

# WHITAKER HAGENOW & GUSTOFF LLP

A Limited Liability Partnership  
Counselors and Attorneys at Law

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July 23, 2014

EEOC Milwaukee Area Office  
310 West Wisconsin Ave.  
Suite 800  
Milwaukee, WI 53203

**RE: Charge of Discrimination against Shaw Media, Inc. and *Newton Daily News***

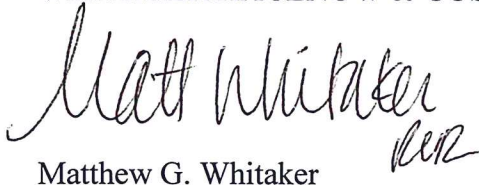
To Whom It May Concern:

Whitaker, Hagenow, & Gustoff, LLP, and Liberty Institute, represents Bob Eschliman. Please refer all future communications to me.

Enclosed, please find the necessary documentation to file a formal charge of religious discrimination and retaliation against Shaw Media, Inc. and *Newton Daily News*. We have enclosed both the EEOC Intake Questionnaire and Form 5 and trust the same will be sufficient for the EEOC to launch its immediate investigation into the matter alleged. Note: the enclosed statement is responsive to questions 6 and 7 of the Questionnaire and as indicated on Form 5.

I can be reached with questions at 515-284-5001 or mwhitaker@whgllp.com.

Sincerely,  
WHITAKER HAGENOW & GUSTOFF, LLP



Matthew G. Whitaker

Enclosures

cc: Jeremiah G. Dys, Esq.,  
Senior Counsel, Liberty Institute



## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION INTAKE QUESTIONNAIRE

Please immediately complete the entire form and return it to the U.S. Equal Employment Opportunity Commission ("EEOC"). **REMEMBER**, a charge of employment discrimination must be filed within the time limits imposed by law, generally within 180 days or in some places 300 days of the alleged discrimination. Upon receipt, this form will be reviewed to determine EEOC coverage. **Answer all questions as completely as possible, and attach additional pages if needed to complete your response(s). If you do not know the answer to a question, answer by stating "not known."** If a question is not applicable, write "n/a." Please Print.

### 1. Personal Information

Last Name: Eschlinan First Name: Robert MI: D

Street or Mailing Address: \_\_\_\_\_ Apt Or Unit #: \_\_\_\_\_

City: Newton County: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Phone Numbers: Home: (\_\_\_\_) \_\_\_\_\_ Work: ( N/A ) N/A

Cell: ( N/A ) N/A Email Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Sex: Male ☒ Female ☐ Do You Have a Disability? ☐ Yes ☒ No

Please answer each of the next three questions. i. Are you Hispanic or Latino? ☐ Yes ☒ No

ii. What is your Race? Please choose all that apply. ☐ American Indian or Alaska Native ☐ Asian ☒ White  
☐ Black or African American ☐ Native Hawaiian or Other Pacific Islander

iii. What is your National Origin (country of origin or ancestry)? N/A

### Please Provide The Name Of A Person We Can Contact If We Are Unable To Reach You:

Name: Jeremiah Dys Relationship: Attorney

Address: 2001 Plano Parkway, Suite 1600 City: Plano State: TX Zip Code: 75075

Home Phone: ( 972 ) 941-4444 Other Phone: ( 304 ) 881-5196

### 2. I believe that I was discriminated against by the following organization(s): (Check those that apply)

☒ Employer ☐ Union ☐ Employment Agency ☐ Other (Please Specify) \_\_\_\_\_

**Organization Contact Information** (If the organization is an employer, provide the address where you actually worked. If you work from home, check here ☐ and provide the address of the office to which you reported.) If more than one employer is involved, attach additional sheets.

