

# EXHIBIT D

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10 Attorneys for Counterdefendant  
11 Stephens Media, LLC

12 UNITED STATES DISTRICT COURT  
13 DISTRICT OF NEVADA

14 RIGHTHAVEN LLC, a Nevada limited-  
15 liability company,

16 Plaintiff,

17 v.

18 DEMOCRATIC UNDERGROUND, LLC, a  
19 District of Columbia limited-liability  
20 company; and DAVID ALLEN, an individual,

21 Defendants.

22 DEMOCRATIC UNDERGROUND, LLC, a  
23 District of Columbia limited-liability  
24 company,

25 Counterclaimant,

26 v.

27 RIGHTHAVEN LLC, a Nevada limited-  
28 liability company; and STEPHENS MEDIA  
LLC, a Nevada limited-liability company,

Counterdefendants.

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

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



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1 TO: COUNTERCLAIMANT and ITS COUNSEL OF RECORD

2 Stephens Media, LLC ("Stephens Media"), by and through its undersigned counsel,  
3 hereby responds and objects to the First Set of Requests for Production (the "Document  
4 Requests") propounded by Counterclaimant Democratic Underground, LLC ("DU") as follows:  
5

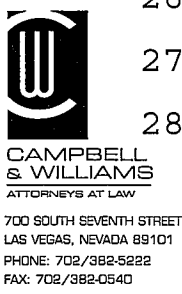
6 **PRELIMINARY STATEMENT**

7 Stephens Media's responses to the Document Requests have been prepared pursuant to a  
8 reasonable and duly diligent search for information properly requested in those areas where such  
9 information is expected to be found. To the extent the Document Requests purport to require  
10 more, Stephens Media objects on the ground that they seek to compel Stephens Media to conduct  
11 a search beyond the scope of discovery contemplated by the Federal Rules of Civil Procedure,  
12 and responding to such requests would impose an undue burden and expense on Stephens Media,  
13 particularly given its status solely as a Counterdefendant in the above action. The following  
14 responses and objections are without prejudice to Stephens Media's right to produce evidence of  
15 any subsequently discovered facts. Stephens Media also reserves the right to assert additional  
16 privileges if warranted by new documents or evidence discovered at a later date.  
17

18 **GENERAL OBJECTIONS**

19  
20 1. Stephens Media objects to the Document Requests, including the Definitions and  
21 Instructions contained therein, to the extent they purport to impose on Stephens Media obligations  
22 greater than those imposed by the Federal Rules of Civil Procedure and the Local Civil Rules of  
23 this Court.

24 2. Stephens Media objects to the Document Requests to the extent they seek  
25 information protected from discovery by the attorney-client privilege, the attorney work-product  
26 doctrine, created in anticipation of litigation, or protected by any other applicable privilege or  
27 immunity. The inadvertent production of any such document or information shall not constitute a  
28



1 waiver of any such privilege or immunity, and Stephens Media and its counsel reserve their right  
2 to demand the return of any inadvertently produced documents or information.

3 3. Stephens Media objects to the Document Requests to the extent they purport to  
4 require disclosure of confidential business or commercially sensitive information.  
5

6 4. Stephens Media objects to the Document Requests to the extent they purport to  
7 require Stephens Media to provide information which is neither relevant nor reasonably  
8 calculated to lead to the discovery of admissible evidence. Nothing contained in any response  
9 herein (including the production of any information or documents) shall be deemed to be an  
10 admission, concession, or waiver by Stephens Media to the relevance, materiality or admissibility  
11 of any information or document.  
12

13 5. Stephens Media objects to the Document Requests to the extent they purport to  
14 require Stephens Media to provide information beyond what may be obtained through a  
15 reasonably diligent search of its records.

16 6. Stephens Media objects to the Document Requests on the grounds they are vague,  
17 overbroad, oppressive, unduly burdensome, not relevant to the subject of the litigation, and/or are  
18 not calculated to lead to the discovery of admissible evidence in this action.  
19

20 7. Stephens Media objects to the Document Requests for failing to define an  
21 applicable time period, which renders them overly broad, oppressive, unduly burdensome and  
22 unlikely to lead to the discovery of admissible evidence.

