

**SUBPOENA**

**Superior Court of the District of Columbia  
CIVIL DIVISION**

500 Indiana Avenue, N.W.  
Washington, D.C. 20001 Telephone (202) 879-1133

Daniel M. Snyder  
\_\_\_\_\_  
Plaintiff

SUBPOENA IN A CIVIL CASE

v.

Creative Loafing, Inc., CL Washington, Inc. (d/b/a Washington City Paper), and Dave McKenna  
\_\_\_\_\_  
Defendant

CASE NUMBER: 0003168-11

To: Dan Steinberg  
\_\_\_\_\_

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the above case.

COURTROOM	DATE	TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE	TIME
The offices of McDermott Will & Emery LLP, 600 Thirteenth Street, N.W., Washington, D.C. 20005	July 8, 2011	10 a.m.

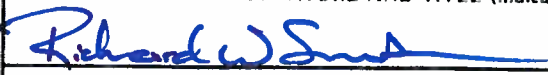
YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (*list documents or objects*):

DOCUMENTS OR OBJECTS	DATE	TIME
See attached "Schedule A."		
PLACE OF PRODUCTION	DATE	TIME
The offices of McDermott Will & Emery LLP, 600 Thirteenth Street, N.W., Washington, D.C. 20005	June 13, 2011	

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE	TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. SCR-CIV 30(b)(6).

ISSUING PERSON'S SIGNATURE AND TITLE (indicate if attorney for plaintiff or defendant)  Attorney for Plaintiff Daniel M. Snyder	DATE May 25, 2011
ISSUING PERSON'S NAME, ADDRESS AND PHONE NUMBER Richard W. Smith McDermott Will & Emery LLP 600 Thirteenth Street, N.W. Washington, D.C. 20005 202.756.8000	

(SEE RULE 45, SUPERIOR COURT RULES OF CIVIL PROCEDURE ON REVERSE)

WHITE—ORIGINAL    YELLOW—FOR RETURN SERVICE    PINK—OFFICE COPY

Authorization as required by D.C. Code §14-307 and *Brown v U.S.*, 567 A. 2d 426 (D.C. 1989), is hereby given for issuance of a subpoena for medical records concerning a person who has not consented to disclosure of the records and has not waived the privilege relating to such records.

Judge To Whom Case Is Assigned

### PROOF OF SERVICE

SERVED	DATE	TIME	PLACE
--------	------	------	-------

SERVED ON (PRINT NAME) MANNER OF SERVICE  
(attach return receipt if service was made by registered or certified mail)

SERVED BY (PRINT NAME)	TITLE
------------------------	-------

### DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the District of Columbia that I am at least 18 years of age and not a party to the above entitled cause and that the foregoing information contained in the Proof of Service is true and correct.

Executed on \_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF SERVER

\_\_\_\_\_  
ADDRESS OF SERVER

### RULE 45, SUPERIOR COURT RULES OF CIVIL PROCEDURE, Sections C & D:

#### (c) Protection of Persons Subject to Subpoenas.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The Court shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this Rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the Court. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the Court shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 25 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (3)(B)(iii) of this Rule, such a person may in order to attend trial be commanded to travel from any such place to the place of trial, or
- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
- (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 25 miles to attend trial, the Court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the Court may order appearance or production only upon specified conditions.

#### (d) Duties in Responding to Subpoena.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

## **Dan Steinberg Subpoena Duces Tecum and Subpoena Ad Testificandum**

### **Schedule A**

#### **INSTRUCTIONS**

1. You are instructed to produce each document in its entirety, without deletions, redactions, or exclusions, regardless of whether you deem one part outside the scope of these document requests.
2. You are instructed to produce the Documents requested organized and labeled to correspond with each specific demand and/or the categories within a specific demand, unless otherwise instructed by the Court.
3. In producing documents, You are requested to furnish all documents in Your possession, custody, or control, regardless of whether such documents are possessed directly by You and regardless of whether such documents are maintained on Your work or personal email accounts, computers, telephones, PDAs, paper files, or other devices.
4. Where an objection is made or claim of privilege is asserted as to any request, the procedures set forth in District of Columbia Superior Court Rule of Civil Procedure 34(b) shall be followed.

