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Grateful for Lisa Stone's help and encouragement

PRINT E-MAIL STORY

Published: 4/3/2009 12:07 AM

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I am writing this letter in support of Lisa Stone for Buffalo Grove village trustee.

I first became familiar with Lisa Stone by watching her on the local government channel seeking tighter restrictions on Pit Bull and Rottweiler owners. This one person standing up for her beliefs against all others in order to make a difference in our community impressed me.

I personally met Lisa Stone a few years later, when my daughter started grade school, as co-president of the PTO. I had a desire to become involved with the community, but did not know how to start. It was Lisa who invited me to become a part of the PTO. It was Lisa who asked me to chair two committee positions.

Had it not been for Lisa Stone opening the door for me, I might not have gone on to participate in the PTO for the last nine years or receive the Crystal Apple Volunteer Award.

She has the ability to recognize in others their potential, is relentless in making sure they know what is available to them and is a great motivator.

I know Lisa Stone to be a leader who will work hard, do her homework, and make important decisions thoughtfully. She has shown a sustained commitment to Buffalo Grove through a variety of volunteer positions that cover many of the areas in which village trustees make decisions.

She is a trustworthy and open-minded person who will approach all issues as an advocate for the best interests of the village.

Please vote on April 7th, and please vote for a strong leader in Lisa Stone for Buffalo Grove village trustee.

Beth Butler
Buffalo Grove



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posted by Lou Skolnick on Fri Apr 03, 2009 7:17 AM

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Lou: Here see that UncleW has no clue as to the dynamic.

One is not successful because one has a good product that one wants to sell; one is successful because one has a product that I want to buy.

When I want something from you, I need to jump through your hoops; when you want something from me, you need to jump through my hoops.

Lisa wants my vote. The onus is not on me to justify withholding my vote; the onus is on her to give me a reason - that I deem worthy - to give it to her. So far, she hasn't.

Report Abuse

posted by Lou Skolnick on Sat Apr 04, 2009 7:10 AM

UncleW, from a different thread about Lisa Stone: You all disgust me of course with the exception of New Voice. Hmm, oh right, that's because she is the only one here who acts like a normal adult. Me being a teen was always looking forward to being an adult so I could finally escape the immaturity of kids and move on to some decent and logical people. Unfortunately through this campaign I have come to the disappointing conclusion that my hope will not arrive. You should all be ashamed of yourselves for the way you carry yourselves as adults. If parents teach you anything, it should be to grow up. A few of you here should think about that.

Lou: And don't forget -- you disgusting people -- to vote for Lisa Stone.

Yeah, that's the way to win elections.

My vote is not swayed by celebrity endorsements or by fear of UncleW's disgust. Your mileage may differ.

UncleW: You all disgust me ... You should all be ashamed of yourselves ... grow up.

Harry S Truman: If you can't stand the heat, get out of the kitchen.

Report Abuse

posted by Hipcheck16 on Sat Apr 04, 2009 10:49 AM

Here we go again- another brainwashed adolescent who can't form an opinion on their own. Lou- you're probably not old enough to vote, and I'm certain all you know about this election is what your mommy told you. I'll bet you've never been to a village board meeting and couldn't find village hall even if they were giving away free iPods there.

Do some of your own research on your wonderful candidate and you'll quickly discover that she is NOT QUALIFIED to be a trustee. She knows little about finance, NOTHING about business or village operations and can't seem to form a coherent thought- at least not ones that find their way out of her mouth.

Your parents should teach you the importance of having good community leaders, and a lesson on independent thinking would probably be beneficial too. While you're at it, perhaps you should work on that spelling and grammar stuff, as it seems to be an ongoing challenge for you, as well as other Stone supporters.

Now go watch MTV and quit inserting yourself into conversations for which you're not prepared. If you're 16, go take your Rottweiler for a nice long walk. And don't do heroin- it's bad for you.

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posted by Hipcheck16 on Sat Apr 04, 2009 11:44 AM

Oops- my previous post was directed at our little pal UncleW, not Lou. My apologies Lou!

I'm not perfect. But at least I know what a Home Rule Tax is. :)

Report Abuse

posted by Lou Skolnick on Sat Apr 04, 2009 8:23 PM

Hipcheck16: My apologies Lou!

Lou: Not a problem!

Report Abuse

posted by Hipcheck16 on Sun Apr 05, 2009 12:12 PM

FYI- Just heard the Forum will be broadcast all day today on channel 19... tell your friends and neighbors!

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Does campaign flier misrepresent Buffalo Grove endorsement?

By James Kane | Daily Herald Staff

Contact writer

PRINT E-MAIL STORY

Published: 4/6/2009 1:47 PM | Updated: 4/6/2009 2:03 PM

(150) | read | post

A campaign flier distributed door-to-door Sunday in Buffalo Grove misrepresents the Daily Herald's endorsement in the village board race, the opinion page editor said Monday.

Campaign information distributed for Buffalo Grove village board candidate Joanne Johnson uses words praising all the candidates and ellipsis to make it appear that Johnson was endorsed, said Anne Halston, opinion page editor.