23 8. Stephens Media objects to the Document Requests to the extent they seek  
24 information already in the possession, custody or control of DU or already in the public domain  
25 and, therefore, equally accessible to DU.  
26

27 9. Nothing contained in any response shall be deemed to be a concession or waiver  
28 by Stephens Media to the validity of any claim asserted by DU.



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10. Stephens Media responds to the Document Requests to the best of its knowledge and on the basis of the information provided to its counsel as of this date. Stephens Media reserves the right to alter, amend, supplement, augment or otherwise change its responses as appropriate and to object to the admissibility or relevancy of evidence of any portion of the documents, or the information contained therein, produced in response to a particular request. No response or lack of response herein is intended to, or shall be understood to, limit the legal theories, factual contentions, or evidence to be employed, relied upon, or presented during any proceeding in this case.

**RESPONSES**

**DOCUMENT REQUEST NO. 1:**

ALL DOCUMENTS supporting any allegations made in the COMPLAINT.

**RESPONSE NO. 1:**

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

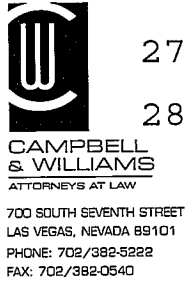
**DOCUMENT REQUEST NO. 2:**

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

**RESPONSE NO. 2:**

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

.....



1 **DOCUMENT REQUEST NO. 3:**

2 ALL DOCUMENTS concerning any assignment of rights in the NEWS ARTICLE to  
3 Righthaven.  
4

5 **RESPONSE NO. 3:**

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

20 **RESPONSE NO. 4:**

21 Objection. The information sought by this Document Request seeks confidential business  
22 and/or commercially sensitive information. Additionally, to the extent any information sought by  
23 this Document Request is the subject of legitimate discovery in this action, Stephens Media will  
24 only produce such information once a binding protective order is in place.  
25 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to  
26 DU for its comments on December 7, 2010. DU did not respond until two judicial days before  
27 the due date for these Responses. The Document Request also seeks material that may be  
28



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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

6 **DOCUMENT REQUEST NO. 5:**

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

9 **RESPONSE NO. 5:**

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

21  
22 **DOCUMENT REQUEST NO. 6:**

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

25 **RESPONSE NO. 6:**

26 Objection. The foregoing Document Request seeks material protected by the common  
27 interest theory of the attorney-client privilege. *See, e.g., Nidec Corp. v. Victor Company of*  
28



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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

6 **DOCUMENT REQUEST NO. 7:**

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

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.  
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25 **DOCUMENT REQUEST NO. 9:**

26 ALL DOCUMENTS that refer or RELATE TO any "commitments to provide services  
27 and/or already provided" referenced in the JULY 19, 2010 ASSIGNMENT.  
28



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1 **RESPONSE NO. 9:**

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 previously produced herein.  
10

11 **DOCUMENT REQUEST NO. 10:**

12           ALL DOCUMENTS that refer or RELATE TO any “right of reversion” referenced in the  
13 JULY 19, 2010 ASSIGNMENT.  
14

15 **RESPONSE NO. 10:**

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 **DOCUMENT REQUEST NO. 11:**

26           ALL DOCUMENTS that refer or RELATE TO any “good and valuable consideration”  
27 referenced in the JULY 19, 2010 ASSIGNMENT.  
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1 **RESPONSE NO. 11:**

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 previously produced herein.

