No. 130137

**IN THE SUPREME COURT OF ILLINOIS**

MAURO GLORIOSO,

*Respondent/Appellee*,

vs.

SUN-TIMES MEDIA HOLDINGS, LLC, and TIM NOVAK,

*Petitioners/Appellants*.

On appeal from the Appellate Court of Illinois,
First District, No. 1-21-1526
There heard on appeal from the Circuit Court of Cook County, Illinois
No. 2021 L 000090
Honorable Patricia O'Brien Sheahan, Judge Presiding

# BRIEF OF AMICI CURIAE THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS AND OTHER MEDIA ORGANIZATIONS IN SUPPORT OF PETITIONERS-APPELLANTS SUN-TIMES MEDIA HOLDINGS, LLC'S AND TIM NOVAK'S REQUEST FOR REVERSAL

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## POINTS AND AUTHORITIES

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## I. INTRODUCTION AND STATEMENT OF INTEREST

The Reporters Committee for Freedom of the Press ("Reporters Committee") is an unincorporated nonprofit association of reporters and editors dedicated to defending the First Amendment and newsgathering rights of the press. The Reporters Committee was founded by leading journalists and media lawyers in 1970 when the nation's news media faced an unprecedented wave of government subpoenas forcing reporters to name confidential sources. Today, its attorneys provide pro bono legal representation, amicus curiae support, and other legal resources to protect First Amendment freedoms and the newsgathering rights of journalists. The Reporters Committee has appeared previously as amicus curiae in this Court, *see Edgar Cnty. Watchdogs v. The Will Cnty. Sheriff's Ofc.*, No. 129886 (IL Sup. Ct. July 27, 2023) (interpretation of freedom of information law), and it regularly files amicus briefs in appellate courts around the country in cases addressing the scope and application of state anti-SLAPP laws, *see, e.g.*, *Flade v. City of Shelbyville*, No. M2022-00553-COA-R3-C (TN Sup. Ct. Oct. 11, 2023) (interpretation of Tennessee anti-SLAPP law); *Thurlow v. Nelson*, No. CUM-20-63 (ME Sup. Jud. Ct. June 22, 2021) (Maine anti-SLAPP law).

The Reporters Committee is joined by the following media organizations that report the news in Illinois or support the work of journalists in the state: The Associated Press; Axios Media Inc.; Gannett Co., Inc.; Illinois Broadcasters Association; Illinois Press Association; Law Bulletin Publishing Company; NBCUniversal News Group; Reader Institute for Community Journalism, Inc.; and Tribune Publishing Co. (together, "Amici").[1]

[1] A list of the descriptions of all Amici is provided in Appendix A to this brief.

Journalists and news organizations are frequent targets of strategic lawsuits against public participation ("SLAPPs")—lawsuits that, in the words of this Court, are "aimed at preventing citizens from exercising their political rights or punishing those who have done so." *Sandholm v. Kuecker*, 2012 IL 111443, ¶ 33, 962 N.E.2d 418, 427 (citing *Wright Development Group, LLC v. Walsh*, 238 Ill.2d 620, 630, 939 N.E.2d 389 (2010) and Penelope Canan & George W. Pring, *Strategic Lawsuits Against Public Participation*, 35 Soc. Probs. 506 (1988)). Because SLAPPs burden constitutionally protected newsgathering and reporting about matters of public concern, Amici have a strong interest in ensuring the vitality of laws, like the Illinois Citizen Participation Act, 735 ILCS 110/1 *et seq*. (hereinafter, the "Act" or "CPA"), that were enacted to curb SLAPPs.

Amici urge this Court to reverse the decision of the First District Appellate Court, below, that erroneously determined that Plaintiff Mauro Glorioso's lawsuit was not a SLAPP because it was not "solely" a response to the Defendant Sun-Times' exercise of its First Amendment rights. The appellate court's decision is contrary to the intent of the Illinois legislature to protect, through the Act, the exact type of action by the media that gave rise to Plaintiff's lawsuit. Accordingly, for the reasons herein, Amici urge the Court to reverse and hold that Plaintiff's lawsuit is a SLAPP that is contrary to public policy.