#### **DEFINITIONS**

1. The term “Snyder” shall refer to Plaintiff Daniel M. Snyder.
2. The terms “You” or “Your” shall refer to Dan Steinberg, and his agents, representatives, employees, attorneys, advisors, investigators, or anyone acting on his behalf.
3. The term “Washington City Paper” shall refer to the Washington City Paper, both print and on-line versions, and its agents, representatives, employees, contributors, writers, partners, affiliates, attorneys, advisors, investigators, or anyone acting on its behalf.
4. The term “McKenna” shall refer to Washington City Paper staff writer Dave McKenna.
5. The term “Allegations” shall refer to the allegations made by McKenna in any and all of his articles in the Washington City Paper about Snyder individually or in connection with Snyder's family, businesses or business associates.

6. The term "Art" shall refer to the cover art depicting Snyder in the November 19, 2010 print edition of the Washington City Paper.

7. The term "Documents" is used in its customary broad sense and includes but is not limited to any kind of written, typewritten, printed, reproduced, recorded or stored material whatsoever, whether printed, recorded or stored electronically, magnetically or otherwise, or reproduced by hand, including, but without limitation, drafts, notes, memoranda, letters, reports, minutes, projections, emails, telegrams, telex communications, publications, contracts, recordings, transcriptions of recordings and business records, books of accounts, ledgers, balance sheets, financial statements and all other financial Documents of any kind, diaries, telephone logs, telephone bills, appointment books, desk calendars, working papers, routing slips and similar materials and shall include, without limitation, originals, file copies, and all non-identical duplicates, no matter how produced, prepared, stored, recorded or reproduced. This request is intended to include Documents and things which You (a) own in whole or in part, (b) have a right by contract, statute or otherwise to use, inspect, examine or copy such Document on any terms, (c) have an understanding, express or implied, that You may use, inspect, examine or copy such Document on any terms, or (d) have, as a practical matter, been able to use, inspect, examine or copy such Document when You have sought to do so.

8. The terms "Relate to" and "Relating to" shall mean, in whole or in part, alluding to, analyzing, characterizing, commenting upon, comprising, concerning, constituting, containing, dealing with, describing, disclosing, discussing, embodying, evidencing, explaining, identifying, mentioning, pertaining to, referring to, reflecting, responding to, setting forth, showing, stating, supporting or summarizing.

9. The term "Communications" is used in its broadest sense and includes, but is not limited to, any transmittal and/or receipt of information, whether oral, written, or verbal or nonverbal, whether such was by chance, prearranged, formal or informal, oral or written, and specifically includes conversations in person, telephone conversations, emails, telegrams, letters or memoranda, formal statements, press releases, and newspaper articles.

10. The terms "and" or "or" shall be construed conjunctively or disjunctively as necessary to make the request inclusive rather than exclusive.

11. Whenever used herein, the singular shall include the plural and vice versa.

## DOCUMENT REQUESTS

Dan Steinberg is requested to produce the following Documents and things:

### REQUEST FOR PRODUCTION NO. 1:

All Documents evidencing or Relating to any Communications between You and McKenna pertaining to Snyder.

### REQUEST FOR PRODUCTION NO. 2:

All Documents evidencing or Relating to any Communications between You and McKenna pertaining to Snyder's wife, Tanya Snyder.

### REQUEST FOR PRODUCTION NO. 3:

All Documents evidencing or Relating to any Communications between You and McKenna pertaining to the Allegations.

### REQUEST FOR PRODUCTION NO. 4:

All Documents evidencing or Relating to any Communications between You and McKenna pertaining to the Art.

### REQUEST FOR PRODUCTION NO. 5:

All Documents evidencing or Relating to the reasons for the inclusion of links in Your Washington Post columns, blogs, or on Twitter to McKenna's Washington City Paper articles.

### REQUEST FOR PRODUCTION NO. 6:

All Documents evidencing or Relating to any Communications between You and McKenna pertaining to the complaints made by Snyder regarding the Allegations, public and private reactions thereto, and any planned or anticipated response.

### REQUEST FOR PRODUCTION NO. 7:

All Documents evidencing or Relating to Your policies Relating to the inclusion of links in Your columns to other sources.

**SUBPOENA**

**Superior Court of the District of Columbia  
CIVIL DIVISION**

500 Indiana Avenue, N.W.  
Washington, D.C. 20001 Telephone (202) 879-1133

Daniel M. Snyder  
Plaintiff

SUBPOENA IN A CIVIL CASE

v

Creative Loafing, Inc., CLW ashington, Inc. (d/b/a Washington City Paper), and Dave McKenna  
Defendant

CASE NUMBER: 0003168-11

To: The Washington Post

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the above case.