"This flier clearly misrepresents our editorial. It suggests we endorsed Johnson. We did not," Halston said. "We take severe exception to the misuse of our editorials."

Johnson said that the flier never says the paper endorsed her, that using ellipses is standard operating procedure in political campaigns and that everything quoted in the flier was in the editorial.

"I wrote word for word what was printed in the Daily Herald," she said. "It never says I was endorsed. Candidates have been putting pieces out like this (for a long time)."

The flier quotes the Daily Herald editorial as such: "Six candidates are running for three seats on the village board, and we wouldn't have a problem with any of them. Each is

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posted by Hipcheck16 on Wed Apr 08, 2009 4:33 PM

Thanks UncleW, ya little nebbish. You have a nice little Pesach yourself. I may stop by tonight- have room for me at the Seder?

Some days I'm really ashamed of my fellow tribesmen, and today is one of them. You'll do anything to justify your actions, and your sense of entitlement sickens me. Your holier than thou attitude and arrogance is disgusting, but what's even worse is that just like your mommy and all her buddies, you think you're smarter than you really are. And there is nothing more dangerous than someone who is not nearly as smart as they think they are.

Hope you and daddy are in the front row at the board meetings so you can mouth answers to her, just like you did at the forum. Otherwise she'll be completely lost, and I don't think she should count on the other trustees for help, since she's already alienated herself from most of them. She's not qualified to carry the other trustees' briefcases- they know it and she knows it. Can't wait to watch her ummm and uhhh her way through the meetings- I'm in need of a good laugh.

Now go help mommy prepare her Seder so she doesn't break one of her acrylic nail extensions or accidentally wash off her fake tan.



posted by UncleW on Wed Apr 08, 2009 9:40 PM

Ya got a name Mr. Hipcheck?



posted by yellowjacket on Wed Apr 08, 2009 11:20 PM

He/She does ... He/She said, It's "A Funny Thing Happened to the Buffalo Grove Village Board"

And we, the intelligent residents of BG, of course, can't wait until Lisa's first performance!!!

Lisa, you will be the STAR. And, you can count on at least 100 Residents watching your "ingueue" performance, actually at Village Hall. Not that we don't have anything better to do, but after these last 2 stressful weeks we all need a good chuckle ... promise me you won't change your "flippy bangs" (I actually think their kinda cute), because we have the best flippy bang team in the nation coming to the meeting to get tips from the best ... Wow, before you have actually taken a seat at the dais we have made the major Illinois newspapers.

Congratulations, Lisa, you and Seymour the Snake (which I'm sure you have no clue what I'm talking about) has put BG on the National News!!! (coincidence ... I think not)



posted by lipstickonapig on Thu Apr 09, 2009 6:51 AM

Yellowjacket:

What National News are you talking about? I would be interested in reading about it? What major Illinois paper, I did not see that either? I have heard the police are checking into her tactics.



posted by yellowjacket on Thu Apr 09, 2009 7:43 AM

I was using the old "tongue in cheek" tactic. I did hear that we made the Sun Times. But, I'll bet before it is over we will be on the National News. Sorry to have misled you with something I just thought was funny



posted by Hipcheck16 on Thu Apr 09, 2009 10:53 AM

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EXTRAS X

Buffalo Grove trustees move forward after contentious campaign

By Steve Zalusky | Daily Herald Staff

Contact writer



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Newly elected Buffalo Grove Village Trustee Lisa Stone

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PRINT MAIL STORY

Published: 4/13/2009 12:03 AM

(12) | read | post

The race for seats on the Buffalo Grove village board is normally quiet, even when it is contested.

This year proved exceptional, not only in the number of candidates - six running for three seats - but in the unusually nasty tone.

Now that the dust has settled somewhat, it remains to be seen whether some of the residual hostility will rise to the surface, particularly between trustees who supported Joanne Johnson, who did not get elected, and Lisa Stone, who did.

The often combative tone of the campaign was particularly evident in the waning weeks of the campaign,

A campaign flier from Johnson's campaign led to an article in the Daily Herald. The article said Johnson's flier, which mentioned positive comments about her in the newspaper's endorsement, was misleading because the Herald had not endorsed Johnson.

Following the article, Buffalo Grove voters received robocalls stating the Herald had "blasted" Johnson for saying she had been endorsed by the Herald, which the fliers did not say - while adding, "We can't afford any more politicians that will do anything to win an election."

The call went on to say that Johnson "lied to you in her campaign fliers. Vote no on

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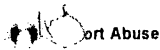
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posted by Hipcheck16 on Mon Apr 13, 2009 9:03 PM

The lies continue. In a blog under a previous article related to the election. Stone's son, writing under them name UncleW claims that his family received one of the robo calls. Now Stone claims they never got one. The least they could do is get their lies straight.

