

David H. Angeli, OSB No. 02024
dhangeli@stoel.com
STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204
Telephone: (503) 224-3380
Facsimile: (503) 220-2480
Email: dhangeli@stoel.com

Attorneys for Defendant The Washington Post Company

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

AMERICAN BUDDHA,

Plaintiff,

v.

**THE CITY OF ASHLAND AND THE
WASHINGTON POST COMPANY,**

Defendants.

Civil No. 06-CV-3054-PA

**ANSWER OF DEFENDANT THE
WASHINGTON POST COMPANY**

ANSWER OF THE WASHINGTON POST COMPANY

Defendant The Washington Post Company (the "Post Company"), through undersigned counsel, answers the Complaint of American Buddha as follows:

1. The Post Company is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 1 of the Complaint.
2. The Post Company is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 2 of the Complaint.

3. The Post Company admits that it owns WP Company LLC d/b/a The Washington Post (“WP Company”) and that WP Company owns and publishes *The Washington Post* newspaper. The Post Company further admits that it has other subsidiaries and that its principal place of business is in Washington, D.C. The Post Company denies the remaining allegations set forth in paragraph 3 of the Complaint.

4. The allegations of paragraph 4 of the Complaint set forth legal conclusions to which no response is required.

5. The Post Company hereby incorporates its responses to each and every allegation contained in the Complaint as if fully set forth.

6. The Post Company denies the allegations set forth in paragraph 6 of the Complaint.

7. The Post Company hereby incorporates its responses to each and every allegation contained in the Complaint as if fully set forth.

8. The Post Company is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 8 of the Complaint.

9. The Post Company is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 9 of the Complaint.

10. The Post Company is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 10 of the Complaint.

11. The Post Company denies the allegations set forth in paragraph 11 of the Complaint.

12. The Post Company is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 12 of the Complaint.

13. The Post Company is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 13 of the Complaint.

14. The Post Company is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 14 of the Complaint.

15. The Post Company is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 15 of the Complaint.

16. The allegations of paragraph 16 of the Complaint set forth legal conclusions to which no response is required.

17. The Post Company denies the allegations set forth in paragraph 17 of the Complaint.

18. The Post Company hereby incorporates its responses to each and every allegation contained in the Complaint as if fully set forth.

19. The Post Company denies the allegations set forth in paragraph 19 of the Complaint.

20. The Post Company denies the allegations set forth in paragraph 20 of the Complaint.

21. The Post Company hereby incorporates its responses to each and every allegation contained in the Complaint as if fully set forth.

22. The Post Company denies the allegations set forth in paragraph 22 of the Complaint.

23. The Post Company denies the allegations set forth in paragraph 23 of the Complaint.

24. The Post Company denies the allegations set forth in paragraph 24 of the Complaint.

The Post Company denies all allegations of the Complaint that are not specifically admitted herein and denies that Plaintiff is entitled to any of the relief requested.

* * *

The Post Company sets forth the following affirmative and other defenses. The Post Company does not intend hereby to assume the burden of proof with respect to those matters as to which, pursuant to law, Plaintiff bears the burden.

FIRST DEFENSE

The Complaint fails to state a claim upon which relief can be granted.

SECOND DEFENSE

The Court lacks personal jurisdiction over The Post Company.

THIRD DEFENSE

The Court lacks subject matter jurisdiction over Plaintiff's claims because there is no justiciable case or controversy between the parties.

FOURTH DEFENSE

The Post Company reserves the right to raise additional defenses that may become apparent during the course of discovery.

* * *

WHEREFORE, having fully answered all of the allegations of the Complaint, The Post Company prays for judgment as follows:

- a. Judgment be entered in favor of The Post Company against Plaintiff on all claims;

b. The Post Company be awarded its costs, expenses, and attorneys' fees to the extent permitted by law; and

c. The Post Company be awarded such other and further relief as the Court may deem proper.

DEMAND FOR JURY TRIAL

The Post Company demands a trial by jury as to all issues so triable.

DATED: October 19, 2006.

STOEL RIVES LLP

/s/ David H. Angeli

David H. Angeli

OSB No. 02024

Telephone: (503) 224-3380

Kevin Hardy

WILLIAMS & CONNOLLY LLP

725 Twelfth Street, N.W.

Washington, D.C. 20005

Tel: (202) 434-5000

Fax: (202) 434-5029

Attorneys for Defendant The Washington
Post Company

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **ANSWER OF THE WASHINGTON POST COMPANY** on the following named person(s) on the date indicated below by

- mailing with postage prepaid
- hand delivery
- facsimile transmission
- overnight delivery
- Email
- notice of electronic filing using the Cm/ECF system

to said person(s) a true copy thereof, contained in a sealed envelope, addressed to said person(s) at his or her last-known address(es) indicated below.

Charles Carreon
ONLINE MEDIA LAW, PLLC
1131 Barrington Circle
Ashland, OR 97520
Attorney for the Plaintiff

Karen O’Kasey
HOFFMAN, HART & WAGNER
Twentieth Floor
1000 S.W. Broadway
Portland, OR 97205
Attorney for Defendant City of Ashland

DATED: October 19, 2006.

STOEL RIVES LLP

/s/ David H. Angeli
DAVID H. ANGELI
OSB No. OSB No. 02024
Telephone: (503)-224-3380

Attorneys for Defendant The Washington Post
Company