10 **DOCUMENT REQUEST NO. 12:**

11           ALL DOCUMENTS RELATING TO Righthaven's use or potential future uses of the NEWS  
12 ARTICLE.

13 **RESPONSE NO. 12:**

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

18 **DOCUMENT REQUEST NO. 13:**

19           ALL DOCUMENTS RELATING TO Stephens Media's use or potential future uses of the  
20 NEWS ARTICLE.

21 **RESPONSE NO. 13:**

22           Objection. The information sought by this Document Request seeks confidential business  
23 and/or commercially sensitive information. Additionally, to the extent any information sought by  
24 this Document Request is the subject of legitimate discovery in this action, Stephens Media will  
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1 only produce such information once a binding protective order is in place.  
2 Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to  
3 DU for its comments on December 7, 2010. DU did not respond until two judicial days before  
4 the due date for these Responses. Without waiving the foregoing objections, Stephens Media has  
5 no responsive documents.  
6

7 **DOCUMENT REQUEST NO. 14:**

8 ALL DOCUMENTS reflecting the names and addresses (whether electronic mail addresses  
9 or otherwise) of any PERSON communicating about Defendants' use of the NEWS ARTICLE,  
10 including any individuals at Righthaven, at Stephens Media, or any other PERSON with whom  
11 Stephens Media has communicated.  
12

13 **RESPONSE NO. 14:**

14 See Response to Request for Production No. 6. Stephens Media will continue to search  
15 for any communications between Stephens Media and any third parties besides Righthaven and  
16 will supplement this Response if responsive documents are located.  
17

18 **DOCUMENT REQUEST NO. 15:**

19 ALL DOCUMENTS that refer or RELATE TO any licensing or attempted licensing of the  
20 NEWS ARTICLE by Stephens Media or Righthaven.  
21

22 **RESPONSE NO. 15:**

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



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1 the due date for these Responses. The Document Request is also overbroad and unduly  
2 burdensome insofar as it asks Stephens Media to produce documents regarding a wholly separate  
3 entity's licensing or potential licensing of the News Article.  
4

5 **DOCUMENT REQUEST NO. 16:**

6 ALL DOCUMENTS that refer or RELATE TO any plans to license the NEWS ARTICLE

7 **RESPONSE NO. 16:**

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

9 **DOCUMENT REQUEST NO. 17:**

10 ALL DOCUMENTS that refer or RELATE TO any licensing or attempted licensing of  
11 copyrighted works originating with the LVRJ by YOU.  
12

13 **RESPONSE NO. 17:**

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.  
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24 **DOCUMENT REQUEST NO. 18:**

25 ALL DOCUMENTS that refer or RELATE TO any plans to license any copyrighted works  
26 by YOU.  
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1 **RESPONSE NO. 18:**

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. The Document Request  
11 is also overbroad and unduly burdensome insofar as it asks Stephens Media to produce  
12 documents regarding a wholly separate entity's potential licensing or potential licensing of the  
13 News Article.  
14  
15

16 **DOCUMENT REQUEST NO. 19:**

17           ALL DOCUMENTS that reflect any settlements by Stephens Media or Righthaven of  
18 claims for copyright infringement related to any article published in the LVRJ.  
19

20 **RESPONSE NO. 19:**

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

**DOCUMENT REQUEST NO. 20:**

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

**RESPONSE NO. 20:**

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

**DOCUMENT REQUEST NO. 21:**

YOUR articles of organization.

**RESPONSE NO. 21:**

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

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**DOCUMENT REQUEST NO. 22:**

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

**RESPONSE NO. 22:**

Objection. The foregoing document Request is vague and ambiguous with respect to the term "harm." Further, this Document Request seeks confidential business and/or commercially sensitive information. It is also overbroad and unduly burdensome. Additionally, to the extent any information sought by this Document Request is the subject of legitimate discovery in this action, Stephens Media will only produce such information once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not respond until two judicial days before the due date for these Responses.

