

EXHIBIT K

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7 Stephens Media, LLC

8
9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 RIGHTHAVEN LLC, a Nevada limited-
liability company,

12 Plaintiff,

13 v.

14 DEMOCRATIC UNDERGROUND, LLC, a
15 District of Columbia limited-liability
company; and DAVID ALLEN, an individual,

16 Defendants.

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20 DEMOCRATIC UNDERGROUND, LLC, a
21 District of Columbia limited-liability
company,

22 Counterclaimant,

23 v.

24 RIGHTHAVEN LLC, a Nevada limited-
liability company; and STEPHENS MEDIA
25 LLC, a Nevada limited-liability company,

26 Counterdefendants.
27
28

Case No.: 2:10-cv-01356-RLH-RJJ

**COUNTERDEFENDANT STEPHENS
MEDIA, LLC'S FIRST SUPPLEMENTAL
RESPONSES TO DEFENDANT AND
COUNTERCLAIMANT DEMOCRATIC
UNDERGROUND, LLC'S FIRST SET OF
REQUESTS FOR PRODUCTION OF
DOCUMENTS**

1 TO: COUNTERCLAIMANT and ITS COUNSEL OF RECORD

2 Stephens Media, LLC ("Stephens Media"), by and through its undersigned counsel,
3 hereby submits its First Supplemental Responses the First Set of Requests for Production
4 propounded by Counterclaimant Democratic Underground, LLC. App previous objections and
5 defined terms are incorporated herein as though fully set forth.

6
7 **SUPPLEMENTAL RESPONSES**

8 **DOCUMENT REQUEST NO. 1:**

9 ALL DOCUMENTS supporting any allegations made in the COMPLAINT.

10 **RESPONSE NO. 1:**

11 Objection. Stephens Media is not the source of any allegations made in the Complaint.
12 Without waiving the foregoing objection, *see* July 19, 2010 Assignment and News Article
13 previously produced herein.

14 **DOCUMENT REQUEST NO. 2:**

15 ALL DOCUMENTS supporting any allegations that may be made in any answer to the
16 COUNTERCLAIM.

17 **RESPONSE NO. 2:**

18 Objection. Stephens Media has not filed its answer to the Counterclaim as it has filed a
19 Motion to Dismiss, which is pending. Accordingly, it is impossible for Stephen Media to know
20 the universe of documents that may support any future answer. Without waiving the foregoing
21 objections, *see* July 19, 2010 Assignment and News Article previously produced herein.

22 **DOCUMENT REQUEST NO. 3:**

23 ALL DOCUMENTS concerning any assignment of rights in the NEWS ARTICLE to
24 Righthaven.

1 **RESPONSE NO. 3:**

2 Objection. The information sought by this Document Request seeks confidential business
3 and/or commercially sensitive information. Additionally, to the extent any information sought by
4 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
5 only produce such information once a binding protective order is in place.
6 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
7 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
8 the due date for these Responses. Without waiving the foregoing objections, *see* July 19, 2010
9 Assignment and News Article previously produced herein.

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11 **SUPPLEMENTAL RESPONSE NO. 3:**

12 **Without waiving the foregoing objections, *see* Strategic Alliance Agreement, Bates**
13 **Nos. SM000078-94.**

14
15 **DOCUMENT REQUEST NO. 4:**

16 ALL DOCUMENTS reflecting any COMMUNICATIONS between Righthaven and any
17 other PERSON or entity, including YOU, RELATING TO assignment or reversion of rights in the
18 NEWS ARTICLE.

19 **RESPONSE NO. 4:**

20 Objection. The information sought by this Document Request seeks confidential business
21 and/or commercially sensitive information. Additionally, to the extent any information sought by
22 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
23 only produce such information once a binding protective order is in place.
24 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
25 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
26 the due date for these Responses. The Document Request also seeks material that may be
27

1 protected by the attorney-client and work product privileges.

2 Without waiving the foregoing objections, Stephens Media is not aware of any documents
3 responsive to this Request but will supplement the same upon the entry of a Stipulated Protective
4 Order if responsive documents are located.

5 **DOCUMENT REQUEST NO. 5:**

6 ALL DOCUMENTS concerning any COMMUNICATIONS between Righthaven and
7 Stephens Media RELATING TO assignment or reversion of rights in any other work.

8 **RESPONSE NO. 5:**

9 Objection. In particular, the information sought by this Document Request is not relevant
10 to the subject matter involved in the pending action, is inadmissible, and is not otherwise
11 reasonably calculated to lead to the discovery of admissible evidence. Further, this Document
12 Request seeks confidential business and/or commercially sensitive information. It is also
13 overbroad and unduly burdensome as Stephens Media has assigned hundreds of copyrights to
14 Righthaven. Additionally, to the extent any information sought by this Document Request is the
15 subject of legitimate discovery in this action, Stephens Media will only produce such information
16 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
17 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
18 respond until two judicial days before the due date for these Responses.

19 **DOCUMENT REQUEST NO. 6:**

20 ALL DOCUMENTS concerning any COMMUNICATION between Righthaven and
21 Stephens Media regarding conduct of, or claims against, Defendants.

22 **RESPONSE NO. 6:**

23 Objection. The foregoing Document Request seeks material protected by the common
24 interest theory of the attorney-client privilege. *See, e.g., Nidec Corp. v. Victor Company of*

1 *Japan*, 249 F.R.D. 575, 578 (N.D.Cal. 2007). Without waiving the foregoing objections,
2 Stephens Media has not located any non-privileged documents responsive to this Request. To the
3 extent privileged communications responsive to this Request regarding the subject lawsuit exist,
4 Stephens Media will provide an appropriate privilege log.

5 **DOCUMENT REQUEST NO. 7:**

6 ALL DOCUMENTS concerning any joint defense, common interest, or other agreements for
7 cooperation in litigation or preservation of privileges between Righthaven and Stephens Media.
8

9 **RESPONSE NO. 7:**

10 *See* Response to Request for Production No. 6.

