

STATE OF INDIANA
SULLIVAN CIRCUIT COURT

JEFF MAYNARD,)	
)	
PLAINTIFF,)	
)	
VS.)	CAUSE NO. 77C01-0407-CT-219
)	
TRIBUNE-STAR PUBLISHING)	
COMPANY, INC.)	
)	
DEFENDANT)	


DEFENDANT’S MOTION TO CORRECT ERRORS

Comes now the Defendant, Tribune-Star Publishing Company, Inc. (“Tribune-Star”), by counsel, and, pursuant to Rule of Trial Procedure 59, files its Motion to Correct Errors. Specifically, the Court erred by denying the Tribune-Star’s motions for judgment on the evidence because: (1) there was not clear and convincing evidence that the articles were published with actual malice, i.e. with actual knowledge that the challenged statements were false, or with a high degree of subjective awareness that they were probably false; and (2) the articles accurately and neutrally reported the allegations of police misconduct and the ensuing investigation. Furthermore, even if there were clear and convincing evidence of constitutional actual malice and all other elements of defamation under Indiana law, the jury’s damage award was excessive and well-beyond any reasonable measure of the damages allegedly suffered.

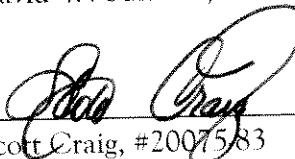
Accordingly, the Tribune-Star respectfully requests its Motion to Correct Errors be granted and judgment entered in its favor, notwithstanding the jury’s verdict. In the alternative, the Court should reduce the compensatory and punitive damage awards because they are excessive, not

supported by the evidence, and violate the Tribune-Star's Due Process rights under the 14th Amendment

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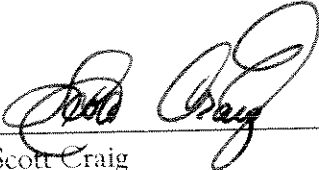


Scott Craig, #2007583

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following counsel of record by first class U.S. Mail, postage prepaid, this 22nd day of August, 2008.

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Scott Craig