## II. ARGUMENT

### A. The Illinois legislature enacted the CPA to protect and encourage the exercise of First Amendment rights.

SLAPPs are meritless lawsuits that "use the threat of money damages or the prospect of the cost of defending against [them]" to stifle the exercise of First Amendment rights. *Sandholm*, 2012 IL 111443, ¶ 33, 962 N.E.2d at 427. In other words, they aim to

"chill a defendant's speech or protest activity and discourage opposition by others through delay, expense, and distraction." *Id.* at ¶ 34, 427 (citation omitted).

In response to a "disturbing increase" in the use of SLAPPs "as a means of intimidating, harassing, or punishing citizens and organizations for involving themselves in public affairs" 735 ILCS 110/5. In 2007, Illinois became the 26th state to pass a law to combat such "abuse of the judicial process." In enacting the law, the legislature recognized that even just the "threat of SLAPPs significantly chills and diminishes citizen participation in government, voluntary public service, and the exercise of these important constitutional rights." *Id.* And the resulting Act was the legislature's attempt to curb that threat. *See* Eric M. Madiar, Terrence J. Sheahan, *Illinois' New Anti-SLAPP Statute*, 96 Ill. B.J. 620, 620 (2008).

Indeed, as the CPA expressly states, it:

> seeks to extinguish SLAPPs and protect citizen participation by: (1) immunizing citizens from civil actions based on acts made in furtherance of a citizen's free speech rights or right to petition government; (2) establishing an expedited legal process to dispose of SLAPPs both before the trial court and appellate court; and (3) mandating a prevailing movant be awarded reasonable attorney fees and costs incurred in connection with the motion.

*Wright Dev. Grp.*, 238 Ill. 2d at 632, 939 N.E.2d at 396 (citing 735 ILCS 110/15, 110/20, 110/25). "The legislature provided the 'Act shall be construed liberally to effectuate its purposes and intent fully.'" *Id.* (quoting 735 ILCS 110/30(b)).

Anti-SLAPP statutes like the CPA guard against a serious threat to constitutionally protected speech and expressive activity: the potentially exorbitant costs of defending meritless lawsuits. Without such statutory protections, SLAPPs are a commonly used weapon to deter and punish speech that plaintiffs disapprove of—primarily because SLAPPs force the defendant to expend time and money on potentially protracted litigation.

*See* Understanding Anti-SLAPP Laws, Reporters Committee, https://www.rcfp.org/resources/anti-slapp-laws/ (discussing SLAPPs as a "tool for intimidating and silencing criticism through expensive, baseless legal proceedings" against journalists and others) (last visited Apr. 1, 2024); Victoria Baranetsky & Robert Rosenthal, *Op-Ed: Scorched Earth Litigation: the call for Anti-SLAPP may save you*, Columbia Journalism Rev., Nov. 16, 2022, https://www.cjr.org/tow_center/op-ed-scorched-earth-litigation-the-call-for-anti-slapp-may-save-you.php (describing the financial impact and drain on reporting resources for a newsroom faced with a SLAPP) (last visited Apr. 1, 2024).

The U.S. Supreme Court warned of the potential chilling effect of litigation in its seminal 1964 decision *New York Times Co. v. Sullivan*, cautioning that "would-be critics of official conduct may be deterred from voicing their criticism, even though it is believed to be true and even though it is in fact true, because of doubt whether it can be proved in court or fear of the expense of having to do so." *New York Times Co. v. Sullivan*, 376 U.S. 254, 279 (1964). Such self-censorship "dampens the vigor and limits the variety of public debate." *Id.*

SLAPP plaintiffs exploit the judicial process in precisely the manner described in *Sullivan* to chill speech on matters of public concern. They impose legal costs on the defendant with the aim of forcing the defendant to abandon petitioning activity and refrain from exercising constitutional rights in the future. *See Sandholm*, 2012 IL 111443, ¶ 34, 962 N.E.2d at 427 ("While [a SLAPP] case is being litigated in the courts, however, defendants are forced to expend funds on litigation costs and attorney fees and may be discouraged from continuing their protest activities."); *see also United States ex rel.*

