

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Paul C. Stepnes, Pete Girard, Jan Girard,  
David B. Holland, Terry Yzaguirre,  
Ray Naset, Bennett Ross Taylor, Jr., and  
Judith Wallen Taylor,

Case No. 0:08-cv-5296 ADM/JJK

Plaintiffs,

v.

Peter Ritschel (individual capacity),  
Jane Moore (individual capacity),  
City of Minneapolis, CBS Broadcasting,  
Inc., foreign corporation, and Esme Murphy  
(individual),

**RESPONSE BY DEFENDANTS  
CBS BROADCASTING INC.  
AND ESME MURPHY TO  
PLAINTIFFS' FIRST REQUEST  
FOR ADMISSIONS**

Defendants.

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Defendants CBS Broadcasting Inc. ("CBS") and Esme Murphy ("Murphy")  
(collectively, "Defendants") hereby respond to Plaintiffs' request for admissions pursuant  
to Rule 36 of the Federal Rules of Civil Procedure (the "Requests"), as follows:

**RESERVATION OF RIGHTS**

Defendants submit this response without waiving and expressly preserving (a) any  
objections they may have to the competency, relevancy, materiality and admissibility of  
any of the responses, and (b) the right to object on any applicable ground to any  
additional discovery requests promulgated by plaintiff hereafter involving or relating to  
the subject matter of the First Requests addressed herein. Discovery in this matter is on-

going and Defendants reserve their right to amend and/or to supplement these responses if warranted.

**RESPONSES TO SPECIFIC REQUESTS**

**REQUEST NO. 1):** Defendants object to this request as improperly seeking an admission relating to the ultimate questions of law to be decided in this case. To the extent that any response is deemed necessary, the Defendants deny Request No. 1.

**REQUEST NO. 2):** Defendants object to this request as vague. To the extent that any response is deemed necessary, the Defendants state: After reasonable inquiry, the information known to or readily obtainable by the Defendants is insufficient to enable them to either admit or deny this request.

**REQUEST NO. 3):** No response is necessary.

**REQUEST NO. 4):** After reasonable inquiry, the information known to or readily obtainable by the Defendants is insufficient to enable them to either admit or deny this request.

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**Admission Interrogatory No. A-1:** For any of your answers above that are not an unqualified “admit,” describe the factual support for your denial or qualified admission.

**RESPONSE:** CBS objects to this request to the extent it seeks factual support to responses where, despite a reasonable inquiry, the information known to or readily obtainable by the Defendants is insufficient to enable them to either admit or deny particular requests. Defendants further state:

With respect to Request No. 1, the Defendants hereby incorporate their response to Interrogatory 5, as if set forth herein. Defendants also, pursuant to Fed. R. Civ. Proc. 33(d), respectfully refer plaintiffs to the documents being produced in response to their First Requests for Production of Documents.

With respect to Request No. 4, Defendants hereby incorporate their First Interrogatory Responses, Nos. 6, 7, 12, 14, and 15 as if set forth in full herein and further state that, despite a diligent investigation, Defendants have thus far been unable to locate the interview tape for July 15, 2008. However, Defendants continue to investigate this matter and will timely supplement its response if they discover additional information.

I HEREBY AFFIRM, UNDER THE PENALTY OF PERJURY, THAT THE CONTENTS OF THE FOREGOING ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

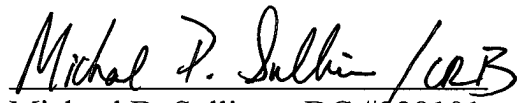
Dated: April \_\_, 2009 \_\_\_\_\_

Dated: April \_\_, 2009 \_\_\_\_\_

Dated: April 13, 2009

**FAEGRE & BENSON LLP**

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Handwritten signature of Michael D. Sullivan in cursive, with the initials "MS" at the end.

Michael D. Sullivan, DC #339101

*(admitted pro hac vice)*

Levine Sullivan Koch & Schulz, LLP

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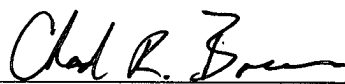
**ATTORNEYS FOR DEFENDANTS  
CBS BROADCASTING INC. AND  
ESME MURPHY**

**Certificate of Service**

I hereby certify that on this the 13th day of April, 2009, I directed that a true and correct copy of the foregoing **Response By Defendants CBS Broadcasting Inc. and Esme Murphy to Plaintiff's First Request for Admission** be served upon counsel of record by First-Class mail, postage prepaid, as follows:

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Chad R. Bowman