

misstatement does not create a libel. The content of the statements are simple, standard political positions to which reputable people publicly subscribe and that are within the mainstream of American politics.

If Plaintiff had wanted to keep his political views from his acquaintances, that goal was not effectively served by choosing to run for President of the United States. Further, seeking the presidency made Mr. Haywood a public figure in the eyes of the law, and as a public figure he faces a severely heightened legal standard to prevail on his defamation claim. As explained in Defendant's Motion to Dismiss, he cannot meet this standard.

CONCLUSION

Plaintiff has filed a suit whose claims cannot be supported by law. The initial Complaint failed as a matter of law to allege defamation, and the Amended Complaint fails no better. On the facts stated in his Amended Complaint, Mr. Hayward simply cannot overcome the heightened standard required of public officials who seek to bring a defamation claim. Plaintiff renews its Motion to Dismiss with respect to the Amended Complaint, and respectfully asks this Court to grant its Motion to Dismiss.

Dated at Burlington, Vermont this 16th day of October, 2012.

DINSE, KNAPP & MCANDREW, P. C.

By /s/ W. Scott Fewell, Esq.
Jeffrey J. Nolan, Esq.
W. Scott Fewell, Esq.
David A. Scherr, Esq.

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CERTIFICATE OF SERVICE

I hereby certify that on October 16 2012, I electronically filed with the Clerk of Court the following documents using the CM/ECF system: **Defendant's Renewed Motion To Dismiss**. The CM/ECF system will provide service of such filing(s) via Notice of Electronic Filing (NEF) to the following NEF parties:

William B. Towle, Esq.

I hereby further certify that I also made service upon the *pro se* Plaintiff by placing a copy of the Defendant's Renewed Motion To Dismiss in the U.S. Mail, postage prepaid, and mailed to:

John D. Haywood
3116 Cornwall Road
Durham, NC 27707-5102.

Dated at Burlington, Vermont this 16th day of October, 2012.

DINSE, KNAPP & MCANDREW, P. C.

By /s/ W. Scott Fewell, Esq.

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