*Newsham v. Lockheed Missiles & Space Co.*, 190 F.3d 963, 970–71 (9th Cir. 1999). As one court explained: "Persons who have been outspoken on issues of public importance targeted in [SLAPPs] or who have witnessed such suits will often choose in the future to stay silent. Short of a gun to the head, a greater threat to First Amendment expression can scarcely be imagined." *Gordon v. Marrone*, 590 N.Y.S.2d 649, 656 (N.Y. Sup. Ct. 1992), *aff'd*, 616 N.Y.S.2d 98 (N.Y. App. Div. 2d Dep't 1994); *accord Wright Dev. Grp.*, 238 Ill. 2d 620 at 939 N.E.2d at 396 (observing that SLAPP suits are *effective* deterrence to the exercise of constitutional rights).

Illinois' Act seeks to eliminate SLAPPs through a carefully crafted statutory framework that "strike[s] a balance between the rights of persons to file lawsuits for injury and the constitutional rights of persons to petition, speak freely, associate freely, and otherwise participate in government." 735 ILCS 110/5. To combat the chilling effect of SLAPPs, anti-SLAPP statutes—including Illinois'—provide a mechanism for the prompt dismissal of meritless claims, often also providing for a temporary stay of discovery while that early dismissal motion is pending, thus enabling defendants to avoid unnecessary legal expense. *See, e.g.*, 735 ILCS 110/20 (providing that "[d]iscovery shall be suspended pending a decision on the motion" to dismiss "[h]owever, discovery may be taken, upon leave of court for good cause shown, on the issue of whether the movants acts are not immunized from . . . liability by this Act"). Many anti-SLAPP statutes further discourage plaintiffs from filing SLAPPs by requiring courts to order plaintiffs to pay a prevailing defendant's attorney's fees and costs. *See, e.g.*, 735 ILCS 110/25 ("The court shall award a moving party who prevails in a motion under this Act reasonable attorney's fees and costs incurred in connection with the motion.").

These mechanisms work in concert to relieve defendants facing SLAPPs from the financial and other burdens of defending against the suit, thus helping to protect the free exchange of ideas and encouraging full participation in public discourse and debate.

**B. This Court should interpret the Act in accordance with the intent of the legislature.**

When enacted, the Act was one of the most speech protective in the country. 735 ILCS 110/5. As written, it ensures that speakers, including the press, can exercise their political rights without the threat of expensive, protracted litigation. As stated in the Act's applicability section: "Acts in furtherance of the ***constitutional rights to petition, speech, association, and participation*** in government ***are immune from liability***, regardless of intent or purpose, except when not genuinely aimed at procuring favorable government action, result, or outcome." 735 ILCS 110/15 (emphasis added).

The Act's applicability language was taken directly from the 1991 U.S. Supreme Court case *City of Columbia v. Omni Outdoor Advertising*. H.R. Proceedings, 95th Ill Gen. Assem., May 31, 2007 at 1 (statement of House sponsor Jack Franks) ("And what this Bill does is it codifies the standard in a 1991 US Supreme Court case, the *City of Columbia v. Omni Outdoor Advertising* when dealing with citizen participation lawsuits."). In *Omni Outdoor Advertising*, the Court interpreted the sham exception to the *Noerr-Pennington* doctrine as applying only to activities "not genuinely aimed at procuring favorable government action" rather than a defendant "who genuinely seeks to achieve his governmental result, but does so through improper means." *City of Columbia v. Omni Outdoor Advert., Inc.*, 499 U.S. 365, 380 (1991) (quoting *Allied Tube & Conduit Corp. v. Indian Head, Inc.*, 486 U.S. 492, 500, n. 4, n. 10 (1988)) (internal quotations omitted). Some commentators have characterized that standard—"genuinely aimed at procuring

favorable government action"—as too broad. S*ee, e.g.*, Mark J. Sobczak, *Slapped in Illinois: The Scope and Applicability of the Illinois Citizen Participation Act*, 28 N. Ill. U. L. Rev. 559, 575 (2008) (internal citation omitted). However, the legislature made clear that a liberal construction of the CPA is needed to achieve its purpose of "provid[ing] the utmost protection for the free exercise of these rights of petition, speech, association, and government participation." 735 ILCS 110/30; 735 ILCS 110/5.