COURTROOM	DATE	TIME
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YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE	TIME
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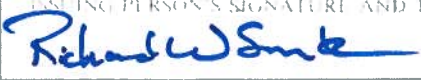
YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

DOCUMENTS OR OBJECTS See attached "Schedule A."		
PLACE OF PRODUCTION	DATE	TIME
The offices of McDermott Will & Emery LLP, 600 Thirteenth Street, N.W., Washington, D.C. 20005	June 13, 2011	

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE	TIME
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Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. SCR-CIV 30(b)(6).

ISSUING PERSON'S SIGNATURE AND TITLE (indicate if attorney for plaintiff or defendant)  Attorney for Plaintiff Daniel M. Snyder	DATE May 25, 2011
ISSUING PERSON'S NAME, ADDRESS AND PHONE NUMBER Richard W. Smith McDermott Will & Emery LLP 600 Thirteenth Street, N.W. Washington, D.C. 20005 202.756.8000	

(SEE RULE 45, SUPERIOR COURT RULES OF CIVIL PROCEDURE ON REVERSE)

WHITE—ORIGINAL    YELLOW—FOR RETURN SERVICE    PINK—OFFICE COPY

Authorization as required by D.C. Code §14-307 and Brown v U.S., 567 A.2d 426 (D.C. 1989), is hereby given for issuance of a subpoena for medical records concerning a person who has not consented to disclosure of the records and has not waived the privilege relating to such records.

Judge To Whom Case Is Assigned

**PROOF OF SERVICE**

SERVED	DATE	TIME	PLACE
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SERVED ON (PRINT NAME) \_\_\_\_\_ MANNER OF SERVICE \_\_\_\_\_  
(attach return receipt if service was made by registered or certified mail)

SERVED BY (PRINT NAME)	TITLE
------------------------	-------

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the District of Columbia that I am at least 18 years of age and not a party to the above entitled cause and that the foregoing information contained in the Proof of Service is true and correct.

Executed on \_\_\_\_\_ DATE \_\_\_\_\_ SIGNATURE OF SERVER \_\_\_\_\_

ADDRESS OF SERVER \_\_\_\_\_

**RULE 5.9 SUPERIOR COURT RULES OF CIVIL PROCEDURE, Section 5.9.1**

**(a) Protection of Person Subject to Subpoena**

(1) A party or an attorney, or other officer or agent of the party, shall take reasonable steps to avoid the disclosure of information on a person subject to that subpoena. The court shall enforce this rule and impose reasonable sanctions for non-compliance, which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) A person commanded to produce and permit inspection and copying of designated books, papers, documents, recordings, photographs, copies of data compilations, computer files, and other tangible things, need not appear in person at the place of production. The person, however, must be available to appear for deposition, testimony, or other proceedings.

(3) Subject to paragraph (b)(2) of this Rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance, if the subpoena is served by first-class air mail, request the court to designate in writing the categories of materials to be produced. If the court grants the request, the party bringing the subpoena shall comply with the designation. If the court grants the request, the party bringing the subpoena shall, in addition to the materials designated, produce a sworn affidavit stating the reasons for the request. Such an affidavit shall not be produced if the court has previously issued an order or ruling that the subpoena is enforceable in its entirety. The court shall quash or modify the subpoena, if it:

- (i) is unduly burdensome;
- (ii) fails to allow reasonable time for compliance;
- (iii) requires a person who is not a party or an officer, agent, or representative of a party to disclose the person's confidential or proprietary information.

(4) If the subpoena is unduly burdensome or requires a person to disclose confidential or proprietary information, the court may, in its discretion, order the complainant to pay the reasonable expenses of the person to whom the subpoena is directed, including:

- (i) reasonable attorney's fees and other costs of litigation that would have been avoided but for the subpoena;
- (ii) a person's reasonable expenses.

**(b) Subpoena**

- (i) requires the disclosure of a matter not in dispute and is unduly burdensome to the subpoenaed person;
- (ii) requires disclosure of an untested expert opinion or a non-material matter, unless the subpoenaed person can show that the request and resulting from the expert's study made not at the request of any party;
- (iii) requires a person who is not a party or an officer, agent, or representative of a party to disclose confidential or proprietary information.