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

**DOCUMENT REQUEST NO. 23:**

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

**RESPONSE NO. 23:**

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



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**DOCUMENT REQUEST NO. 24:**

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

**RESPONSE NO. 24:**

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

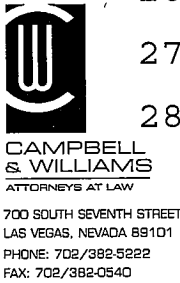
**DOCUMENT REQUEST NO. 25:**

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

**RESPONSE NO. 25:**

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

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1 **DOCUMENT REQUEST NO. 26:**

2 Any analyses, studies, reports, or COMMUNICATIONS regarding the actual or potential  
3 impact on the newspaper industry, of copying of newspaper articles, or portions thereof, on  
4 Internet websites.  
5

6 **RESPONSE NO. 26:**

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

10 **DOCUMENT REQUEST NO. 27:**

11 ALL logs of any kind or other data reflecting or RELATING TO the NEWS ARTICLE's  
12 display on the LVRJ WEB SITE, including without limitation, those reflecting views of the  
13 NEWS ARTICLE, dates, IP address sufficient to identify geography of viewer, source of the  
14 viewer, actions by the viewer, sharing or printing by the viewer, advertising displayed with the  
15 NEWS ARTICLE, revenue from such advertising.  
16

17 **RESPONSE NO. 27:**

18 Objection. This Document Request seeks confidential business and/or commercially  
19 sensitive information. To the extent any information sought by this Document Request is the  
20 subject of legitimate discovery in this action, Stephens Media will only produce such information  
21 once a binding protective order is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a  
22 proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not  
23 respond until two judicial days before the due date for these Responses. Without waiving the  
24 foregoing objections, Stephens Media does not maintain documents reflecting advertising revenue  
25 from particular news articles.  
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27 .....  
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1 **DOCUMENT REQUEST NO. 28:**

2 ALL DOCUMENTS evidencing or RELATING TO Stephens Media's revenue received in  
3 whole or in part as a result of display of the NEWS ARTICLE, including without limitation the  
4 number of incidents generating revenue (whether paid per click or per display or otherwise), price  
5 per incident, date and payor.  
6

7 **RESPONSE NO. 28:**

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

9 **DOCUMENT REQUEST NO. 29:**

10 ALL DOCUMENTS evidencing or RELATING TO Stephens Media's revenue from the  
11 LVRJ WEBSITE from 2008 to the present, including without limitation documentation of  
12 amounts received daily, sources of those amounts, type of revenue (e.g., PPC, CPM, etc.), average  
13 pricing, and average number of events generating revenues.  
14

15 **RESPONSE NO. 29:**

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

26 **DOCUMENT REQUEST NO. 30:**

27 ALL business plans for the LVRJ WEBSITE.  
28



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1 **RESPONSE NO. 30:**

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. 31:**

13           ALL marketing plans for the LVRJ WEBSITE.  
14

15 **RESPONSE NO. 31:**

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

26 **DOCUMENT REQUEST NO. 32:**

27           ALL business plans of Stephens Media.  
28



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1 **RESPONSE NO. 32:**

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. 33:**

13           ALL marketing plans and marketing materials of Stephens Media.  
14

15 **RESPONSE NO. 33:**

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

26 **DOCUMENT REQUEST NO. 34:**

27           ALL DOCUMENTS referring or RELATING TO the registration of any copyright in the  
28



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1 NEWS ARTICLE, including, without limitation, internal COMMUNICATIONS and  
2 COMMUNICATIONS with the United States Copyright Office.

3 **RESPONSE NO. 34:**

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

6 **DOCUMENT REQUEST NO. 35:**

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

9 **RESPONSE NO. 35:**

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

12 **DOCUMENT REQUEST NO. 36:**

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

15 **RESPONSE NO. 36:**

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

19 **DOCUMENT REQUEST NO. 37:**

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

21 **RESPONSE NO. 37:**

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



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

8 **DOCUMENT REQUEST NO. 38:**

9 ALL DOCUMENTS that refer or RELATE TO any revenue or income received by YOU  
10 since January 1, 2008, including but not limited to revenue attributable to the licensing or sales of  
11 copyrights.  
12

13 **RESPONSE NO. 38:**

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 financial information. It is also overbroad and unduly burdensome. Additionally, to  
18 the extent any information sought by this Document Request is the subject of legitimate discovery  
19 in this action, Stephens Media will only produce such information once a binding protective order  
20 is in place. Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and  
21 sent it to DU for its comments on December 7, 2010. DU did not respond until two judicial days  
22 before the due date for these Responses.  
23