Organization Name: Shaw Media, Inc. d/b/a Newton Daily News

Address: 200 1st Ave. E County: Jasper

City: Newton State: IA Zip: 50208 Phone: ( 641 ) 792-3121

Type of Business: Newspaper/Media Job Location if different from Org. Address: \_\_\_\_\_

Human Resources Director or Owner Name: Brenda Lamb Phone: 641-792-3121

Number of Employees in the Organization at All Locations: Please Check (✓) One

☐ Fewer Than 15 ☐ 15 - 100 ☒ 101 - 200 ☐ 201 - 500 ☐ More than 500

### 3. Your Employment Data (Complete as many items as you can) Are you a Federal Employee? ☐ Yes ☒ No

Date Hired: June 25, 2012 Job Title At Hire: Editor in Chief

Pay Rate When Hired: \$21/hour Last or Current Pay Rate: \$21.40/hour

Job Title at Time of Alleged Discrimination: Editor in Chief Date Quit/Discharged: May 5, 2014

Name and Title of Immediate Supervisor: Dan Goetz

If Job Applicant, Date You Applied for Job N/A Job Title Applied For N/A

**4. What is the reason (basis) for your claim of employment discrimination?**

*FOR EXAMPLE, if you feel that you were treated worse than someone else because of race, you should check the box next to Race. If you feel you were treated worse for several reasons, such as your sex, religion and national origin, you should check all that apply. If you complained about discrimination, participated in someone else's complaint, or filed a charge of discrimination, and a negative action was threatened or taken, you should check the box next to Retaliation.*

☐ Race ☐ Sex ☐ Age ☐ Disability ☐ National Origin ☒ Religion ☒ Retaliation ☐ Pregnancy ☐ Color (typically a difference in skin shade within the same race) ☐ Genetic Information; choose which type(s) of genetic information is involved:  
☐ i. genetic testing ☐ ii. family medical history ☐ iii. genetic services (genetic services means counseling, education or testing)

If you checked color, religion or national origin, please specify: Christian

If you checked genetic information, how did the employer obtain the genetic information? N/A

Other reason (basis) for discrimination (Explain). Suspended and terminated for expressing my religious beliefs.

**5. What happened to you that you believe was discriminatory? Include the date(s) of harm, the action(s), and the name(s) and title(s) of the person(s) who you believe discriminated against you. Please attach additional pages if needed.**

*(Example: 10/02/06 - Discharged by Mr. John Soto, Production Supervisor)*

A) Date: April 30, 2014 Action: Indefinite Paid Suspension

Name and Title of Person(s) Responsible: Dan Goetz

B) Date: May 5, 2014 Action: Termination

Name and Title of Person(s) Responsible: Dan Goetz/John Rung

**6. Why do you believe these actions were discriminatory? Please attach additional pages if needed.**

Please see attached statement. I expressed my religious beliefs and opinions on my private blog. My employer placed me on suspension and, ultimately, terminated my employment because of the private expression of my religious beliefs.

**7. What reason(s) were given to you for the acts you consider discriminatory? By whom? His or Her Job Title?**

Please see attached statement. Mr. Goetz informed me that I was being suspended due to comments made on my private blog. Mr. Rung informed the community of my termination by means of an editorial published on 5/6/14 in the Newton Daily News explaining that my termination was a result of the religious beliefs expressed on my private blog.

**8. Describe who was in the same or similar situation as you and how they were treated. For example, who else applied for the same job you did, who else had the same attendance record, or who else had the same performance? Provide the race, sex, age, national origin, religion, or disability of these individuals, if known, and if it relates to your claim of discrimination. For example, if your complaint alleges race discrimination, provide the race of each person; if it alleges sex discrimination, provide the sex of each person; and so on. Use additional sheets if needed.**

**Of the persons in the same or similar situation as you, who was treated *better* than you?**

A. Full Name	Race, sex, age, national origin, religion or disability	Job Title
N/A	N/A	N/A

Description of Treatment N/A

B. Full Name	Race, sex, age, national origin, religion or disability	Job Title
N/A	N/A	N/A

Description of Treatment N/A

Of the persons in the same or similar situation as you, who was treated *worse* than you?

A. Full Name	Race, sex, age, national origin, religion or disability	Job Title
N/A	N/A	N/A

Description of Treatment N/A

B. Full Name	Race, sex, age, national origin, religion or disability	Job Title
N/A	N/A	N/A

Description of Treatment N/A

Of the persons in the same or similar situation as you, who was treated the *same* as you?

