republic* article.

15. Exhibit M is a true and accurate copy of an October 15, 2010, *Missoulian* article.

16. Exhibit N is a true and accurate copy of an October 16, 2010, *Ravalli Republic* article.

17. Exhibit O is a true and accurate copy of an October 17, 2010, *Ravalli*

//

//

//

//

//

//

//

//

Republic article.

DATED this 21 day of June, 2010.

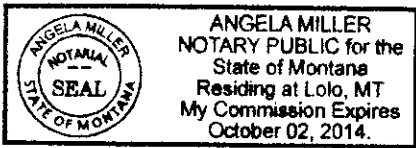
Attorneys for Defendant, Lee Enterprises, Inc.:

GARLINGTON, LOHN & ROBINSON, PLLP  
350 Ryman Street • P. O. Box 7909  
Missoula, MT 59807-7909  
Telephone (406) 523-2500  
Telefax (406) 523-2595

By: Jeffrey B. Smith  
Jeffrey B. Smith

STATE OF MONTANA            )  
  : ss.  
County of Missoula         )

Signed and sworn to before me on the 21<sup>st</sup> day of June, 2011, by Jeffrey B. Smith.



Angela Miller  
(Type or print name)  
NOTARY PUBLIC FOR  
THE STATE OF MONTANA  
Residing at \_\_\_\_\_, Montana  
My commission expires: \_\_\_\_\_