Also, this article does not address the phone calls (not robo-calls) to voters from Stone supporters alleging that Terson and Johnson were running anti-Semitic campaigns. Even though Stone knew about these calls, she did nothing to publicly denounce them, knowing they could only help her cause. The callers were so ignorant that they didn't even know that Terson is Jewish and Johnson has Jewish relatives and was supported by incumbent trustees who are Jewish. Still, Stone chose NOT to publicly denounce this tripe, and used it to her advantage.

Also, why is Stone already targeting a run for Mayor in two years when she hasn't even failed as a Trustee yet? Just check out her Myspace page- you'll see. Is this woman a presumptuous meglomaniac, or merely suffering from delusions of grandeur? Either way she lacks class. Hopefully BG residents will run her out of office when they realize she's a fraud.



posted by Robespierre on Mon Apr 13, 2009 9:48 PM

That's the same son (uncleW) who blogged, "take that, pieces of ****" after the election returns came in. I wonder what all these attacks are that Stone says were made against her? SHE said she hated the trustees who didn't support her, not the other way around. SHE was seen at Dominick's the Saturday before the election telling random shoppers that Johnson was a terrible person. SHE accused the Chamber of Commerce of giving the questions to Johnson and Braiman ahead of the BGHS forum. And now she's extending her hand to the other trustees? They better watch out that its not holding a knife to stab them in the back.



posted by ProMilitary on Mon Apr 13, 2009 11:15 PM

Yes, it's a real slap in the face that this woman was elected. Her performance at the forum was pitiful and then she gets elected. It only goes to show the mentality of some of our fellow citizens--there should be an IQ test required before being allowed to vote.



posted by BGStar on Tue Apr 14, 2009 9:59 AM

Hipcheck16 on the side of fairness I do believe the "son of a @\$%@" did say that they did not get the robo call at their house, but that friends called and told them about it, now, with that being said ... Why would they call themselves? They already knew the the trash that would be thrown. I find it suspicious that they seem to be the only residence in BG that DID NOT get the robo call.

I'm hoping that as many people who said they would be at her first board meeting actually show up. I know I will be there!



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Braiman, Stone and Terson for Buffalo Grove village board

Daily Herald Editorial Board

PRINT | E-MAIL STORY

Published: 3/19/2009 12:02 AM

(13) | read | post

Buffalo Grove is a well-run community that has been overseen through the years by a solid village board, and it appears that will continue.

While two longtime trustees, Brian Rubin and Bruce Kahn, are not seeking re-election, there is no shortage of qualified candidates.

Six candidates are running for three seats on the village board, and we wouldn't have a problem with any of them. Each is committed; each has a studied grasp of the issues; each has the credentials for the position.

But of those six, we think the best choices are incumbent Jeffrey Braiman, activist Lisa Stone and park district marketing manager Mike Terson. We endorse all three.

Braiman, the board's president pro tem, has gained a wealth of experience over 18 years on the board and exercises good judgment. Stone, a tenacious, high-energy leader, would bring a refreshing new perspective and has the potential to be exceptional. Terson is the lone candidate from the Cook County side of town, an area that currently lacks representation on the board.

We like the other three candidates - Joanne Johnson, Andrew Stein and Beverly Sussman. But we believe Braiman, Stone and Terson offer the best combination of experience, energy and representation.

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posted by Hipcheck18 on Tue Mar 31, 2009 11:28 PM

Your endorsements of Mike Terson and Lisa Stone for Buffalo Grove Village Board are sadly misguided.

Terson and Stone did nothing to distinguish themselves at the Stevenson Political Action Club forum. Terson's responses to six questions demonstrated little understanding of pertinent village issues- it was apparent that he hadn't done his homework. I can only assume he would be equally unprepared for Village Board meetings. Living in Cook County does not make him a qualified candidate.

Stone readily admitted that "she doesn't know anything about the village's budgeting process," and her other answers clearly indicated that she doesn't have an adequate grasp of critical village issues, nor the appropriate business acumen to be an effective trustee.

Stone continues to tout her involvement in advocating changes in dog ownership ordinances twelve years ago. Since then, she's been absent from any involvement in village-wide issues and has NEVER served on a village committee or council- making her more "one hit wonder" than activist.

Fortunately, there are four better qualified candidates on the ballot. BG voters should do their own research and choose wisely.

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posted by Garnet on Fri Apr 03, 2009 12:28 PM

I agree with Hipcheck16 with regard to Lisa Stone. DH Editors, I ask you to study the tape of the April 1 forum held at BGHS (the BGHS government class made the tape, and I'm assuming they would give you a copy). Judge for yourself, I think perhaps you will see that your endorsement of Lisa Stone was a mistake.

Report Abuse

posted by UncleW on Fri Apr 03, 2009 2:18 PM

Glad you've stated your opinion Garnet and you too hipcheck. You must be on a roll lately with all these comments. I'm sorry to say that I can't stand back and watch you make a fool of yourself anymore so I just needed to cut in. Cut your losses, you are only making yourself look worse in these comments, not Lisa.

Report Abuse

posted by Garnet on Fri Apr 03, 2009 5:04 PM

"...you are only making yourself look worse in these comments..." says Uncle W.