A. Full Name	Race, sex, age, national origin, religion or disability	Job Title
N/A	N/A	N/A

Description of Treatment N/A

B. Full Name	Race, sex, age, national origin, religion or disability	Job Title
N/A	N/A	N/A

Description of Treatment N/A

Answer questions 9-12 only if you are claiming discrimination based on disability. If not, skip to question 13. Please tell us if you have more than one disability. Please add additional pages if needed.

9. Please check all that apply:

- ☐ Yes, I have a disability
- ☐ I do not have a disability now but I did have one
- ☐ No disability but the organization treats me as if I am disabled

10. What is the disability that you believe is the reason for the adverse action taken against you? Does this disability prevent or limit you from doing anything? (e.g., lifting, sleeping, breathing, walking, caring for yourself, working, etc.).

11. Do you use medications, medical equipment or anything else to lessen or eliminate the symptoms of your disability?

Yes ☐ No ☐

If "Yes," what medication, medical equipment or other assistance do you use?

12. Did you ask your employer for any changes or assistance to do your job because of your disability?

Yes ☐ No ☐

If "YES", when did you ask? \_\_\_\_\_ How did you ask (verbally or in writing)? \_\_\_\_\_

Who did you ask? (Provide full name and job title of person)

Describe the changes or assistance that you asked for:

How did your employer respond to your request?



13. Are there any witnesses to the alleged discriminatory incidents? If yes, please identify them below and tell us what they will say. (Please attach additional pages if needed to complete your response)

A. Full Name	Job Title	Address & Phone Number

What do you believe this person will tell us?

B. Full Name	Job Title	Address & Phone Number

What do you believe this person will tell us?

14. Have you filed a charge previously in this matter with EEOC or another agency? Yes ☐ No ☒

15. If you have filed a complaint with another agency, provide name of agency and date of filing:

N/A

16. Have you sought help about this situation from a union, an attorney, or any other source? Yes ☒ No ☐

Provide name of organization, name of person you spoke with and date of contact. Results, if any?

Matthew Whitaker, Whitaker, Hagenow, & Gustoff, LLP, and Jeremiah G. Dys, Cleve Doty, and Hiram Sasser of Liberty Institute. Retained as my attorneys in this matter, May 22, 2014.

Please check one of the boxes below to tell us what you would like us to do with the information you are providing on this questionnaire. If you would like to file a charge of job discrimination, you must do so either within 180 days from the day you knew about the discrimination, or within 300 days from the day you knew about the discrimination if the employer is located in a place where a state or local government agency enforces laws similar to the EEOC's laws. If you do not file a charge of discrimination within the time limits, you will lose your rights. If you would like more information before filing a charge or you have concerns about EEOC's notifying the employer, union, or employment agency about your charge, you may wish to check Box 1. If you want to file a charge, you should check Box 2.

Box 1 ☐ I want to talk to an EEOC employee before deciding whether to file a charge. I understand that by checking this box, I have not filed a charge with the EEOC. I also understand that I could lose my rights if I do not file a charge in time.

Box 2 ☒ I want to file a charge of discrimination, and I authorize the EEOC to look into the discrimination I described above. I understand that the EEOC must give the employer, union, or employment agency that I accuse of discrimination information about the charge, including my name. I also understand that the EEOC can only accept charges of job discrimination based on race, color, religion, sex, national origin, disability, age, genetic information, or retaliation for opposing discrimination.

Signature

7-22-2014

Today's Date

**PRIVACY ACT STATEMENT:** This form is covered by the Privacy Act of 1974: Public Law 93-579. Authority for requesting personal data and the uses thereof are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Intake Questionnaire (9/20/08).
2. **AUTHORITY.** 42 U.S.C. § 2000e-5(b), 29 U.S.C. § 211, 29 U.S.C. § 626, 42 U.S.C. 12117(a), 42 USC §2000ff-6.
3. **PRINCIPAL PURPOSE.** The purpose of this questionnaire is to solicit information about claims of employment discrimination, determine whether the EEOC has jurisdiction over those claims, and provide charge filing counseling, as appropriate. Consistent with 29 CFR 1601.12(b) and 29 CFR 1626.8(c), this questionnaire may serve as a charge if it meets the elements of a charge.
4. **ROUTINE USES.** EEOC may disclose information from this form to other state, local and federal agencies as appropriate or necessary to carry out the Commission's functions, or if EEOC becomes aware of a civil or criminal law violation. EEOC may also disclose information to respondents in litigation, to congressional offices in response to inquiries from parties to the charge, to disciplinary committees investigating complaints against attorneys representing the parties to the charge, or to federal agencies inquiring about hiring or security clearance matters.
5. **WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION.** Providing of this information is voluntary but the failure to do so may hamper the Commission's investigation of a charge. It is not mandatory that this form be used to provide the requested information.