24 **DOCUMENT REQUEST NO. 39:**

25 ALL financial DOCUMENTS RELATING TO Righthaven's use of the NEWS ARTICLE.  
26

27 **RESPONSE NO. 39:**

28 Objection. The foregoing document Request is overbroad and unduly burdensome insofar



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1 as it is asking Stephens Media to produce documents from a wholly separate entity. Without  
2 waiving the foregoing, Stephens Media is not in possession of responsive documents.

3  
4 **DOCUMENT REQUEST NO. 40:**

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

6 **RESPONSE NO. 40:**

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

13  
14 **DOCUMENT REQUEST NO. 41:**

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

18 **RESPONSE NO. 41:**

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

23  
24 **DOCUMENT REQUEST NO. 42:**

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



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1 **RESPONSE NO. 42:**

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. 43:**

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

11 **RESPONSE NO. 43:**

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. 44:**

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

21 **RESPONSE NO. 44:**

22           Objection. This Request seeks information that is not calculated to lead to the discovery  
23 of admissible evidence, overbroad and unduly burdensome as it is entirely unlimited in time as  
24 well as the author and recipient of any communications. *See also*, Response to Request for  
25 Production No. 6.  
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27 .....  
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1 **DOCUMENT REQUEST NO. 45:**

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

6 **RESPONSE NO. 45:**

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

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).  
27

28 **RESPONSE NO. 47:**

Objection. This Request seeks information that is not calculated to lead to the discovery



1 of admissible evidence, overbroad and unduly burdensome as it is entirely unlimited in time as  
2 well as the author and recipient of any communications. *See also*, Response to Request for  
3 Production No. 6.

4 **DOCUMENT REQUEST NO. 48:**

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

8 **RESPONSE NO. 48:**

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

13 **DOCUMENT REQUEST NO. 49:**

14 ALL COMMUNICATIONS between YOU and Steven Gibson.

15 **RESPONSE NO. 49:**

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

18 **DOCUMENT REQUEST NO. 50:**

19 ALL COMMUNICATIONS between YOU and Charles Coons.

20 **RESPONSE NO. 50:**

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

23 **DOCUMENT REQUEST NO. 51:**

24 ALL COMMUNICATIONS between YOU and Joseph Chu.



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**RESPONSE NO. 51:**

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

**DOCUMENT REQUEST NO. 52:**

ALL COMMUNICATIONS between YOU and Carlyn Dilger.

**RESPONSE NO. 52:**

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

**DOCUMENT REQUEST NO. 53:**

ALL COMMUNICATIONS between YOU and Jackson Farrow.

**RESPONSE NO. 53:**

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

**DOCUMENT REQUEST NO. 54:**

ALL COMMUNICATIONS between YOU and Kathy Bryant.

**RESPONSE NO. 54:**

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

**DOCUMENT REQUEST NO. 55:**

ALL COMMUNICATIONS between YOU and Warren Stephens.

**RESPONSE NO. 55:**

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

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**DOCUMENT REQUEST NO. 56:**

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

**RESPONSE NO. 56:**

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

**DOCUMENT REQUEST NO. 57:**

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

**RESPONSE NO. 57:**

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



1 **DOCUMENT REQUEST NO. 58:**

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

6  
7 **RESPONSE NO. 58:**

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

10 **DOCUMENT REQUEST NO. 59:**

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

15  
16 **RESPONSE NO. 59:**

17 Objection. The foregoing Document Request seeks documents from Stephens Media  
18 regarding a wholly separate entity over which it has no control. Without waiving the foregoing  
19 objections, Stephens Media has no responsive documents.