11 **DOCUMENT REQUEST NO. 8:**

12 ALL DOCUMENTS that refer or RELATE TO any "monetary commitments" referenced in
13 the JULY 19, 2010 ASSIGNMENT.
14

15 **RESPONSE NO. 8:**

16 Objection. The information sought by this Document Request seeks confidential business
17 and/or commercially sensitive information. Additionally, to the extent any information sought by
18 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
19 only produce such information once a binding protective order is in place.
20 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
21 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
22 the due date for these Responses. Without waiving the foregoing objections, *see* July 19, 2010
23 Assignment previously produced herein.
24

25 **SUPPLEMENTAL RESPONSE NO. 8:**

26 Without waiving the foregoing objections, *see* Strategic Alliance Agreement, Bates
27 Nos. SM000078-94.
28

1 **DOCUMENT REQUEST NO. 9:**

2 ALL DOCUMENTS that refer or RELATE TO any “commitments to provide services
3 and/or already provided” referenced in the JULY 19, 2010 ASSIGNMENT.

4 **RESPONSE NO. 9:**

5 Objection. The information sought by this Document Request seeks confidential business
6 and/or commercially sensitive information. Additionally, to the extent any information sought by
7 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
8 only produce such information once a binding protective order is in place.
9 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
10 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
11 the due date for these Responses. Without waiving the foregoing objections, *see* July 19, 2010
12 Assignment previously produced herein.

13 **SUPPLEMENTAL RESPONSE NO. 9:**

14 Without waiving the foregoing objections, *see* Strategic Alliance Agreement, Bates
15 Nos. SM000078-94.

16 **DOCUMENT REQUEST NO. 10:**

17 ALL DOCUMENTS that refer or RELATE TO any “right of reversion” referenced in the
18 JULY 19, 2010 ASSIGNMENT.

19 **RESPONSE NO. 10:**

20 Objection. The information sought by this Document Request seeks confidential business
21 and/or commercially sensitive information. Additionally, to the extent any information sought by
22 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
23 only produce such information once a binding protective order is in place.
24 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
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1 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
2 the due date for these Responses. Without waiving the foregoing objections, *see* July 19, 2010
3 Assignment previously produced herein.

4 **SUPPLEMENTAL RESPONSE NO. 10:**

5 **Without waiving the foregoing objections, *see* Strategic Alliance Agreement, Bates**
6 **Nos. SM000078-94.**

7 **DOCUMENT REQUEST NO. 11:**

8 ALL DOCUMENTS that refer or RELATE TO any “good and valuable consideration”
9 referenced in the JULY 19, 2010 ASSIGNMENT.

10 **RESPONSE NO. 11:**

11 Objection. The information sought by this Document Request seeks confidential business
12 and/or commercially sensitive information. Additionally, to the extent any information sought by
13 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
14 only produce such information once a binding protective order is in place.
15 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
16 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
17 the due date for these Responses. Without waiving the foregoing objections, *see* July 19, 2010
18 Assignment previously produced herein.

19 **SUPPLEMENTAL RESPONSE NO. 11:**

20 **Without waiving the foregoing objections, *see* Strategic Alliance Agreement, Bates**
21 **Nos. SM000078-94.**

22 **DOCUMENT REQUEST NO. 12:**

23 ALL DOCUMENTS RELATING TO Righthaven’s use or potential future uses of the NEWS
24 ARTICLE.

1 **RESPONSE NO. 12:**

2 Objection. The foregoing Document Request is overbroad and unduly burdensome
3 insofar as it asks Stephens Media to produce documents regarding a wholly separate entity's
4 potential future use of the News Article. Without waiving the foregoing objections, Stephens
5 Media has no responsive documents.

6 **DOCUMENT REQUEST NO. 13:**

7
8 ALL DOCUMENTS RELATING TO Stephens Media's use or potential future uses of the
9 NEWS ARTICLE.

10 **RESPONSE NO. 13:**

11 Objection. The information sought by this Document Request seeks confidential business
12 and/or commercially sensitive information. Additionally, to the extent any information sought by
13 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
14 only produce such information once a binding protective order is in place.
15 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
16 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
17 the due date for these Responses. Without waiving the foregoing objections, Stephens Media has
18 no responsive documents.

19 **DOCUMENT REQUEST NO. 14:**

20
21 ALL DOCUMENTS reflecting the names and addresses (whether electronic mail addresses
22 or otherwise) of any PERSON communicating about Defendants' use of the NEWS ARTICLE,
23 including any individuals at Righthaven, at Stephens Media, or any other PERSON with whom
24 Stephens Media has communicated.

25 **RESPONSE NO. 14:**

26
27 *See* Response to Request for Production No. 6. Stephens Media will continue to search
28

1 for any communications between Stephens Media and any third parties besides Righthaven and
2 will supplement this Response if responsive documents are located.

3 **DOCUMENT REQUEST NO. 15:**

4 ALL DOCUMENTS that refer or RELATE TO any licensing or attempted licensing of the
5 NEWS ARTICLE by Stephens Media or Righthaven.

6 **RESPONSE NO. 15:**

7
8 Objection. The information sought by this Document Request seeks confidential business
9 and/or commercially sensitive information. Additionally, to the extent any information sought by
10 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
11 only produce such information once a binding protective order is in place.
12 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
13 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
14 the due date for these Responses. The Document Request is also overbroad and unduly
15 burdensome insofar as it asks Stephens Media to produce documents regarding a wholly separate
16 entity's licensing or potential licensing of the News Article.

