



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

FILED

JUN 12 PM 2:57

244058

CIRCUIT COURT OF COOK
COUNTY, ILLINOIS
LAW DIVISION

CLERK
NOTICE TO FILE

Lisa Stone, mother and next friend of Jed)
Stone, a minor,)
)
Petitioner,)
)
v.)
)
Paddock Publications, Inc., d/b/a/ The Daily)
Herald, Inc.)
Respondent.)

Case No. 09 L 5636

Calendar D

Hon. Jeffrey Lawrence

3298
2870
3004

**RESPONDENT PADDOCK PUBLICATIONS, INC.'S RESPONSE
IN OPPOSITION TO PETITION FOR DISCOVERY**

Respondent Paddock Publications, Inc. ("Paddock"), by and through its attorneys,
submits the following response in opposition to the Petition for Discovery ("Petition") brought
by Petitioner Lisa Stone.

1. On May 12, 2009, Petitioner filed a Petition for Discovery ("Petition"), which
requests discovery of certain information from Paddock under Illinois Supreme Court Rule 224.
The Petition is noticed for hearing on June 19, 2009, at 9:30 a.m.

2. Paddock initially received only a portion of the Petition by facsimile. No affidavit
of service has ever been produced by Petitioner to demonstrate that Paddock was served with the
Petition. This is despite requests for such an affidavit from Paddock, sent on May 26 (Exhibit A)
and June 5 (Exhibit B) of 2009. Paddock thus objects to the improper service of the Petition.

3. The Petition is not verified. Supreme Court Rule 224 requires petitions brought
pursuant to this rule to be verified. S. Ct. R. 224(a)(1)(ii). The Petition should be dismissed for
this reason alone.

4. The lack of verification is of particular concern to Paddock. Paddock publishes the Daily Herald newspaper and related online publications, including the Daily Herald website, and the information sought by the Petition relates to the identity of a person who posted certain online comments on the Daily Herald website. (*See* Petition, ¶¶ 3-4 (seeking information relating to the identity of online poster “hipcheck16”).)

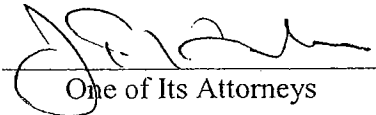
5. No police report was ever filed in this matter, and in the absence of verified allegations in the Petition, Paddock’s concern is that it does not have any first-hand knowledge of the persons, events or statements referred to in the comments that were posted. Paddock takes the privacy of its comment board posters seriously. Paddock is not a party to any dispute between Petitioner and the alleged poster, and does not wish to become a party to any possible actions by disclosing information in its possession regarding the alleged poster’s identity, if any such information exists.

6. In light of the foregoing, Paddock requests denial of the Petition. If directed by the Court, Paddock will produce the information in its possession relating solely to the identity of the poster sought in the Petition, to the extent any such information exists.

7. Paddock reserves the right to seek reimbursement for the reasonable expenses of complying with the requirements of any Order entered as a result of the Petition pursuant to Supreme Court Rule 224, which provides that such expenses shall be “borne by the person or entity seeking the discovery.” S. Ct. R. 224(c).

WHEREFORE, Paddock respectfully requests that the Court enter an order denying Petitioner's Petition for Discovery in all respects, and grant any other relief that the Court deems just and appropriate.

PADDOCK PUBLICATIONS, INC.

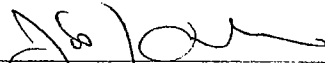
By: 
One of Its Attorneys

John F. Kloecker
Margaret M. Schuchardt
Locke Lord Bissell & Liddell LLP
111 S. Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 443-0235
Facsimile: (312) 896-6235
Firm No. 44058

CERTIFICATE OF SERVICE

I, John F. Kloecker, hereby certify that on the 12th day of June, 2009, I caused to be served a true and correct copy of the foregoing document upon the following, by facsimile and by depositing same in a U.S. mail depository located at 111 S. Wacker Drive, Chicago, Illinois 60606.

Richard Levin, Esq.
Attorney for Petitioner
Levin, Riback Law Group, P.C.
200 N. LaSalle Street
Suite 2300
Chicago, IL 60601



John F. Kloecker