20  
21 **DOCUMENT REQUEST NO. 60:**

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

25  
26 **RESPONSE NO. 60:**

27 Objection. The information sought by this Document Request seeks confidential business  
28 and/or commercially sensitive information. Additionally, to the extent any information sought by



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

7 **DOCUMENT REQUEST NO. 61:**

8 ALL COMMUNICATIONS received by YOU in response to Sherman Frederick's  
9 statement "If you'd like find out more about working with Righthaven to protect your copyrighted  
10 material or you would like to inquire about using any of my company's content, you may do so by  
11 contacting our general counsel, Mark Hinueber at [mhinueber@stephensmedia.com](mailto:mhinueber@stephensmedia.com)" published at  
12 [http://www.lvrj.com/blogs/sherm/Copyright\\_theft\\_Were\\_not\\_taking\\_it\\_anymore.html](http://www.lvrj.com/blogs/sherm/Copyright_theft_Were_not_taking_it_anymore.html)  
13

14 **RESPONSE NO. 61:**

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

18 **DOCUMENT REQUEST NO. 62:**

19 Any COMMUNICATIONS sent in response to the COMMUNICATIONS to  
20 [mhinueber@stephensmedia.com](mailto:mhinueber@stephensmedia.com) referenced in the preceding Request.  
21

22 **RESPONSE NO. 62:**

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

26 **DOCUMENT REQUEST NO. 63:**

27 ALL DOCUMENTS that refer or RELATE TO Sherman Frederick's columns published in  
28 the LVRJ concerning Righthaven, including but not limited to *Copyright theft: We're not taking it  
anymore, Las Vegas Review-Journal, (May 28, 2010); Protecting newspaper content - You either*



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1 do it, or you don't, *Las Vegas Review-Journal*, (Sept. 1, 2010); *Protecting Newspaper Content II:*  
2 *Thieves are thieves, Las Vegas Review-Journal* (Sep. 2, 2010).

3  
4 **RESPONSE NO. 63:**

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

8 **DOCUMENT REQUEST NO. 64:**

9 ALL DOCUMENTS that refer or RELATE TO the "Privacy Statement," currently located  
10 at [www.stephensmedia.com/privacy-statement/](http://www.stephensmedia.com/privacy-statement/), including all versions of the Privacy Statement.

11 **RESPONSE NO. 64:**

12 Objection. The information sought by this Document Request is not relevant to the

13  
14 **DOCUMENT REQUEST NO. 65:**

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

17 **RESPONSE NO. 65:**

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



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1 **DOCUMENT REQUEST NO. 66:**

2 ALL DOCUMENTS that refer or RELATE TO the "Share & Save" feature for articles on  
3 the LVRJ WEBSITE.

4 **RESPONSE NO. 66:**

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

14 **DOCUMENT REQUEST NO. 67:**

15 ALL DOCUMENTS that refer or RELATE TO the robots.txt file located at  
16 [www.lvrj.com/robots.txt](http://www.lvrj.com/robots.txt), including the version of the file published on May 13, 2010.

17 **RESPONSE NO. 67:**

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

3 **DOCUMENT REQUEST NO. 68:**

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

6 **RESPONSE NO. 68:**

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

16 **DOCUMENT REQUEST NO. 69:**

17 ALL DOCUMENTS that refer or RELATE TO the facts underlying YOUR statement on  
18 page 2 of Docket 38 that "Stephens Media's involvement with Righthaven...is limited to its role as  
19 the assignor of the subject copyright."

20 **RESPONSE NO. 69:**

21 Objection. The information sought by this Document Request seeks confidential business  
22 and/or commercially sensitive information. Additionally, to the extent any information sought by  
23 this Document Request is the subject of legitimate discovery in this action, Stephens Media will  
24 only produce such information once a binding protective order is in place.



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Plaintiff/Counterdefendant Righthaven, LLC drafted a proposed protective order and sent it to DU for its comments on December 7, 2010. DU did not respond until two judicial days before the due date for these Responses. Without waiving the foregoing objections, *see* July 19, 2010 Assignment and News Article previously produced herein.

DATED this 18th day of January, 2011.

CAMPBELL & WILLIAMS

By 

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**CERTIFICATE OF SERVICE**

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

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