Well, not so, Uncle W. Ales for Lisa; my comments would be superfluous; the forum results speak for themselves. I merely have asked the DH Editors to watch the tape and judge for themselves.

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posted by UncleW on Fri Apr 03, 2009 5:17 PM

Yes and perhaps they shall. My bulk of the comment was directed to hipcheck though, so no hard feelings.

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posted by Hipcheck16 on Sat Apr 04, 2009 10:25 AM

People should just watch the video of the recent B.G. candidate Forum to see Stone self-destruct. Her bumbling, incoherent answer to the question about potential budget cuts, including her COMPLETELY INCORRECT assertion that the Home Rule Tax COSTS the village money should be enough to scare the daylights out of B.G. voters. Face it- she didn't know what she was talking about, and her performance at the forum only confirms what I've been saying about her all along... Stone is NOT QUALIFIED TO BE A TRUSTEE.

If you're an undecided voter, the forum will be broadcast on Comcast channel 19 at 7:00 PM on April 6th. You'll see for yourself just how unprepared Stone is, and you'll be treated to several of her vague, poorly informed, over-simplified and off the mark points of view- most of which begin with "Ummmm, Uhhhhh" and go downhill from there.

Oh, and while you're watching, also look for Stone's ongoing "mouthed" conversation with her supporters in the audience while other candidates were speaking. Not too disrespectful is it?

But what else would you expect from a candidate who showed up to the forum late, disrespecting the sponsors and the other candidates?

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posted by Hipcheck16 on Sun Apr 05, 2009 12:44 PM

FYI- the video will be broadcast all day on cable channel 6 today. Should make for some interesting viewing.

Report Abuse

posted by Living in BG on Sun Apr 05, 2009 11:10 PM

Hipcheck16,

While I might agree with you on your interpretation of Stone, I think your evaluation of Terson is way off.

I thought his answers at the Stevenson forum were right on. He not only showed me that he understands the issues, he showed me that he is the type of person I want representing me (unlike some current trustees). At the BGHS forum, other candidates side stepped the actual questions in order to give their "scripted answer." Terson kept referring back to the question asked and gave good answers I thought.

I agree, living in Cook County doesn't qualify him for the job, but the guy just seems smart to me, and he has done a lot for the community already at the park district. Everyone there, including elected officials, say his performance is excellent and he works hard, so I trust that it would carry over to the village side.

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posted by Hipcheck16 on Mon Apr 06, 2009 12:12 PM



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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

NOV 10 2 40 PM '09

LISA STONE, et al.

v.

PADDUCK PUBLICATIONS, INC., et al.

No. 09 L 5636

1100



ORDER

The matter having come on for hearing on John Doe's Motion in Opposition to Turnover of Identity and ~~Another~~ Petitioner's Motion to Disclose Comcast's Response to Subpoena, due notice having been given, counsel for both Movants having appeared, and the Court being duly advised in the premises,

Now therefore it is ordered that the matter is continued to November 9, 2009 at 11:00 am for presentation of a draft order reflecting the Court's decision announced in its Memorandum Opinion of November 9, 2009 and if John Doe seeks for presentation of a motion to stay the Court's order on the motion's pending appeal pursuant to Ill. Sup. Ct. Rule 305(b).

Atty. No.: 305901

Name: Tyng O'Connor, P.C.

Atty. for: Petitioner

Address: 105 W. Madison St. #2200

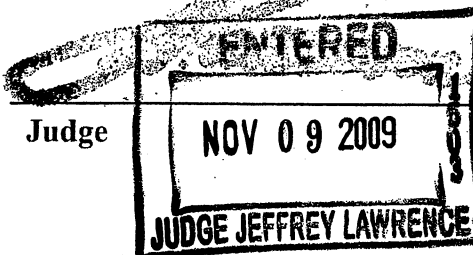
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOS
COUNTY DEPARTMENT, LAW DIVISION

LISA STONE,

Plaintiff,

v.



PADDOCK PUBLICATIONS, INC.,

Defendant

MEMORANDUM OPINION AND ORDER

Lisa Stone has filed a petition for discovery under Illinois Supreme Court Rule 224 against Paddock Publications, the publisher of a suburban newspaper known as the Daily Herald. Her petition states than an unknown individual using the pseudonym "Hipcheck 16" made a posting on the Daily Herald website which defamed her minor son.

The sole purpose of a proceeding under Rule 224 is to discover the identity of a potential defendant. When this is accomplished, the Rule 224 petition is dismissed and the plaintiff then files a new lawsuit and serves the defendant whose identity has been learned with summons. *Roth v. St. Elizabeth's Hospital*, 241 Ill.App.3d 407 (1993).



No such lawsuit has been filed and, obviously, this court entertains no views on its possible merits. The sole purpose of the hearing today is to decide whether Ms. Stone is entitled to discover the identity of the person whose posting allegedly defamed her son.

Ms. Stone's amended Rule 224 petition was filed on June 11, 2009. The court ordered Paddock to respond on June 19, 2009. On July 10, 2009, Paddock answered by identifying the internet service provider, Comcast, and an IP address. Ms. Stone then served a subpoena on Comcast seeking the name and address of the individual corresponding to the IP address.