17 **SUPPLEMENTAL RESPONSE NO. 15:**

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19 Without waiving the foregoing objections, *see* License Agreement with Burrelle's
20 Information Services, LLC, Bates Nos. SM000050-58; Lexis-Nexis License Agreement,
21 Bates Nos. SM000059-62; First Amendment to License Agreement between Stephens Media
22 Group and ProQuest LLC, Bates Nos. SM000063-67; License Agreement with McClatchy-
23 Tribune Information Services (terminated as of August, 2010), Bates Nos. SM000068-72;
24 License Agreement with the Gale Group, Bates Nos. SM000073-77.

25 **DOCUMENT REQUEST NO. 16:**

26
27 ALL DOCUMENTS that refer or RELATE TO any plans to license the NEWS ARTICLE
28

1 **RESPONSE NO. 16:**

2 *See Response to Request for Production No. 15.*

3 **DOCUMENT REQUEST NO. 17:**

4 ALL DOCUMENTS that refer or RELATE TO any licensing or attempted licensing of
5 copyrighted works originating with the LVRJ by YOU.

6 **RESPONSE NO. 17:**

7
8 Objection. The information sought by this Document Request is not relevant to the
9 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
10 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
11 confidential business and/or commercially sensitive information. It is also overbroad and unduly
12 burdensome. Additionally, to the extent any information sought by this Document Request is the
13 subject of legitimate discovery in this action, Stephens Media will only produce such information
14 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
15 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
16 respond until two judicial days before the due date for these Responses.

17 **DOCUMENT REQUEST NO. 18:**

18 ALL DOCUMENTS that refer or RELATE TO any plans to license any copyrighted works
19 by YOU.

20 **RESPONSE NO. 18:**

21
22 Objection. The information sought by this Document Request is not relevant to the
23 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
24 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
25 confidential business and/or commercially sensitive information. It is also overbroad and unduly
26 burdensome. Additionally, to the extent any information sought by this Document Request is the
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1 subject of legitimate discovery in this action, Stephens Media will only produce such information
2 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
3 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
4 respond until two judicial days before the due date for these Responses. The Document Request
5 is also overbroad and unduly burdensome insofar as it asks Stephens Media to produce
6 documents regarding a wholly separate entity's potential licensing or potential licensing of the
7 News Article.
8

9 **DOCUMENT REQUEST NO. 19:**

10 ALL DOCUMENTS that reflect any settlements by Stephens Media or Righthaven of
11 claims for copyright infringement related to any article published in the LVRJ.
12

13 **RESPONSE NO. 19:**

14 Objection. The information sought by this Document Request is not relevant to the
15 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
16 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
17 confidential business and/or commercially sensitive information. It is also overbroad and unduly
18 burdensome. Additionally, to the extent any information sought by this Document Request is the
19 subject of legitimate discovery in this action, Stephens Media will only produce such information
20 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
21 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
22 respond until two judicial days before the due date for these Responses.
23

24 **DOCUMENT REQUEST NO. 20:**

25 ALL COMMUNICATIONS with any PERSON by Stephens Media or Righthaven
26 RELATING TO terms for settlements for claims of copyright infringement in any article published
27 by the LVRJ.
28

1 **RESPONSE NO. 20:**

2 Objection. The information sought by this Document Request is not relevant to the
3 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
4 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
5 confidential business and/or commercially sensitive information. It is also overbroad and unduly
6 burdensome. Additionally, to the extent any information sought by this Document Request is the
7 subject of legitimate discovery in this action, Stephens Media will only produce such information
8 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
9 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
10 respond until two judicial days before the due date for these Responses.
11

12 **DOCUMENT REQUEST NO. 21:**

13 YOUR articles of organization.
14

15 **RESPONSE NO. 21:**

16 Objection. The information sought by this Document Request is not relevant to the
17 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
18 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
19 publicly-filed documents that are equally available to all parties.
20

21 **DOCUMENT REQUEST NO. 22:**

22 ALL DOCUMENTS RELATING TO any harm to Stephens Media as a result of any use of
23 the NEWS ARTICLE by Defendants.

24 **RESPONSE NO. 22:**

25 Objection. The foregoing document Request is vague and ambiguous with respect to the
26 term "harm." Further, this Document Request seeks confidential business and/or commercially
27 sensitive information. It is also overbroad and unduly burdensome. Additionally, to the extent
28

1 any information sought by this Document Request is the subject of legitimate discovery in this
2 action, Stephens Media will only produce such information once a binding protective order is in
3 place. Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent
4 it to DU for its comments on December 7, 2010. DU did not respond until two judicial days
5 before the due date for these Responses.
6

7 Without waiving the foregoing objection, Stephens Media has not filed an action seeking
8 damages as a result of the use of the News Article by Defendants. *See* the Excerpt previously
9 produced herein.

10 **DOCUMENT REQUEST NO. 23:**

11 ALL DOCUMENTS evidencing or RELATING TO any harm to Stephens Media as a result
12 of any allegedly unauthorized use of any LVRJ article.
13

14 **RESPONSE NO. 23:**

15 Objection. The information sought by this Document Request is not relevant to the
16 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
17 calculated to lead to the discovery of admissible evidence. It is also overbroad and unduly
18 burdensome as the LVRJ has published countless articles. *See also*, Response to Request for
19 production No. 22.
20

21 **DOCUMENT REQUEST NO. 24:**

22 ALL DOCUMENTS evidencing or RELATING TO any harm to Righthaven as a result of
23 any use of the NEWS ARTICLE by Defendants.