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☐ EEOC

Iowa Civil Rights Commission

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Mr. Robert Dale Eschliman

Home Phone (Incl. Area Code)

Date of Birth

Street Address

City, State and ZIP Code

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)

Name

Shaw Media, Inc. d/b/a Newton Daily News

No. Employees, Members

100+

Phone No. (Incl. Area Code)

(641) 792-3121

Street Address

City, State and ZIP Code

200 1st Ave., East, Newton, IA 50208

Name

No. Employees, Members

Phone No. (Incl. Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE☐ COLOR☐ SEX☒ RELIGION☐ NATIONAL ORIGIN☒ RETALIATION☐ AGE☐ DISABILITY☐ GENETIC INFORMATION☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

Apr 30, 2014

May 5, 2014

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

Please see attached statement.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State or Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Bobbie R Smith

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

7/22/14

7-22-2014

Date

Charging Party Signature

BOBBIE R SMITH  
Notarial seal - Iowa

Commission # 774125

My Commission Expires 7-31-15

### **Statement of Robert Dale Eschliman**

Since 1998, I have worked in the newspaper industry. Seventeen different news publications and seven companies have employed me as a writer or editor. My work has been well received by my colleagues and past-employers. My peers have recognized my work also; it has garnered almost 70 different journalistic and editing awards. Seven of those awards came while I was Editor-in-Chief of the *Newton Daily News*, my most recent employer.

As a lifelong writer, I have maintained a personal blog on the Internet with some personal thoughts and writings. Prior to my employment with Shaw Media, I wrote a weekly column at a prominent blog. Once I began to work for *Newton Daily News*, I made them aware and was never asked to stop my private efforts there. *Newton Daily News*, my employer, never had a policy prohibiting personal blogging, Twitter, Facebook, or any other social media. In fact, my employer encouraged us to engage in social media on a personal level and I am aware of several employees of *Newton Daily News* who continue to blog and are still employed with Shaw Media. *See Exhibits 1-8 attached.* Very few people read my blog.

On April 28, 2014, I penned a theologically based article stating my sincerely held religious beliefs about efforts by some to criticize and remold my faith through what I believe is false teaching. In my article, I quoted at length from a variety of sources, most prominently, from the Holy Bible.

That blog post described my sincerely held religious beliefs regarding Holy Scripture and the definition of marriage. My comments on my blog were personal in nature and reflective of my sincerely held religious beliefs. Furthermore, I felt compelled by my sincerely held religious beliefs to share my Biblical view with the few folks who read my blog.

On, April 30, 2014, my boss, Mr. Goetz, called me into his office and informed me that I was being placed on “indefinite paid suspension,” effective immediately. He stated that I was being suspended so the company could investigate the matter regarding my blog post about my sincerely held religious beliefs. Further, I was instructed to have no contact with the company of any kind during my suspension and strictly warned not to speak to *any* member of the media while on suspension.

On May 5, 2014, my employer asked me to come to a meeting. At that meeting, without stating a reason to me, my employment was terminated and I was compelled to surrender all my corporate effects immediately. I was not permitted to gather my personal effects; those were sent to my home later.

At that meeting, I was likewise provided two copies of a severance agreement and end-of-employment documents and urged to sign the same. Because I believe the severance agreement would severely limit my civil rights, I did not sign them.