On July 21, 2009, the court ordered Comcast to comply with the Subpoena.

On August 14, 2009, attorneys representing the anonymous poster filed a motion to quash the subpoena. On September 25, 2009, after hearing argument, the court again ordered Comcast to comply with the subpoena and to produce the name and street address of "Hipcheck 16" *in camera*. Comcast has done so, and the court now has in its possession the name and street address of the poster.

The parties have now filed cross motions demanding and opposing disclosure of the identity of the poster.

In opposing disclosure, the poster, who refers to himself as John Doe, relies on a specific Illinois statute, the Citizen Participation Act, and, in general, federal cases which discuss the First Amendment protection afforded anonymous political speech.

The legislature enacted the Citizen Participation Act, 735 ILCS 110/1 et seq., to discourage so-called SLAPP suits: "Strategic Lawsuits Against Public Participation" in

government. SLAPP's are defamation suits which have been most frequently utilized by business interests as a means of chilling public discussion inimical to their interests. The Act provides for an expedited proceeding to obtain dismissal of a SLAPP suit. Sec. 15 states that the Act applies to a motion to dismiss a "claim in a judicial proceeding" which is based upon any act or acts of the moving party in furtherance of his "rights of petition, speech, association, or to otherwise participate in government." Sec. 15 further states: "Acts in furtherance of the constitutional rights to petition, speech, association and participation in government are immune from liability, regardless of intent or purpose, except when not genuinely aimed at procuring favorable government action, result or outcome." Sec. 10 defines "claim" as a lawsuit or other judicial pleading or filing alleging injury.

Two problems exist in applying the CPA in the context of a Rule 224 discovery proceeding. First, a petition to discover the identity of a potential defendant is not a lawsuit and it does not allege injury. Second, even if the petition were deemed to be a claim under the Act, whether the allegedly defamatory speech is not genuinely aimed at procuring government action raises fact questions which are entirely outside the scope of a Rule 224 proceeding.

Accordingly, this court finds that the Citizen Participation Act does not furnish a basis for dismissing a Rule 224 petition.

John Doe also argues that his identity is shielded from disclosure by the First Amendment's guarantee of free speech. Neither party in this suit disputes that

NUMBER OF PAGES

anonymous political speech is protected by the First Amendment. However, immunity from prior restraint or damages is not the same as immunity from suit. Doe has cited no authority to this court which holds that a man may utter a lie and escape the consequences.

Doe I v. Individuals, 561 F.Supp.2d 249 (D.Conn. 2008), cited in Ms. Stone's brief, is directly in point. In that case, an anonymous blogger made a posting on a national web site which stated in very crude terms that the plaintiff, a female law student at Yale University, was sexually promiscuous. She subpoenaed records from the internet provider to discover the identity of the poster.

The federal court held that the right to speak anonymously, on the internet or otherwise, is not absolute and does not protect speech that would otherwise be unprotected. The right to speak must be balanced against the right of an offended party to seek redress. The court went on to suggest a balancing procedure consisting of six factors: 1. Whether the poster has been given notice of the subpoena and a fair opportunity to make his objections to disclosure known to the court, 2. Whether the plaintiff has specifically identified the offensive posting, 3. Whether there is some other way to discover the poster's identity, 4. Whether the subpoenaed information is essential to the plaintiff's case, 5. Whether the poster's expectation of privacy was violated, and 6. Whether the plaintiff has made an adequate showing that his claim has merit.

In this case, the first five factors have already been resolved in favor of disclosure. John Doe has actively participated in this proceeding. The specific offensive language

has been made known to him. Ms. Stone has no other way to discover who he is. She cannot commence a lawsuit unless she learns whom to serve summons upon. John Doe forfeited any expectation of privacy when he chose to make a posting on a newspaper public forum.

The procedure adopted by the federal district judge in *Doe I* seems fair and reasonable, and this court is inclined to follow it. However, there is a problem with implementation of the last element of the district court's analysis, an evidentiary demonstration that the proposed lawsuit has merit, in the context of a Rule 224 proceeding. Evidence supporting Ms. Stone's claims cannot be presented until she actually files a lawsuit and serves Doe with summons, if indeed she ever does.¹

The court proposes a practical solution. Doe's name and address can be given to plaintiff. However, a protective order will be entered simultaneously barring disclosure of his identity to anyone other than the Sheriff of Cook County or other agent designated for service of process, the plaintiff, her attorneys and essential support staff.

No person is immune from suit, not even a president. It is hoped that this order will strike a fair balance between Doe's right to speak and Ms. Stone's right to sue.

¹ According to *Doe I*, the precise demonstration of merit which should be required of the plaintiff before the anonymous poster's identity is disclosed has been the subject of considerable debate. Some court have merely required a plaintiff to plead a good faith basis or probable cause. Others have required a plaintiff to demonstrate that his claim can withstand a motion to dismiss or a motion for summary judgement. The *Doe I* court itself decided that the plaintiff must present evidence establishing a *prima facie* case for each element of the tort claims which he asserted. This issue is best deferred for resolution by the trial judge, if and when Ms. Stone files suit.