24 **RESPONSE NO. 24:**

25 Objection. The foregoing Document Request is overbroad and unduly burdensome
26 insofar as it asks Stephens Media to produce documents regarding a wholly separate entity's harm
27 as a result of the use of the News Article. Without waiving the foregoing objections, Stephens
28

1 Media has no responsive documents.

2 **DOCUMENT REQUEST NO. 25:**

3 ALL DOCUMENTS evidencing or RELATING TO any harm to Stephens Media that
4 could result if uses such as those by Democratic Underground of the NEWS ARTICLE became
5 widespread.
6

7 **RESPONSE NO. 25:**

8 Objection. The foregoing document Request is vague and ambiguous with respect to the
9 term "harm." The information sought by this Document Request is not relevant to the subject
10 matter involved in the pending action, is inadmissible, and is not otherwise reasonably calculated
11 to lead to the discovery of admissible evidence. Further, this Document Request seeks
12 confidential, business and/or commercially sensitive information. It is also overbroad and unduly
13 burdensome. Additionally, to the extent any information sought by this Document Request is the
14 subject of legitimate discovery in this action, Stephens Media will only produce such information
15 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
16 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
17 respond until two judicial days before the due date for these Responses.
18

19 **DOCUMENT REQUEST NO. 26:**

20 Any analyses, studies, reports, or COMMUNICATIONS regarding the actual or potential
21 impact on the newspaper industry, of copying of newspaper articles, or portions thereof, on
22 Internet websites.
23

24 **RESPONSE NO. 26:**

25 Objection. This Request is overbroad and unduly burdensome as it is not reasonably
26 limited in time or scope or related to Stephens Media in any identifiable manner. The Request
27 also seeks publicly available information that is equally accessible by both parties.
28

1 **DOCUMENT REQUEST NO. 27:**

2 ALL logs of any kind or other data reflecting or RELATING TO the NEWS ARTICLE's
3 display on the LVRJ WEB SITE, including without limitation, those reflecting views of the
4 NEWS ARTICLE, dates, IP address sufficient to identify geography of viewer, source of the
5 viewer, actions by the viewer, sharing or printing by the viewer, advertising displayed with the
6 NEWS ARTICLE, revenue from such advertising.
7

8 **RESPONSE NO. 27:**

9 Objection. This Document Request seeks confidential business and/or commercially
10 sensitive information. To the extent any information sought by this Document Request is the
11 subject of legitimate discovery in this action, Stephens Media will only produce such information
12 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
13 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
14 respond until two judicial days before the due date for these Responses. Without waiving the
15 foregoing objections, Stephens Media does not maintain documents reflecting advertising revenue
16 from particular news articles.
17

18 **SUPPLEMENTAL RESPONSE NO. 27:**

19 Without waiving the foregoing objections, *see Google Analytics Data, Bates Nos.*
20 *SM000003-08.*
21

22 **DOCUMENT REQUEST NO. 28:**

23 ALL DOCUMENTS evidencing or RELATING TO Stephens Media's revenue received in
24 whole or in part as a result of display of the NEWS ARTICLE, including without limitation the
25 number of incidents generating revenue (whether paid per click or per display or otherwise), price
26 per incident, date and payor.
27
28

1 **RESPONSE NO. 28:**

2 *See* Response to Request for Production No. 27.

3 **SUPPLEMENTAL RESPONSE NO. 28:**

4 Without waiving the foregoing objections, *see* Online Advertising Rates, Bates Nos.
5 **SM000048-49.**

6 **DOCUMENT REQUEST NO. 29:**

7
8 ALL DOCUMENTS evidencing or RELATING TO Stephens Media's revenue from the
9 LVRJ WEBSITE from 2008 to the present, including without limitation documentation of
10 amounts received daily, sources of those amounts, type of revenue (e.g., PPC, CPM, etc.), average
11 pricing, and average number of events generating revenues.

12 **RESPONSE NO. 29:**

13
14 Objection. The information sought by this Document Request is not relevant to the
15 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
16 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
17 confidential business and/or commercially sensitive information. It is also overbroad and unduly
18 burdensome. Additionally, to the extent any information sought by this Document Request is the
19 subject of legitimate discovery in this action, Stephens Media will only produce such information
20 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
21 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
22 respond until two judicial days before the due date for these Responses.

23 **DOCUMENT REQUEST NO. 30:**

24 ALL business plans for the LVRJ WEBSITE.

25 **RESPONSE NO. 30:**

26
27 Objection. The information sought by this Document Request is not relevant to the
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1 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
2 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
3 confidential business and/or commercially sensitive information. It is also overbroad and unduly
4 burdensome. Additionally, to the extent any information sought by this Document Request is the
5 subject of legitimate discovery in this action, Stephens Media will only produce such information
6 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
7 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
8 respond until two judicial days before the due date for these Responses.
9

10 **DOCUMENT REQUEST NO. 31:**

11 ALL marketing plans for the LVRJ WEBSITE.

12 **RESPONSE NO. 31:**

13 Objection. The information sought by this Document Request is not relevant to the
14 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
15 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
16 confidential business and/or commercially sensitive information. It is also overbroad and unduly
17 burdensome. Additionally, to the extent any information sought by this Document Request is the
18 subject of legitimate discovery in this action, Stephens Media will only produce such information
19 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
20 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
21 respond until two judicial days before the due date for these Responses.
22
23

24 **DOCUMENT REQUEST NO. 32:**

25 ALL business plans of Stephens Media.

26 **RESPONSE NO. 32:**

27 Objection. The information sought by this Document Request is not relevant to the
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1 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
2 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
3 confidential business and/or commercially sensitive information. It is also overbroad and unduly
4 burdensome. Additionally, to the extent any information sought by this Document Request is the
5 subject of legitimate discovery in this action, Stephens Media will only produce such information
6 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
7 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
8 respond until two judicial days before the due date for these Responses.
9

10 **DOCUMENT REQUEST NO. 33:**

11 ALL marketing plans and marketing materials of Stephens Media.

12 **RESPONSE NO. 33:**

13 Objection. The information sought by this Document Request is not relevant to the
14 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
15 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
16 confidential business and/or commercially sensitive information. It is also overbroad and unduly
17 burdensome. Additionally, to the extent any information sought by this Document Request is the
18 subject of legitimate discovery in this action, Stephens Media will only produce such information
19 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
20 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
21 respond until two judicial days before the due date for these Responses.
22
23

24 **DOCUMENT REQUEST NO. 34:**

25 ALL DOCUMENTS referring or RELATING TO the registration of any copyright in the
26 NEWS ARTICLE, including, without limitation, internal COMMUNICATIONS and
27 COMMUNICATIONS with the United States Copyright Office.
28

1 **RESPONSE NO. 34:**

2 Other than the July 19, 2010 Assignment and the News Article previously produced
3 herein, Stephens Media has no responsive documents.