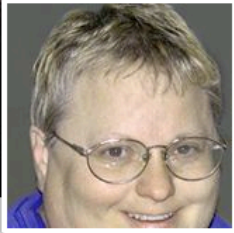
The next day, May 6, 2014, the owner of the *Newton Daily News*, Mr. John Rung, authored and published an editorial entitled, “Earning public trust our priority.” The editorial explained that I had been terminated for sharing my sincerely held religious beliefs. The editorial stated that I

had “expressed an opinion on [my] personal blog that in no way reflects the opinion of the Newton Daily News of Shaw Media.” (John Rung is also President of Shaw Media.) This is true. It was my personal blog and it did not reflect the opinion of the paper. Mr. Rung further stated, “[w]hile he is entitled to his opinion, his public airing of it compromised the reputation of this newspaper and his ability to lead it.”

There is no question that I was fired for holding and talking about my sincerely held religious beliefs on my personal blog during my off-duty time from the comfort of my own home. There is no dispute that it was my personal blog and not connected to the newspaper. I would like to have obtained a religious accommodation for my sincerely held religious belief to share my Biblical view with the few family members and friends who read my blog. Shaw Media directly discriminated against me because of my religious beliefs and my identity as an evangelical Christian who believes in Holy Scripture and the Biblical view of marriage. Moreover, Shaw Media announced that not only were they firing me based upon my religious beliefs, but that they would not hire or allow anyone to work at Shaw Media who holds religious beliefs similar to mine, which would include an automatic denial of any accommodation of those who share my sincerely held religious beliefs.

## EXHIBIT 1

“Press Box” Blog by *Newton Daily News* journalist Jocelyn Sheets  
(<https://www.facebook.com/jocelyn.sheets.79?fref=ts>, Accessed July 21, 2014)



**Press Box**  
(Jocelyn Sheets)


+1 Add Friend Message ...


Timeline About Photos Friends More ▾


DO YOU KNOW PRESS?

To see what she shares with friends, [send her a friend request.](#) [+1 Add Friend](#)


ABOUT

 Sports Editor at **Newton Daily News**


 Studied at **Kansas State University**  
Past: Linwood High School

 Lives in **Newton, Iowa**

PHOTOS




FRIENDS · 1,034



**Press Box**  
April 4 🌐

**First ever rugby game** (5 photos)  
Newton has a high school rugby club which plays in the spring. The Cardinals opened their season Friday night and I shot my first rugby game. Different and have to learn all the rules and terms. Photos by Jocelyn Sheets, sports editor at Newton Daily News, Newton, IA.







**Press Box**

March 30

Hey — to all my Press Box followers — I just got back to Newton, Iowa, after a quick weekend trip to see family in Kansas to find this story in the Newton Daily News sports email. I'll combine it with a few photos provided to me by Dayton S... [See More](#)



Share

2



**Press Box** shared a link.

March 15

Rasdon rolls to first USMTS win in Spring Fling opener

HUMBOLDT, Kan. — Hunter Rasdon scored his career-first United States

## EXHIBIT 2

Twitter (micro blog) of Shaw Media, Inc., President John Rung  
(<https://twitter.com/jsrung>, accessed July 21, 2014)



**John Rung**

@jsrung

President/Shaw Media. Husband. Father.  
Bears Fan. Triathlete.

🕒 Joined February 2011

[Tweet to John Rung](#)

TWEETS **7** FOLLOWING **34** FOLLOWERS **29** [More](#) ▾

Tweets [Tweets and replies](#)



**John Rung** @jsrung · Sep 13

Family dog helps alert parents to abusive baby sitter  
[news.yahoo.com/dog-helps-aler...](http://news.yahoo.com/dog-helps-aler...) via @YahooNews

👤 🔄 ⭐ ⋮

[View summary](#)



Retweeted by John Rung



**Hub Arkush** @Hub\_Arkush · Aug 9

What did we learn from last night's preseason games? We've got a compilation of AP stories right here: [shawurl.com/pms](http://shawurl.com/pms)

👤 🔄 2 ⭐ 1 ⋮



**John Rung** @jsrung · 28 Apr 2011

Crystal Lake Rib House - \$50 Gift Card for \$25:  
<http://upickem.net/42k21HL2UiJ?r=584654>

👤 🔄 ⭐ ⋮



**John Rung** @jsrung · 25 Mar 2011

@ChrisKrug Could you help me master the "hobo chic" look? I'm trying to downgrade my image.