ORDER

Counsel for Plaintiff shall submit an order consistent with the views expressed in this opinion, with notice to opposing counsel, within seven days. *YDS 11/16/09*

ENTER

ENTERED
NOV 09 2009
JUDGE JEFFREY LAWRENCE

11:00

NEED ON 11-10-09

Attorney No. 45901

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

LISA STONE, mother and next friend of Jed)
Stone, a minor,)
)
Petitioner,)
)
v.)
PADDOCK PUBLICATIONS, INC.,)
d/b/a The Daily Herald, Inc.)
)
Respondent.)

No. 09 L 5636

Calendar D

Hon. Jeffrey Lawrence



ORDER

The matter having come on for hearing pursuant to the Court's order of November 9, 2009, due notice having been given, counsel for Petitioner and for nonparty John Doe having appeared, the Court being in possession of documents and information from Comcast Communications, Inc. ("Comcast") or one of its affiliated entities regarding the name and address of the individual who has identified himself in this proceeding as "John Doe", which documents and information the Court received from Comcast when Comcast complied with the Court's order of September 25, 2009 denying John Doe's Motion to Quash the Subpoena which Petitioner issued to Comcast in this proceeding and requiring return of that subpoena to the Court, and the Court otherwise being duly advised in the premises,

NOW THEREFORE, for the reasons stated in the Court's November 9, 2009 Memorandum Opinion and Order, it is ordered as follows:

1. John Doe's Motion in Opposition to Turnover of Identity is denied in part and granted in part, and Petitioner's Motion to Disclose Comcast's Response to Subpoena is granted in part and denied in part, as provided herein. The Court will turn the documents and information which Comcast has delivered to the Court over to Petitioner's counsel in chambers on Dec 18, 2009 at 1045 m. *5253 4253*

2. On receipt of the Comcast documents and information in the Court's possession, except as provided herein, Petitioner will be barred from voluntarily disclosing any aspect of information about the identity and address of John Doe. Petitioner may disclose documents and information about the identity of John Doe to her attorneys and their essential support staff, to her husband, Gary P. Stone, and, once he reaches the age of 18, Petitioner's next friend, but these persons shall be subject to the same bar against disclosure as is Petitioner herself. ~~Petitioner may also disclose the identity of John Doe to law enforcement authorities if circumstances warrant, but, in the event she makes such a disclosure, she shall provide written notice of her disclosure to John Doe at his last known address.~~ *4251 4253*

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V
E.W.

NOV 18 2009

3. In the event Petitioner or her next friend commence an action or other proceeding against John Doe with respect to the postings made by "Hipcheck16" on Respondent Paddock Publications, Inc.'s public comment forum as described in the Petition and in John Doe's and Petitioner's Motions, Responses and Replies filed in this proceeding, all filings in such action or proceeding must be made under seal until such time as the parties in the action are at issue. Petitioner may also disclose information about John Doe's identity to the Sheriff of Cook County or of such other county or jurisdiction in which John Doe resides or to such other agent who is designated for service of process in the action or proceeding.

4251

4253

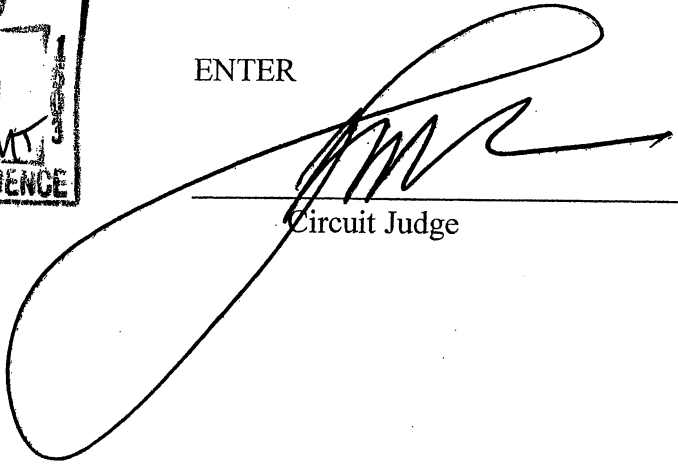
4. The Court finds that there is no just reason to delay enforcement or appeal of this Order.

9208

Dated: November

ENTERED
NOV 18 2009
JUDGE JEFFREY LAWRENCE

ENTER



Circuit Judge

Order prepared by:

Stephen L. Tyma
William A. O'Connor
Tyma O'Connor, P.C.
105 West Madison Street, Suite 2200
Chicago, Illinois 60602
(312) 372-3920

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3323

APPEAL TO THE APPELLATE COURT OF ILLINOIS FROM THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

County DEPARTMENT, Law DIVISION/DISTRICT



Lisa Stone, as mother and next friend of Jed Stone, a minor

Plaintiff/ Appell ee

v.

Reviewing Court No.