4 **DOCUMENT REQUEST NO. 35:**

5 ALL DOCUMENTS that refer or RELATE TO any attempt YOU made to mitigate damages
6 in connection with the NEWS ARTICLE.

7 **RESPONSE NO. 35:**

8 Stephens Media has not filed a complaint for damages in this action and, thus, has no
9 responsive documents.
10

11 **DOCUMENT REQUEST NO. 36:**

12 ALL DOCUMENTS referring or RELATING TO the creation of Righthaven, including,
13 without limitation, ALL COMMUNICATION among its founders and funders.

14 **RESPONSE NO. 36:**

15 Objection. The foregoing document Request is overbroad and unduly burdensome insofar
16 as it is asking Stephens Media to produce documents from a wholly separate entity. Without
17 waiving the foregoing, Stephens Media is not in possession of responsive documents.
18

19 **DOCUMENT REQUEST NO. 37:**

20 ALL statements from YOUR bank or other financial institution since January 1, 2008.
21

22 **RESPONSE NO. 37:**

23 Objection. The information sought by this Document Request is not relevant to the
24 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
25 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
26 confidential financial information. It is also overbroad and unduly burdensome. Additionally, to
27 the extent any information sought by this Document Request is the subject of legitimate discovery
28

1 in this action, Stephens Media will only produce such information once a binding protective order
2 is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and
3 sent it to DU for its comments on December 7, 2010. DU did not respond until two judicial days
4 before the due date for these Responses.

5
6 **DOCUMENT REQUEST NO. 38:**

7 ALL DOCUMENTS that refer or RELATE TO any revenue or income received by YOU
8 since January 1, 2008, including but not limited to revenue attributable to the licensing or sales of
9 copyrights.

10 **RESPONSE NO. 38:**

11 Objection. The information sought by this Document Request is not relevant to the
12 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
13 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
14 confidential financial information. It is also overbroad and unduly burdensome. Additionally, to
15 the extent any information sought by this Document Request is the subject of legitimate discovery
16 in this action, Stephens Media will only produce such information once a binding protective order
17 is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and
18 sent it to DU for its comments on December 7, 2010. DU did not respond until two judicial days
19 before the due date for these Responses.

20
21
22 **DOCUMENT REQUEST NO. 39:**

23 ALL financial DOCUMENTS RELATING TO Righthaven's use of the NEWS ARTICLE.

24 **RESPONSE NO. 39:**

25 Objection. The foregoing document Request is overbroad and unduly burdensome insofar
26 as it is asking Stephens Media to produce documents from a wholly separate entity. Without
27 waiving the foregoing, Stephens Media is not in possession of responsive documents.
28

1 **DOCUMENT REQUEST NO. 40:**

2 ALL financial DOCUMENTS RELATING TO the [sic] YOUR use of the NEWS ARTICLE.

3 **RESPONSE NO. 40:**

4 Objection. The information sought by this Document Request seeks confidential financial
5 information. Additionally, to the extent any information sought by this Document Request is the
6 subject of legitimate discovery in this action, Stephens Media will only produce such information
7 once a binding protective order in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a
8 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not
9 respond until two judicial days before the due date for these Responses.
10

11 **DOCUMENT REQUEST NO. 41:**

12 ALL COMMUNICATIONS that refer or RELATE TO the Defendants in this lawsuit
13 (excluding any assertedly privileged COMMUNICATIONS, which shall be logged pursuant to the
14 SCHEDULING ORDER).
15

16 **RESPONSE NO. 41:**

17 Objection. This Request seeks information that is not calculated to lead to the discovery
18 of admissible evidence, overbroad and unduly burdensome as it is entirely unlimited in time as
19 well as the author and recipient of any communications. *See also*, Response to Request for
20 Production No. 6.
21

22 **SUPPLEMENTAL RESPONSE NO. 41**

23 Without waiving the foregoing objections, *see* E-mail communications of October 19,
24 2010, Bates Nos. SM000001-02; *see also* Privilege Log, attached hereto as Exhibit "A."

25 **DOCUMENT REQUEST NO. 42:**

26 ALL COMMUNICATIONS that refer or RELATE TO the NEWS ARTICLE (excluding
27 any assertedly privileged COMMUNICATIONS, which shall be logged pursuant to the
28

1 SCHEDULING ORDER.

2 **RESPONSE NO. 42:**

3 Objection. This Request seeks information that is not calculated to lead to the discovery
4 of admissible evidence, overbroad and unduly burdensome as it is entirely unlimited in time as
5 well as the author and recipient of any communications. *See also*, Response to Request for
6 Production No. 6.

7
8 **DOCUMENT REQUEST NO. 43:**

9 ALL COMMUNICATIONS that refer or RELATE TO Righthaven (excluding any
10 assertedly privileged COMMUNICATIONS, which shall be logged pursuant to the SCHEDULING
11 ORDER).

12 **RESPONSE NO. 43:**

13 Objection. This Request seeks information that is not calculated to lead to the discovery
14 of admissible evidence, overbroad and unduly burdensome as it is entirely unlimited in time as
15 well as the author and recipient of any communications. *See also*, Response to Request for
16 Production No. 6.

17
18 **DOCUMENT REQUEST NO. 44:**

19 ALL COMMUNICATIONS that refer or RELATE TO Net Sortie Systems LLC (excluding
20 any assertedly privileged COMMUNICATIONS, which shall be logged pursuant to the
21 SCHEDULING ORDER).