(5) If the court grants the request, the court may, in its discretion, order the complainant to pay the reasonable expenses of the person to whom the subpoena is directed, including:

**d. Duties in Responding to Subpoena.**

(1) A person responding to a subpoena to produce documents shall produce them as they are, except to the extent necessary to avoid disclosure of attorney work product and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection under proposed or existing law, the claim shall be made expressly and shall be supported by a declaration, to be filed in the case, stating the reasons why the information produced that is sufficient to enable the demanding party to litigate the claim.

# **The Washington Post Subpoena Duces Tecum**

## **Schedule A**

### **INSTRUCTIONS**

1. You are instructed to produce each document in its entirety, without deletions, redactions, or exclusions, regardless of whether you deem one part outside the scope of these document requests.
2. You are instructed to produce the documents requested organized and labeled to correspond with each specific demand and/or the categories within a specific demand, unless otherwise instructed by the Court.
3. In producing documents, you are requested to furnish all documents in your possession, custody, or control, regardless of whether such documents are possessed directly by you.
4. Where an objection is made or claim of privilege is asserted as to any request, the procedures set forth in District of Columbia Superior Court Rule of Civil Procedure 34(b) shall be followed.

### **DEFINITIONS**

1. The term “Snyder” shall refer to Plaintiff Daniel M. Snyder.
2. The terms “You,” “Your” or “Washington Post” shall refer to The Washington Post, both print and on-line version, and its agents, representatives, employees, contributors, writers, partners, affiliates, attorneys, advisors, investigators, or anyone acting on its behalf.
3. The term “Washington City Paper” shall refer to Defendant CL Washington, Inc. (d/b/a Washington City Paper), both print and on-line version, and its agents, representatives, employees, contributors, writers, partners, affiliates, attorneys, advisors, investigators, or anyone acting on its behalf.
4. The term “McKenna” shall refer to Washington City Paper staff writer Dave McKenna.
5. The term “Steinberg” shall refer to Your reporter Dan Steinberg.
6. The term “Allegations” shall refer to the allegations made by McKenna in any and all of his articles in the Washington City Paper about Snyder individually or in connection with



Snyder's family, businesses, and/or business associates.

7. The term "Art" shall refer to the cover art depicting Snyder in the November 19, 2010, print edition of the Washington City Paper.

8. The term "Documents" is used in its customary broad sense and includes, but is not limited to, any kind of written, typewritten, printed, reproduced, recorded, or stored material whatsoever, whether printed, recorded, or stored electronically, magnetically, or otherwise, or reproduced by hand, including, but without limitation, drafts, notes, memoranda, letters, reports, minutes, projections, emails, telegrams, telex communications, publications, contracts, recordings, transcriptions of recordings and business records, books of accounts, ledgers, balance sheets, financial statements and all other financial documents of any kind, diaries, telephone logs, telephone bills, appointment books, desk calendars, working papers, routing slips, and similar materials. The term "Documents" shall include, without limitation, originals, file copies, and all non-identical duplicates, no matter how produced, prepared, stored, recorded, or reproduced. These requests are intended to include Documents and things which You (a) own in whole or in part; (b) have a right by contract, statute or otherwise to use, inspect, examine, or copy such Document on any terms; (c) have an understanding, express or implied, that You may use, inspect, examine, or copy such Document on any terms; or (d) have, as a practical matter, been able to use, inspect, examine, or copy such Document when You have sought to do so.

9. The terms "Relate to" and "Relating to" shall mean, in whole or in part, alluding to, analyzing, characterizing, commenting upon, comprising, concerning, constituting, containing, dealing with, describing, disclosing, discussing, embodying, evidencing, explaining, identifying, mentioning, pertaining to, referring to, reflecting, responding to, setting forth, showing, stating, supporting or summarizing.

10. The term "Communications" is used in its broadest sense and includes, but is not limited to, any transmittal and/or receipt of information, whether oral, written, or verbal or nonverbal, whether such was by chance, prearranged, formal or informal, oral or written, and specifically includes conversations in person, telephone conversations, emails, telegrams, letters or memoranda, formal statements, press releases, and newspaper articles.

11. The terms "and" or "or" shall be construed conjunctively or disjunctively as necessary to make the request inclusive rather than exclusive.