Circuit Court No. 09 L 5636

Paddock Publications, Inc. and, John Doe, Intervenor/Defendant,

Defendant/ Appell ant

NOTICE OF APPEAL

(Check if applicable. See Ill. Sup. Ct. Rule 303(a)(3).)

Joining Prior Appeal Separate Appeal Cross Appeal

Appellant's Name: John Doe

Appellant's Attorney (if applicable): Michael D. Furlong of Trobe Babowice & Associates and Charles Lee

Address: 404 W. Water St.

City/State/Zip: Waukegan, IL 60085

Telephone Number: 847-625-8700

Cook County Attorney Code: 38109, 38666 or Pro se 99500 (Choose one)

Appellee's Name: Lisa Stone, as mother and next friend of Jed Stone

Appellee's Attorney (if applicable): Stephen Tyma

Address: 105 W. Madison St., Suite 2200

City/State/Zip: Chicago, IL 60602

Telephone Number: 312-372-3920

Cook County Attorney Code: 45901 or Pro se 99500 (Choose one)

An appeal is taken from the order or judgment described below:

Date of the judgment/order being appealed: 11/09/09 and 11/18/09

Name of judge who entered the judgment/order being appealed: Judge Jeffery Lawrence

Relief sought from Reviewing Court:

Pursuant to the November 18, 2009 Order finding no just cause to delay appeal, Intervenor/Defendant/Appellant John Doe seeks reversal of the Orders of November 9, 2009 and November 18, 2009 requiring the turnover of John Doe's identity to Plaintiff/Appellee and her agents and seeks a specific ruling that John Doe's identity should not be disclosed.

I understand that a "Request for Preparation of Record on Appeal" form (CCA 0025) must be completed and the initial payment of \$110 made prior to the preparation of the Record on Appeal. The Clerk's Office will not begin preparation of the ROA until the Request form and payment are received. Failure to request preparation of the ROA in a timely manner, i.e., at least 30 days before the ROA is due to the Appellate Court, may require the Appellant to file a request for extension of time with the Appellate Court. A "Request for Preparation of Supplemental Record on Appeal" form (CCA 0023) must be completed prior to the preparation of the Supplemental ROA.

(To be signed by the Appellant or Appellant's Attorney)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

FILED-1
CIRCUIT COURT OF COOK COUNTY, ILLINOIS
2009 DEC -7 AM 10:19
CIVIL APPEALS DIVISION
DOROTHY BROWN, CLERK



ILCS S. Ct. Rule 224

Page 1

Formerly cited as IL ST CH 110A ¶ 224

C
West's Smith-Hurd Illinois Compiled Statutes Annotated Currentness
Court Rules

Illinois Supreme Court Rules (Refs & Annos)

▣ Article II. Rules on Civil Proceedings in the Trial Court

▣ Part E. Discovery, Requests for Admission, and Pretrial Procedure (Refs & Annos)

→ **Rule 224. Discovery Before Suit to Identify Responsible Persons and Entities**

211
SC Rule
224

(a) Procedure.

(1) Petition.

(i) A person or entity who wishes to engage in discovery for the sole purpose of ascertaining the identity of one who may be responsible in damages may file an independent action for such discovery.

(ii) The action for discovery shall be initiated by the filing of a verified petition in the circuit court of the county in which the action or proceeding might be brought or in which one or more of the persons or entities from whom discovery is sought resides. The petition shall be brought in the name of the petitioner and shall name as respondents the persons or entities from whom discovery is sought and shall set forth: (A) the reason the proposed discovery is necessary and (B) the nature of the discovery sought and shall ask for an order authorizing the petitioner to obtain such discovery. The order allowing the petition will limit discovery to the identification of responsible persons and entities and where a deposition is sought will specify the name and address of each person to be examined, if known, or, if unknown, information sufficient to identify each person and the time and place of the deposition.

(2) *Summons and Service.* The petitioner shall serve upon the respondent or respondents a copy of the petition together with a summons in a form substantially as follows:

In the Circuit Court of the _____ Judicial Circuit, _____ County, Illinois

(Or, In the Circuit Court of Cook County, Illinois)

A.B., C.D., *et al.*
(naming all petitioners),
Petitioners,

v.

No. _____

H.J., K.L. *et al.*

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ILCS S. Ct. Rule 224

Page 2

Formerly cited as IL ST CH 110A ¶ 224

(naming all respondents),
Respondents.

SUMMONS FOR DISCOVERY

TO EACH RESPONDENT:

You are hereby notified that on _____, 20 ____, a petition, a copy of which is attached, was filed in the above court seeking an order of discovery. Pursuant to law a hearing will be held to determine whether such an order shall be entered in this case. If you wish to contest the entry of such order, you must appear at this hearing at _____, at ____ o'clock ____ M., on _____, _____, 20 ____.

Clerk of the Circuit Court

Unless a shorter period is fixed by the court, the summons shall be served at least 14 days before the date of hearing, in the manner provided for service of summons in other civil cases. If service cannot with due diligence be made upon the respondent(s), the court may by order provide for service by publication or otherwise.