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23
24 **RESPONSE NO. 44:**

25 Objection. This Request seeks information that is not calculated to lead to the discovery
26 of admissible evidence, overbroad and unduly burdensome as it is entirely unlimited in time as
27 well as the author and recipient of any communications. *See also*, Response to Request for
28

1 Production No. 6.

2 **DOCUMENT REQUEST NO. 45:**

3 ALL COMMUNICATIONS that refer or RELATE TO SI Content Monitor LLC (excluding
4 any assertedly privileged COMMUNICATIONS, which shall be logged pursuant to the
5 SCHEDULING ORDER).

6
7 **RESPONSE NO. 45:**

8 Objection. This Request seeks information that is not calculated to lead to the discovery
9 of admissible evidence, overbroad and unduly burdensome as it is entirely unlimited in time as
10 well as the author and recipient of any communications. *See also*, Response to Request for
11 Production No. 6.

12 **DOCUMENT REQUEST NO. 46:**

13 ALL COMMUNICATIONS that refer or RELATE TO WEHCO Media (excluding any
14 assertedly privileged COMMUNICATIONS, which shall be logged pursuant to the SCHEDULING
15 ORDER).

16
17 **RESPONSE NO. 46:**

18 Objection. This Request seeks information that is not calculated to lead to the discovery
19 of admissible evidence, overbroad and unduly burdensome as it is entirely unlimited in time as
20 well as the author and recipient of any communications. *See also*, Response to Request for
21 Production No. 6.

22
23 **DOCUMENT REQUEST NO. 47:**

24 ALL COMMUNICATIONS that refer or RELATE TO Media News Group (excluding any
25 assertedly privileged COMMUNICATIONS, which shall be logged pursuant to the SCHEDULING
26 ORDER).

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1 **RESPONSE NO. 47:**

2 Objection. This Request seeks information that is not calculated to lead to the discovery
3 of admissible evidence, overbroad and unduly burdensome as it is entirely unlimited in time as
4 well as the author and recipient of any communications. *See also*, Response to Request for
5 Production No. 6.
6

7 **DOCUMENT REQUEST NO. 48:**

8 ALL COMMUNICATIONS that refer or RELATE TO Clickability, Inc. (excluding any
9 assertedly privileged COMMUNICATIONS, which shall be logged pursuant to the SCHEDULING
10 ORDER).

11 **RESPONSE NO. 48:**

12 Objection. This Request seeks information that is not calculated to lead to the discovery
13 of admissible evidence, overbroad and unduly burdensome as it is entirely unlimited in time as
14 well as the author and recipient of any communications. *See also*, Response to Request for
15 Production No. 6.
16

17 **DOCUMENT REQUEST NO. 49:**

18 ALL COMMUNICATIONS between YOU and Steven Gibson.

19 **RESPONSE NO. 49:**

20 Objection. The foregoing Document Request is overbroad and unduly burdensome as it is
21 not limited in time or scope. *See also*, Response to Request for Production No. 6.
22

23 **DOCUMENT REQUEST NO. 50:**

24 ALL COMMUNICATIONS between YOU and Charles Coons.

25 **RESPONSE NO. 50:**

26 Objection. The foregoing Document Request is overbroad and unduly burdensome as it is
27 not limited in time or scope. *See also*, Response to Request for Production No. 6.
28

1 **DOCUMENT REQUEST NO. 51:**

2 ALL COMMUNICATIONS between YOU and Joseph Chu.

3 **RESPONSE NO. 51:**

4 Objection. The foregoing Document Request is overbroad and unduly burdensome as it is
5 not limited in time or scope. *See also*, Response to Request for Production No. 6.

6 **SUPPLEMENTAL RESPONSE NO. 51**

7
8 Without waiving the foregoing objections, *see* E-mail communications of October 19,
9 2010, Bates Nos. SM000001-02.

10 **DOCUMENT REQUEST NO. 52:**

11 ALL COMMUNICATIONS between YOU and Carlyn Dilger.

12 **RESPONSE NO. 52:**

13 Objection. The foregoing Document Request is overbroad and unduly burdensome as it is
14 not limited in time or scope. *See also*, Response to Request for Production No. 6.

15 **DOCUMENT REQUEST NO. 53:**

16 ALL COMMUNICATIONS between YOU and Jackson Farrow.

17 **RESPONSE NO. 53:**

18 Objection. The foregoing Document Request is overbroad and unduly burdensome as it is
19 not limited in time or scope. *See also*, Response to Request for Production No. 6.

20 **DOCUMENT REQUEST NO. 54:**

21 ALL COMMUNICATIONS between YOU and Kathy Bryant.

22 **RESPONSE NO. 54:**

23 Objection. The foregoing Document Request is overbroad and unduly burdensome as it is
24 not limited in time or scope. *See also*, Response to Request for Production No. 6.

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1 **DOCUMENT REQUEST NO. 55:**

2 ALL COMMUNICATIONS between YOU and Warren Stephens.

3 **RESPONSE NO. 55:**

4 Objection. The foregoing Document Request is overbroad and unduly burdensome as it is
5 not limited in time or scope. *See also*, Response to Request for Production No. 6.

6 **DOCUMENT REQUEST NO. 56:**

7 ALL contracts, agreements, investment DOCUMENTS, or other terms between YOU and
8 Righthaven.

9 **RESPONSE NO. 56:**

10 Objection. The information sought by this Document Request seeks confidential business
11 and/or commercially sensitive information. Additionally, to the extent any information sought by
12 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
13 only produce such information once a binding protective order is in place.
14 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
15 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
16 the due date for these Responses. Without waiving the foregoing objections, *see* July 19, 2010
17 Assignment and News Article previously produced herein.