👤 🔄 ⭐ ⋮

[View conversation](#)



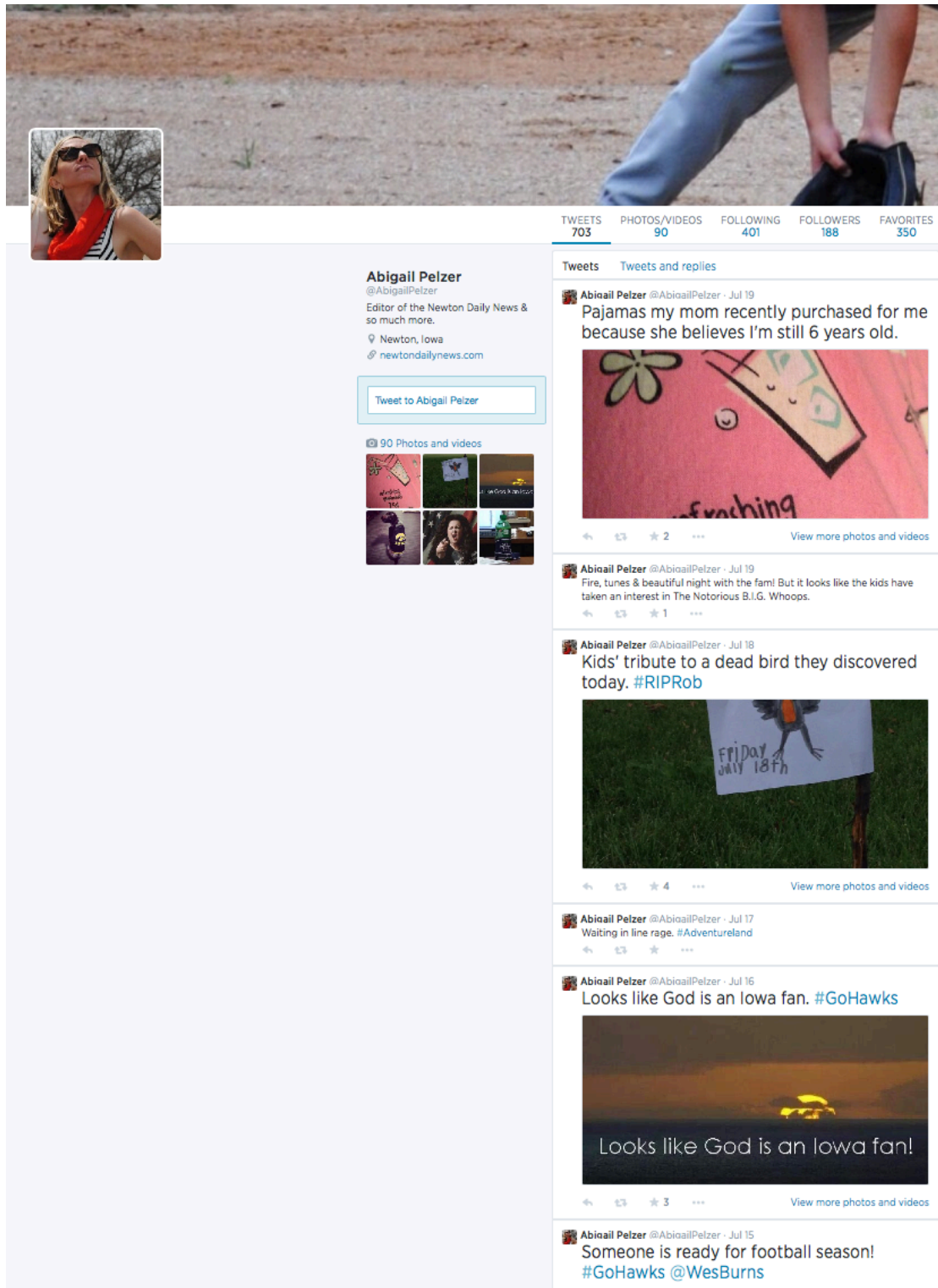
**John Rung** @jsrung · 25 Mar 2011

I am up to 4 followers, baby. Welcome, Mr. Krug, to my world. I tweet once a month, whether I feel like it or not.

