

FILED

IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE
2008 NOV -3 AM 11:58
RICHARD R. ROOKER, CLERK

[Handwritten Signature]
D.C.

DONALD R. SWARTZ and
TERRY KELLER SWARTZ

Plaintiffs,

vs.

JOHN DOE #1, JOHN DOE #2, and
JOHN DOE #3

Defendants.

CASE #: 08C431

**PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT'S MOTION TO
QUASH SUBPOENA AND FOR PROTECTIVE ORDER**

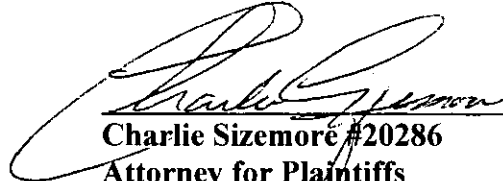
The Plaintiffs, Donald R. Swartz and Terry Keller Swartz, by counsel, hereby submit their Response in Opposition to Defendant John Doe #1's Motion to Quash Subpoena and For Protective Order. Plaintiffs would show this Honorable Court that they are victims of libelous – in fact, scandalous – assertions posted and republished by Defendant John Doe #1 on his website “stopswartz.blogspot.com.”

Defendant now seeks without any basis in law or fact to cloud and confuse the issues in an attempt to hide behind a cloak of anonymity and evade the judicial system, thereby depriving the Plaintiffs of remedies the law provides.

In support of this Response, Plaintiffs rely upon their Memorandum, submitted contemporaneously and incorporated herein by reference, and the entire record of this cause.

WHEREFORE, Plaintiffs respectfully request of this Honorable Court that Defendant John Doe #1's motion be denied.

Respectfully submitted,

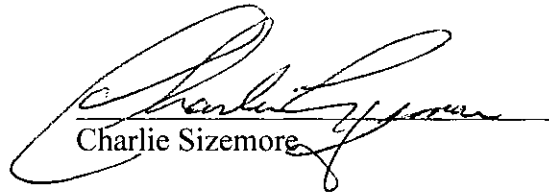


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CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing was served upon the following via facsimile and U.S. Mail, postage prepaid, on the 3rd day of November, 2008:

Stephen E. Grauberger
Grauberger, Pierce & Green, PLLC
2323 North Mt. Juliet Road
Mt. Juliet, Tennessee 37122



Charlie Sizemore