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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

AFFIDAVIT OF  
STACEY MUELLER IN SUPPORT  
OF LEE ENTERPRISES' RESPONSE  
BRIEF IN OPPOSITION TO  
PLAINTIFF'S REQUEST  
INJUNCTIVE RELIEF

Stacey Mueller, first being duly sworn, deposes and says:

1. I am currently employed as the Publisher of the *Missoulian*, a newspaper owned by Defendant, Lee Enterprises, Inc. ("Lee Enterprises"), and located in Missoula, Montana.

2. My current duties as Publisher include overseeing the *Ravalli Republic*,

a newspaper owned by Lee Enterprises, and located in Hamilton, Montana.

3. The *Missoulian* and the *Ravalli Republic* publish articles on their websites and allow readers to make comments on the articles. Neither the *Missoulian*, *Ravalli Republic*, nor Lee Enterprises has a written policy regarding editing the comments made by readers on the newspapers' website. Generally, comments will only be deleted if an online commentator makes a direct health threat to another individual or if an on-line commentator uses extreme profanity.

4. I have personally reviewed the articles published by the *Ravalli Republic* and the *Missoulian* involving Plaintiff, Michael Spreadbury ("Spreadbury"), and the subsequent comments made on the *Ravalli Republic* website.

5. All of the comments made on the *Ravalli Republic* newspaper website were made by third-party, on-line readers.

6. The *Ravalli Republic* did not encourage, create, or otherwise develop the comments.

7. The *Ravalli Republic* has not altered or otherwise edited the comments

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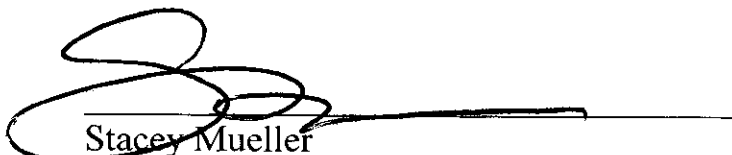
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made by third parties on the newspaper's website.

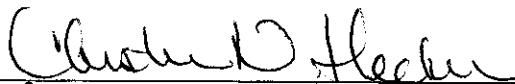
I declare under penalty of perjury that the foregoing is true and correct.

Further Affiant sayeth not.

DATED this 9<sup>th</sup> day of August, 2011.

  
Stacey Mueller

Signed and sworn to before me on the 9 day of August, 2011, by Stacey Mueller.



Christine N. Hecker

(Type or print name)

NOTARY PUBLIC FOR THE STATE OF MONTANA

Residing at Lolo, Montana

My commission expires: October 27, 2013