Illinois' Act can and should be interpreted as written and as intended—to provide protection to defendants faced with a SLAPP arising out of the exercise of their constitutional rights—without giving way to overuse or abuse. For instance, Rhode Island's statute includes the same "genuinely aimed at procuring favorable government action" language that appears in Illinois' Act. *See* R.I. Gen. Laws § 9-33-2(a). Under Rhode Island law, a defendant fails that standard only if the speech at issue is:

> (1) Objectively baseless in the sense that no reasonable person exercising the right of speech or petition could realistically expect success in procuring the government action, result, or outcome, and
>
> (2) Subjectively baseless in the sense that it is actually an attempt to use the governmental process itself for its own direct effects. Use of outcome or result of the governmental process shall not constitute use of the governmental process itself for its own direct effects.

*Id*. Applying this common-sense approach, Rhode Island courts have dismissed defamation suits seeking to silence speech made in connection with news reporting about matters of public concern. *See Glob. Waste Recycling, Inc. v. Mallette*, 762 A.2d 1208 (R.I. 2000) (relied on by the Illinois Supreme Court in *Wright* for the application of the Illinois Act to statements made for newspaper article).[2]

[2] Rhode Island's anti-SLAPP protects any written or oral statement made: "before or submitted to a legislative, executive, or judicial body;" "in connection with an issue under consideration or review by a legislative, executive, or judicial body;" or "in

**C. Judicial decisions that have narrowed application of the Act's protections and placed too heavy a burden on the moving party are inconsistent with the language and intent of the Act.**

1. The word "solely" does not appear in the Act.

The *Sandholm* Court improperly interpreted the Act as applying only to lawsuits "solely" based on a defendant's acts in furtherance of their First Amendment rights. The Act states that it "applies to any motion to dispose of a claim in a judicial proceeding on the grounds that the claim is based on, relates to, or is in response to any act or acts of the moving party in furtherance of the moving party's rights of petition, speech, association, or to otherwise participate in the government." 735 ILCS 110/15. The Court in *Sandholm* inserted the word "solely" before this language even though the plain text of the statute does not state that a SLAPP cannot have a secondary purpose. *Sandholm*, 2012 IL 111443, ¶ 57, 962 N.E.2d at 434 ("Thus defendants had the initial burden of proving that plaintiff's lawsuit was *solely* 'based on relate[d] to, or in response to' their acts in furtherance of their rights of petition, speech or association, or to participate in government." (citing 735 ILCS 110/20(c)) (emphasis added)). The addition of the word "solely" greatly limits the reach of the Act's special motion to dismiss by excluding the claims of any plaintiff who can demonstrate that the claims were brought, at least in-part, to win or achieve a favorable governmental result. *Id.* ("We simply hold that plaintiff's lawsuit is not a SLAPP within the meaning of the Act and, thus, is not subject to dismissal on that basis.").

The detrimental effect of the *Sandholm* decision has been reflected in the decisions of lower courts. In *Cartwright v. Cooney*, for example, a case decided shortly after

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connection with an issue of public concern." R.I. Gen. Laws § 9-33-2(e). This language also helps to ensure that Rhode Island's law is not over-utilized yet, at the same time, allows for application of the statute's protections consistent with legislative intent.

*Sandholm*, a federal district court was tasked with determining whether a defendant could invoke the protections of the CPA. *Cartwright v. Cooney*, No. 10-CV-1691, 2012 WL 1021816, at *7 (N.D. Ill. Mar. 26, 2012). The court noted that "[p]rior to the Illinois Supreme Court's decision in *Sandholm*, this case presented a close and interesting question." *Id.* However, because the district court concluded that the plaintiff's complaint made clear that she sought redress for certain reputational harm, the lawsuit was not *solely* based on, related to, or meant as a response to the defendant's exercise of his First Amendment rights. *Id.* Accordingly, the district court concluded, "based on the unequivocal language in *Sandholm*," that the defendant "cannot seek shelter under the ICPA." *Id.*

2. Lower courts have misconstrued *Sandholm* and created a two-pronged test that places the burden on the moving party to show that a lawsuit is both meritless and retaliatory.