12. Whenever used herein, the singular shall include the plural and vice versa.

**DOCUMENT REQUESTS**

The Washington Post is requested to produce the following documents and things:

**REQUEST FOR PRODUCTION NO. 1:**

All Documents evidencing or Relating to any Communications between Steinberg and McKenna pertaining to Snyder.

**REQUEST FOR PRODUCTION NO. 2:**

All Documents evidencing or Relating to any Communications between Steinberg and McKenna pertaining to Snyder's wife, Tanya Snyder.

**REQUEST FOR PRODUCTION NO. 3:**

All Documents evidencing or Relating to any Communications between Steinberg and McKenna pertaining to the Allegations.

**REQUEST FOR PRODUCTION NO. 4:**

All Documents evidencing or Relating to any Communications between Steinberg and McKenna pertaining to the Art.

**REQUEST FOR PRODUCTION NO. 5:**

All Documents evidencing or Relating to the reasons for the inclusion of links in Steinberg's Washington Post columns, blogs, or tweets to McKenna's Washington City Paper articles concerning Snyder.

**REQUEST FOR PRODUCTION NO. 6:**

All Documents evidencing or Relating to any Communications between Steinberg and McKenna pertaining to the complaints made by Snyder regarding the Allegations, public and private reactions thereto, and any planned or anticipated response.

**REQUEST FOR PRODUCTION NO. 7:**

All Documents evidencing or Relating to Your policies Relating to the inclusion of links in Your columns to other sources.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION

DANIEL M. SNYDER

Plaintiff,

- against -

CREATIVE LOAFING, INC., et al.,

Defendants.

Civil Action No. 0003168-11

**NOTICE OF SUBPOENA DUCES TECUM AND SUBPOENA AD TESTIFICANDUM  
TO DAN STEINBERG**

PLEASE TAKE NOTICE that, pursuant to Rules 30 and 45 of the District of Columbia Superior Court Rules of Civil Procedure, Plaintiff Daniel M. Snyder by his attorneys, Glaser, Weil, Fink, Jacobs, Howard, Avchen & Shapiro LLP, will take the deposition upon oral examination, before a notary public or other officer authorized by law to administer oaths, of the following person at the date, time and location indicated:

WITNESS: Dan Steinberg  
1150 15th Street Northwest  
Washington D.C., DC 20071

DATE/TIME: July 8, 2011 at 10 a.m.

PLACE: McDermott Will & Emery LLP  
600 Thirteenth Street, N.W.  
Washington, D.C. 20005

The deposition shall continue as required until concluded and be recorded by videotape and stenographic means pursuant to the District of Columbia Superior Court Rule of Civil Procedure 30(b)(2). All parties are invited to attend and participate to the extent permitted by the District of Columbia Superior Court Rules of Civil Procedure.

Pursuant to Rule 45 of the District of Columbia Superior Court Rules of Civil Procedure, Dan Steinberg is required to produce Documents and other tangible things described in Schedule "A" of the Subpoena by no later than June 13, 2011, at the offices of McDermott Will & Emery LLP, 600 13th Street, NW, Washington, DC 20005.

Respectfully submitted,

/s/ Richard W. Smith

Richard W. Smith  
D.C. Bar No. 465563  
Jacqueline E. Browder  
D.C. Bar Number 986710  
McDERMOTT WILL & EMERY LLP  
600 Thirteenth Street, N.W.  
Washington, D.C. 20005  
202-756-8000

- and --

Patricia L. Glaser, Esq. (*pro hac vice* pending)  
G. Jill Basinger, Esq. (*pro hac vice* pending)  
GLASER, WEIL, FINK, JACOBS,  
HOWARD, AVCHEN & SHAPIRO, LLP  
10250 Constellation Boulevard, 19th Floor  
Los Angeles, CA 90067  
310-553-3000

*Attorneys for Plaintiff Daniel M. Snyder*

Dated: May 25, 2011

**CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of May 2011, a true copy of the foregoing documents were mailed, postage prepaid, to counsel for the defendants electronically and at the following addresses:

Seth D. Berlin  
Levine Sullivan Koch & Schulz, L.L.P.  
1050 Seventeenth Street, N.W., Suite 800  
Washington, D.C. 20036

Eric Lieberman  
The Washington Post  
1150 15th St. NW  
Washington, DC 20071

/s/ Richard W. Smith  
Richard W. Smith