(b) Expiration and Sanctions. Unless extended for good cause, the order automatically expires 60 days after issuance. The sanctions available under Supreme Court Rule 219 may be utilized by a party initiating an action for discovery under this rule or by a respondent who is the subject of discovery under this rule.

(c) Expenses of Complying. The reasonable expenses of complying with the requirements of the Order of Discovery shall be borne by the person or entity seeking the discovery.

CREDIT(S)

Adopted June 19, 1989, effective August 1, 1989. Amended May 30, 2008, effective immediately.

Formerly Ill.Rev.Stat.1991, ch. 110A, ¶ 224.

Current with amendments received through 2/15/2010

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735 ILCS 110/1

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Effective: August 28, 2007

West's Smith-Hurd Illinois Compiled Statutes Annotated Currentness

Chapter 735. Civil Procedure

▣ Act 110. Citizen Participation Act

→ 110/1. Short title

§ 1. Short title. This Act may be cited as the Citizen Participation Act.

CREDIT(S)

P.A. 95-506, § 1, eff. Aug. 28, 2007.

Current through P.A. 96-884 of the 2010 Reg. Sess

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C**Effective: August 28, 2007**

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Chapter 735. Civil Procedure

Act 110. Citizen Participation Act

→ 110/5. Public policy

§ 5. Public policy. Pursuant to the fundamental philosophy of the American constitutional form of government, it is declared to be the public policy of the State of Illinois that the constitutional rights of citizens and organizations to be involved and participate freely in the process of government must be encouraged and safeguarded with great diligence. The information, reports, opinions, claims, arguments, and other expressions provided by citizens are vital to effective law enforcement, the operation of government, the making of public policy and decisions, and the continuation of representative democracy. The laws, courts, and other agencies of this State must provide the utmost protection for the free exercise of these rights of petition, speech, association, and government participation.

Civil actions for money damages have been filed against citizens and organizations of this State as a result of their valid exercise of their constitutional rights to petition, speak freely, associate freely, and otherwise participate in and communicate with government. There has been a disturbing increase in lawsuits termed "Strategic Lawsuits Against Public Participation" in government or "SLAPPs" as they are popularly called.

The threat of SLAPPs significantly chills and diminishes citizen participation in government, voluntary public service, and the exercise of these important constitutional rights. This abuse of the judicial process can and has been used as a means of intimidating, harassing, or punishing citizens and organizations for involving themselves in public affairs.

It is in the public interest and it is the purpose of this Act to strike a balance between the rights of persons to file lawsuits for injury and the constitutional rights of persons to petition, speak freely, associate freely, and otherwise participate in government; to protect and encourage public participation in government to the maximum extent permitted by law; to establish an efficient process for identification and adjudication of SLAPPs; and to provide for attorney's fees and costs to prevailing movants.

CREDIT(S)

P.A. 95-506, § 5, eff. Aug. 28, 2007.

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735 ILCS 110/15

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Chapter 735. Civil Procedure

Act 110. Citizen Participation Act

→ **110/15. Applicability**

§ 15. Applicability. This Act applies to any motion to dispose of a claim in a judicial proceeding on the grounds that the claim is based on, relates to, or is in response to any act or acts of the moving party in furtherance of the moving party's rights of petition, speech, association, or to otherwise participate in government.

Acts in furtherance of the constitutional rights to petition, speech, association, and participation in government are immune from liability, regardless of intent or purpose, except when not genuinely aimed at procuring favorable government action, result, or outcome.

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P.A. 95-506, § 15, eff. Aug. 28, 2007.

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Chapter 735. Civil Procedure
 ▣ Act 110. Citizen Participation Act
 → **110/20. Motion procedure and standards**

§ 20. Motion procedure and standards.

(a) On the filing of any motion as described in Section 15, a hearing and decision on the motion must occur within 90 days after notice of the motion is given to the respondent. An appellate court shall expedite any appeal or other writ, whether interlocutory or not, from a trial court order denying that motion or from a trial court's failure to rule on that motion within 90 days after that trial court order or failure to rule.

(b) Discovery shall be suspended pending a decision on the motion. However, discovery may be taken, upon leave of court for good cause shown, on the issue of whether the movants acts are not immunized from, or are not in furtherance of acts immunized from, liability by this Act.

(c) The court shall grant the motion and dismiss the judicial claim unless the court finds that the responding party has produced clear and convincing evidence that the acts of the moving party are not immunized from, or are not in furtherance of acts immunized from, liability by this Act.

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P.A. 95-506, § 20, eff. Aug. 28, 2007.

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735 ILCS 110/30

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Chapter 735. Civil Procedure

Act 110. Citizen Participation Act

→ 110/30. Construction of Act

§ 30. Construction of Act.

(a) Nothing in this Act shall limit or preclude any rights the moving party may have under any other constitutional, statutory, case or common law, or rule provisions.

(b) This Act shall be construed liberally to effectuate its purposes and intent fully.

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P.A. 95-506, § 30, eff. Aug. 28, 2007.

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