18 **SUPPLEMENTAL RESPONSE NO. 56:**

19 Without waiving the foregoing objections, *see* Strategic Alliance Agreement, Bates
20 Nos. SM000078-94.

21 **DOCUMENT REQUEST NO. 57:**

22 ALL DOCUMENTS that refer or RELATE TO the agreement referenced by Mark
23 Hinueber on KUAR FM 89.1 on or around Sep. 29, 2010 when he said "Righthaven's made the
24 decision that based on their agreement with us, they're not going to send [cease and desist] notices."
25

1 **RESPONSE NO. 57:**

2 Objection. The information sought by this Document Request seeks confidential business
3 and/or commercially sensitive information. Additionally, to the extent any information sought by
4 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
5 only produce such information once a binding protective order is in place.
6 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
7 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
8 the due date for these Responses.

9
10 **DOCUMENT REQUEST NO. 58:**

11 ALL COMMUNICATIONS referenced by Mark Hinueber when he noted that “many
12 websites ask permission before posting the paper's articles, and that he routinely grants such
13 permissions” in the article available at [http://www.law.com/jsp/cc/PubArticleCC](http://www.law.com/jsp/cc/PubArticleCC.jsp?id=1202466627090)
14 [.jsp?id=1202466627090](http://www.law.com/jsp/cc/PubArticleCC.jsp?id=1202466627090).

15
16 **RESPONSE NO. 58:**

17 Stephens Media continues to search for documents responsive to this Request and will
18 produce the same once any are located.

19 **DOCUMENT REQUEST NO. 59:**

20 ALL DOCUMENTS that refer or RELATE TO the investment referenced by Mark
21 Hinueber when he said “the investment in Righthaven was made by a company affiliated with the
22 Stephens family” in the article originally published at
23 <http://www.arkansasonline.com/news/2010/aug/26/firm-holds-websites-law-20100826>

24 **RESPONSE NO. 59:**

25
26 Objection. The foregoing Document Request seeks documents from Stephens Media
27 regarding a wholly separate entity over which it has no control. Without waiving the foregoing
28

1 objections, Stephens Media has no responsive documents.

2 **DOCUMENT REQUEST NO. 60:**

3 ALL DOCUMENTS that refer or RELATE TO any rights or agreements referenced by
4 Mark Hinueber when he said "I can tell Righthaven not to sue somebody" in the article originally
5 published at <http://www.arkansasonline.com/news/2010/aug/26/firm-holds-websites-law20100826/>
6

7 **RESPONSE NO. 60:**

8 Objection. The information sought by this Document Request seeks confidential business
9 and/or commercially sensitive information. Additionally, to the extent any information sought by
10 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
11 only produce such information once a binding protective order is in place.
12 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
13 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
14 the due date for these Responses.
15

16 **DOCUMENT REQUEST NO. 61:**

17 ALL COMMUNICATIONS received by YOU in response to Sherman Frederick's
18 statement "If you'd like find out more about working with Righthaven to protect your copyrighted
19 material or you would like to inquire about using any of my company's content, you may do so by
20 contacting our general counsel, Mark Hinueber at mhinueber@stephensmedia.com" published at
21 [http://www.lvrj.com/blogs/sherm/Copyright theft Were not taking it anymore.html](http://www.lvrj.com/blogs/sherm/Copyright%20theft%20Were%20not%20taking%20it%20anymore.html)
22

23 **RESPONSE NO. 61:**

24 Stephens Media continues to search for documents responsive to this Request and will
25 produce the same once any are located.

26 **DOCUMENT REQUEST NO. 62:**

27 Any COMMUNICATIONS sent in response to the COMMUNICATIONS to
28

1 mhinueber@stephensmedia.com referenced in the preceding Request.

2 **RESPONSE NO. 62:**

3 Stephens Media continues to search for documents responsive to this Request and will
4 produce the same once any are located.

5 **DOCUMENT REQUEST NO. 63:**

6 ALL DOCUMENTS that refer or RELATE TO Sherman Frederick's columns published in
7 the LVRJ concerning Righthaven, including but not limited to *Copyright theft: We're not taking it*
8 *anymore, Las Vegas Review-Journal*, (May 28, 2010); *Protecting newspaper content - You either*
9 *do it, or you don't, Las Vegas Review-Journal*, (Sept. 1, 2010); *Protecting Newspaper Content II:*
10 *Thieves are thieves, Las Vegas Review-Journal* (Sep. 2, 2010).

11 **RESPONSE NO. 63:**

12 Objection. The foregoing Document Request seeks information that is not calculated to
13 lead to the discovery of admissible evidence, overbroad, and unduly burdensome. The Request
14 also seeks documents protected by the Nevada Shield Law embodied in NRS 49.275.

15 **DOCUMENT REQUEST NO. 64:**

16 ALL DOCUMENTS that refer or RELATE TO the "Privacy Statement," currently located
17 at www.stephensmedia.com/privacy-statement/, including all versions of the Privacy Statement.

18 **RESPONSE NO. 64:**

19 Objection. The information sought by this Document Request is not relevant to the
20 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
21 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
22 confidential financial information. It is also overbroad and unduly burdensome. Additionally, to
23 the extent any information sought by this Document Request is the subject of legitimate discovery
24 in this action, Stephens Media will only produce such information once a binding protective order
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1 is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and
2 sent it to DU for its comments on December 7, 2010. DU did not respond until two judicial days
3 before the due date for these Responses.

4 **SUPPLEMENTAL RESPONSE NO. 64:**

5 Without waiving the foregoing objections, *see* Privacy Statement, Bates Nos.
6 SM000009-12.
7

8 **DOCUMENT REQUEST NO. 65:**

9 ALL DOCUMENTS that refer or RELATE TO the comment policy set forth at
10 <http://www.lvrj.com/home/6729126.html>, including all versions of the comment policy.