Since *Sandholm*, courts have misconstrued that decision and ignored the legislature's mandate that the Act "be construed liberally to effectuate its purposes and intent fully[,]" 735 ILCS 110/30, by imposing a two-pronged burden on defendants to demonstrate that litigation is both meritless and retaliatory to qualify as a SLAPP. *Sandholm* cites favorably to *Duracraft Corp. v. Holmes Products Corp.* throughout, but *Duracraft* makes no mention of retaliation being a requirement to bring an anti-SLAPP motion. *Duracraft Corp.*, 691 N.E.2d 935 (Mass. 1998). As Justice Hyman noted in his dissent in the court below, "*Sandholm* does not create or imply the 'meritless and retaliatory' standard, which has essentially weakened a potent deterrent to groundless lawsuits that target those who protest or raise concerns on matters of public interest." *Glorioso v. Sun-Times Media Holdings, LLC*, 2023 IL App (1st) 211526, 220 N.E.3d 402, 416 (Ill. App. Ct. 2023), appeal allowed, 226 N.E.3d 24 (Ill. 2024).

The "meritless and retaliatory" standard was first applied by the Illinois Appellate Court in *Ryan v. Fox Television Stations, Inc.,* which was decided shortly after *Sandholm*. *Ryan v. Fox Television Stations, Inc.*, 2012 IL App (1st) 120005, 979 N.E.2d 954 (Ill. 2012). The appellate court in *Ryan* found that the claims arising from news coverage were retaliatory but it affirmed the denial of the defendants' special motion to dismiss because defendants failed to show the claims were meritless. *Id*. at ¶ 30, 965. Justice Hyman's dissent points out that, when the *Ryan* court mentioned "retaliatory" the court cited to sections of *Sandholm* that make no mention of it as a requirement. *Glorioso*, 2012 IL App (1st) 120005, ¶ 76, 220 N.E.3d at 413. And while *Sandholm* did refer to "meritless, retaliatory SLAPPs[,]" it did so merely descriptively, not as two prongs of a standard that defendants bear the burden of satisfying. *Id*. at ¶ 77, 413-14. *Sandholm*'s use of those terms make clear that SLAPPs are *inherently* meritless and retaliatory. *Sandholm*, 2012 IL 111443, ¶ 42, 962 N.E.2d at 429 ("Looking at the statute in its entirety, it is clear that the legislation is aimed at discouraging and eliminating meritless, retaliatory SLAPPs, as they have traditionally have been defined."). This initial burden on defendants—to prove that a plaintiff's claims are both "meritless and retaliatory"—is unduly high and inconsistent with the language and intent of the Act.

In comparison, New York's statute—which was amended in 2020—requires a defendant to demonstrate only that the legal action involves "public petition and participation" before the burden shifts to the plaintiff to show that the lawsuit has merit. N.Y. Civ. Rights Law § 76-a. Initially, New York's anti-SLAPP law provided narrow immunity by limiting applicability of the statute to only cases brought by plaintiffs seeking public permits or zoning changes. *See Gill Farms, Inc. v. Darrow*, 682 N.Y.S.2d 306 (N.Y.

App. Div. 1998). However, the amendments now instruct courts to adopt a broader construction of public participation. In doing so, the amended law increases the likelihood that a court will properly find a claim to be a SLAPP and dismiss it. The CPA was drafted to be much broader than the original New York statute, so an amendment like this is not necessary in Illinois. However, the post-*Sandholm* decisions have effectively narrowed the statute in a similar way and reduced the number of defendants that can seek shelter under the CPA. By returning to the original, and broader, interpretation of the CPA, Illinois courts can strengthen these protections just as New York did through its amendments.

**D. The trial court's ruling below, if affirmed, would undermine the Act's effectiveness to the detriment of both the media and the public that relies on their reporting.**

SLAPPs are frequently used to target reporters and news organizations for their journalism. For that reason, the press, in particular, depends on the protections of anti-SLAPP statutes like the Act. The substantial burdens and costs of protracted SLAPP litigation make such meritless lawsuits particularly threatening to those whose business it is to report—sometimes critically—on powerful, well-resourced individuals and entities who may seek to silence such speech through abuse of the judicial process.

The importance of robust statutory anti-SLAPP protections to members of the news media (and the public that relies on their reporting) is evident from decisions from state and federal courts around the country. For example, in *CanaRx Servs., Inc. v. LIN Television Corp.*, a local broadcaster aired a news report raising concerns that a Canadian company had sold illegal and counterfeit pharmaceutical drugs in the United States. *CanaRx Servs., Inc. v. LIN Television Corp.*, No. 1:07-cv-1482, 2008 WL 2266348, at *1 (S.D. Ind. May 29, 2008). The company sued the broadcaster for defamation. *Id*. at *3. The court applied Indiana's anti- SLAPP law to dismiss the case and award fees. *Id*. at *9.

In *Armington v. Fink*, the New York Times Magazine published an article suggesting that staff at a New Orleans hospital had euthanized patients in the aftermath of Hurricane Katrina. *Armington v. Fink*, No. Civ-09-6785, 2010 WL 743524, at *1 (E.D. La. Feb. 24, 2010). The article won the Pulitzer Prize in Investigative Reporting—and prompted a defamation lawsuit. The district court applied Louisiana's anti-SLAPP statute, dismissed the plaintiffs' claims, and awarded the newspaper its fees. *Id*. at *7. Likewise, a court in Kansas dismissed the defamation lawsuit of a state senator suing the Kansas City Star and its columnist over an article critical of the senator's healthcare policies and awarded the newspaper its attorney's fees and costs. *Denning v. Cypress Media LLC*, Case No.19CV00496 (Kan. Johnson Cnty. Dist. Ct. July 30, 2019). Put simply, anti-SLAPP statutes do more than protect freedom of speech in theory. They do so in practice. Time and again, these laws have protected journalists and news organizations from lawsuits seeking to silence their reporting. Without the full protections of laws like the Act, journalists and news organizations may avoid important stories out of fear of being hit with a financially burdensome or even ruinous SLAPP. Applied as intended, anti-SLAPP laws, like the Act, afford media defendants protection against such meritless litigation.

The Chicago Sun-Times published stories by award-winning investigative reporter Tim Novak about an agency complaint against Glorioso, a public official, over the execution of his official duties—namely, Glorioso's handling, as a top official of the Illinois Property Tax Appeal Board, of a $1 million property tax refund to President Trump. Glorioso, since removed from the Board, has pursued the Sun-Times and Novak in court since 2021. And despite the existence of the Act, the Sun-Times has been forced to spend

three years expending resources to defend its articles, whose accuracy the newspaper stands behind.

This Court should take this opportunity to clarify the application of the Act to ensure its protection of public interest journalism in Illinois, as the legislature intended.

## III. CONCLUSION

For the forgoing reasons, *Amici* urge this Court to reverse.

Dated: April 4, 2024

Respectfully submitted,

*/s/ Samuel Fifer*

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**RULE 341(c) CERTIFICATION**

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages containing the Rule 341(d) cover, the Rule 341(h)(1) table of contents and statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is 3,639 words.

*/s/ Samuel Fifer*
Samuel Fifer
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- APPENDIX A -

## LIST OF AMICI

**The Associated Press** ("AP") is a news cooperative organized under the Not-for-Profit Corporation Law of New York. The AP's members and subscribers include the nation's newspapers, magazines, broadcasters, cable news services and Internet content providers. The AP operates from 280 locations, including the Chicago metropolitan area (https://apnews.com/hub/chicago), and in more than 100 countries. On any given day, AP's content can reach more than half of the world's population. The Associated Press is a global news agency organized as a mutual news cooperative under the New York Not-For-Profit Corporation law. It is not publicly traded.