11 **RESPONSE NO. 65:**

12 Objection. The information sought by this Document Request is not relevant to the
13 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
14 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
15 confidential financial information. It is also overbroad and unduly burdensome. Additionally, to
16 the extent any information sought by this Document Request is the subject of legitimate discovery
17 in this action, Stephens Media will only produce such information once a binding protective order
18 is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and
19 sent it to DU for its comments on December 7, 2010. DU did not respond until two judicial days
20 before the due date for these Responses.
21

22 **SUPPLEMENTAL RESPONSE NO. 65:**

23 Without waiving the foregoing objections, *see* Comment Policy, Bates Nos.
24 SM000013.
25

26 **DOCUMENT REQUEST NO. 66:**

27 ALL DOCUMENTS that refer or RELATE TO the "Share & Save" feature for articles on
28

1 the LVRJ WEBSITE.

2 **RESPONSE NO. 66:**

3 Objection. The information sought by this Document Request is not relevant to the
4 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
5 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
6 confidential financial information. It is also overbroad and unduly burdensome. Additionally, to
7 the extent any information sought by this Document Request is the subject of legitimate discovery
8 in this action, Stephens Media will only produce such information once a binding protective order
9 is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and
10 sent it to DU for its comments on December 7, 2010. DU did not respond until two judicial days
11 before the due date for these Responses.
12

13 **SUPPLEMENTAL RESPONSE NO. 66:**

14 **Without waiving the foregoing objections, see ShareThis Publisher Terms of Service,**
15 **Comment Policy, Bates Nos. SM000014-22.**

16 **DOCUMENT REQUEST NO. 67:**

17 ALL DOCUMENTS that refer or RELATE TO the robots.txt file located at
18 www.lvrj.com/robots.txt, including the version of the file published on May 13, 2010.
19

20 **RESPONSE NO. 67:**

21 Objection. The information sought by this Document Request is not relevant to the
22 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
23 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
24 confidential financial information. It is also overbroad and unduly burdensome. Additionally, to
25 the extent any information sought by this Document Request is the subject of legitimate discovery
26 in this action, Stephens Media will only produce such information once a binding protective order
27
28

1 is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and
2 sent it to DU for its comments on December 7, 2010. DU did not respond until two judicial days
3 before the due date for these Responses.

4 **SUPPLEMENTAL RESPONSE NO. 67:**

5 **Without waiving the foregoing objections, *see* Robots.txt file, Bates Nos. SM000023.**

6 **DOCUMENT REQUEST NO. 68:**

7
8 The version of the <http://www.lvrj.cona/templates/news-sitemap.xml> file that was present on
9 May 13, 2010.

10 **RESPONSE NO. 68:**

11 Objection. The information sought by this Document Request is not relevant to the
12 subject matter involved in the pending action, is inadmissible, and is not otherwise reasonably
13 calculated to lead to the discovery of admissible evidence. Further, this Document Request seeks
14 confidential financial information. It is also overbroad and unduly burdensome. Additionally, to
15 the extent any information sought by this Document Request is the subject of legitimate discovery
16 in this action, Stephens Media will only produce such information once a binding protective order
17 is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and
18 sent it to DU for its comments on December 7, 2010. DU did not respond until two judicial days
19 before the due date for these Responses.
20

21 **SUPPLEMENTAL RESPONSE NO. 68:**

22 **Without waiving the foregoing objections, *see* Simulated Sitemap of May 13, 2010,**
23 **Bates Nos. SM000024-47.**

24 **DOCUMENT REQUEST NO. 69:**

25 ALL DOCUMENTS that refer or RELATE TO the facts underlying YOUR statement on
26 page 2 of Docket 38 that "Stephens Media's involvement with Righthaven...is limited to its role as
27
28

1 the assignor of the subject copyright.”

2 **RESPONSE NO. 69:**

3 Objection. The information sought by this Document Request seeks confidential business
4 and/or commercially sensitive information. Additionally, to the extent any information sought by
5 this Document Request is the subject of legitimate discovery in this action, Stephens Media will
6 only produce such information once a binding protective order is in place.
7 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to
8 DU for its comments on December 7, 2010. DU did not respond until two judicial days before
9 the due date for these Responses. Without waiving the foregoing objections, *see* July 19, 2010
10 Assignment and News Article previously produced herein.
11

12 **SUPPLEMENTAL RESPONSE NO. 70:**

13 Without waiving the foregoing objections, *see* Strategic Alliance Agreement, Bates
14 Nos. SM000078-94.
15

16 DATED this 28th day of February, 2011.

17 CAMPBELL & WILLIAMS

18 By 

19 DONALD J. CAMPBELL, ESQ. (1216)
20 J. COLBY WILLIAMS, ESQ. (5549)
21 700 South Seventh Street
22 Las Vegas, Nevada 89101

23 Attorneys for Counterdefendant,
24 Stephens Media, LLC

1 CERTIFICATE OF SERVICE

2 I hereby certify that the foregoing **Counterdefendant Stephens Media, LLC's First**
3 **Supplemental Responses to Defendant and Counterclaimant Democratic Underground,**
4 **LLC's First Set of Requests for Production of Documents** was served via U.S. Mail, first class
5 postage prepaid, and by electronic mail to the following:
6

7 FENWICK & WEST LLP
8 Laurence F. Pulgram, Esq.
9 555 California Street, 12th Floor
10 San Francisco, California 94104

11 CHAD A. BOWERS, LTD.
12 Chad A. Bowers, Esq.
13 3202 West Charleston Boulevard
14 Las Vegas, Nevada 89102

15 THE ELECTRONIC FRONTIER FOUNDATION
16 Kurt Opsahl, Esq.
17 Corynne McSherry, Esq.
18 454 Shotwell Street
19 San Francisco, California 94110

20 SHAWN A. MANGANO, LTD.
21 Shawn A. Mangano, Esq.
22 9960 West Cheyenne Avenue, Suite 170
23 Las Vegas, Nevada 89129

24 Righthaven
25 9960 West Cheyenne Avenue, Suite 210
26 Las Vegas, Nevada 89129

27 
28 An employee of Campbell & Williams