**Axios Media Inc.** ("Axios") is a digital media company with a mission to deliver news in an efficient format that helps professionals get smarter faster across an array of topics, including politics, science, business, health, tech, media, and local news. Axios covers Illinois news and politics with a team of Chicago-based reporters, who publish at https://www.axios.com/local/chicago. Axios Media Inc. is a privately owned company, and no publicly held company owns 10% or more of its stock.

**Gannett Co., Inc.** ("Gannett") is the largest local newspaper company in the United States. Our more than 200 local daily brands in 43 states — together with the iconic USA TODAY — reach an estimated digital audience of 140 million each month. In Illinois, Gannett publishes the State Journal Register (Springfield), The Courier (Lincoln), Daily Ledger (Canton), Register-Mail (Galesburg), McDonough County Voice (Macomb), Star Courier (Kewanee), Daily Leader (Pontiac) Pekin Daily Times (Pekin), Journal Star (Peoria), Rockford Register Star (Rockford), and The Journal Standard (Freeport). Gannett Co., Inc. is a publicly traded company and has no affiliates or subsidiaries that are publicly

owned. BlackRock, Inc. and the Vanguard Group, Inc. each own ten percent or more of the stock of Gannett Co., Inc.

**The Illinois Broadcasters Association** ("IBA") is the leading advocate for the Illinois broadcast industry and is actively engaged in shaping public policy to create positive legal and regulatory environments for its radio and television station members. For over 60 years, the IBA has been Illinois' sole trade association providing news, advertising and content to metropolitan areas and rural communities alike. Throughout its history, the IBA has been dedicated to protecting the First Amendment interests of broadcasters and citizens before Illinois' legislature and courts.

**The Illinois Press Association** ("IPA") is the largest state press organization in the United States. Founded in 1865 the near the end of the Civil War, the IPA's members include nearly all of the more than 600-plus newspapers in Illinois. Throughout its long history, the IPA has been dedicated to promoting and protecting the First Amendment interests of newspapers and citizens before the Illinois legislature and Illinois courts.

**Law Bulletin Publishing Company** ("Law Bulletin Media") is a Chicago-based digital information provider delivering essential information and services for legal professionals. Law Bulletin Media publishes The Chicago Daily Law Bulletin, which has been published since 1854. Law Bulletin Media also publishes Chicago Lawyer magazine and the Jury Verdict Reporter. Legal professionals rely on Law Bulletin Media for the latest news, insights, court information, research tools, law practice solutions, and business development opportunities. Law Bulletin Publishing Company is a Delaware corporation. It is not publicly traded.

**NBCUniversal News Group** is a division of NBCUniversal Media, LLC. It is comprised of NBC News, Telemundo News, MSNBC, CNBC, and an owned television-stations group that includes NBC Chicago/WMAQ that produces substantial amounts of local news and public affairs programming in Illinois. NBC News produces, the "Today" show, "NBC Nightly News with Lester Holt," "Dateline NBC" and "Meet the Press" as well as digital and streaming news reporting, such as NBCNews.com and NBCNewsNow. Comcast Corporation and its consolidated subsidiaries own 100% of the common equity interests of NBCUniversal Media, LLC., including NBCUniversal News Group.

**The Reader Institute for Community Journalism, Inc.** operates and publishes the Chicago Reader, which creates and curates political and cultural coverage by and for Chicago, including highlighting underrepresented communities and stories. The Chicago Reader has been a fearless, innovative, and nationally respected media voice in Chicago for more than 50 years. Reader Institute for Community Journalism, Inc. is an Illinois not-for-profit corporation. It is not publicly traded.

**The Reporters Committee for Freedom of the Press** ("Reporters Committee") is an unincorporated nonprofit association. The Reporters Committee was founded by leading journalists and media lawyers in 1970 when the nation's news media faced an unprecedented wave of government subpoenas forcing reporters to name confidential sources. Today, its attorneys provide pro bono legal representation, amicus curiae support, and other legal resources to protect First Amendment freedoms and the newsgathering rights of journalists. The Reporters Committee for Freedom of the Press is an unincorporated association of reporters and editors with no parent corporation and no stock.

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