👤 🔄 ⭐ ⋮

### EXHIBIT 3

Twitter (micro blog) of Shaw Media, Inc.'s editor of *Newton Daily News*, Abigail Pelzer (<https://twitter.com/AbigailPelzer>, accessed July 22, 2014)



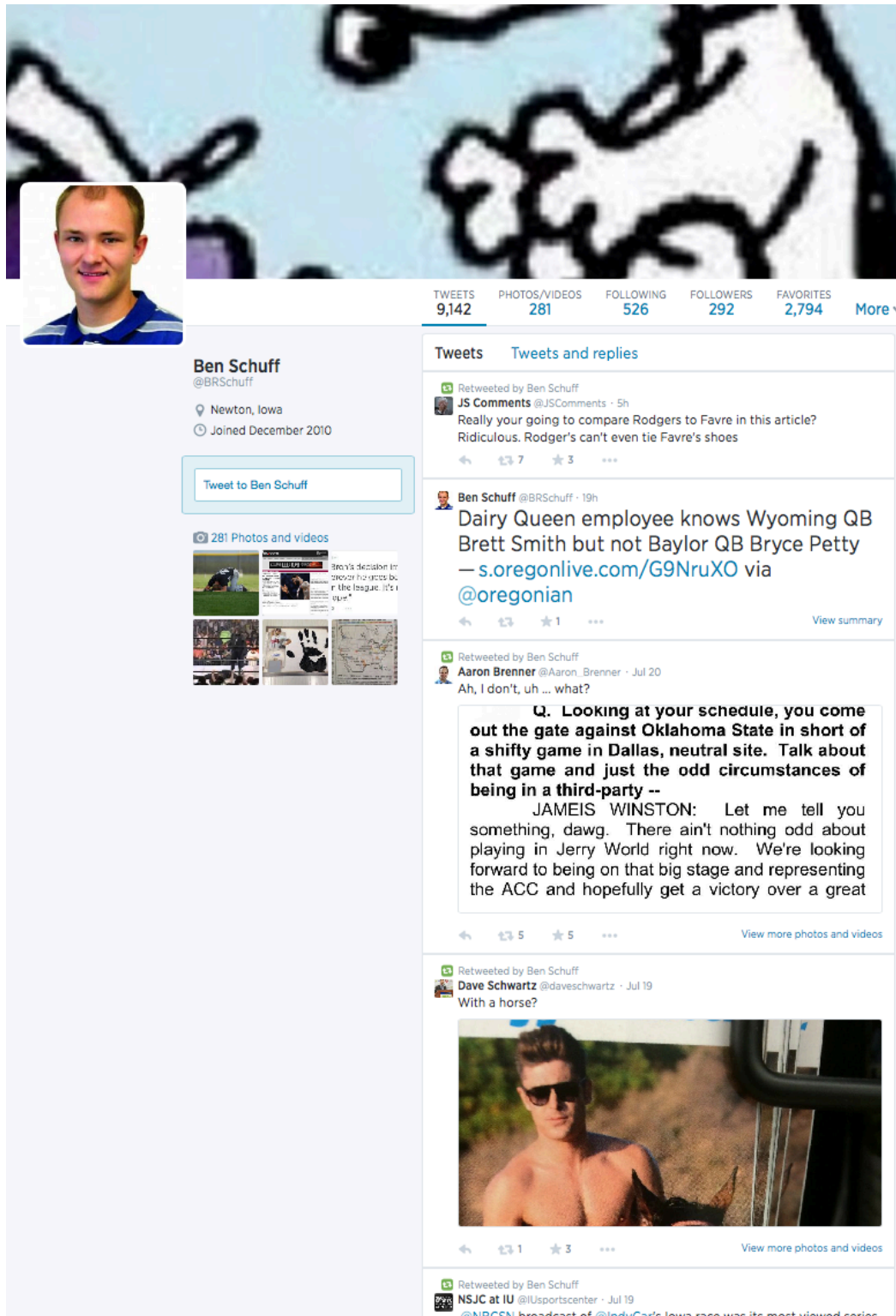
The image is a screenshot of a Twitter profile for Abigail Pelzer. The profile header shows a circular profile picture of a woman with blonde hair and sunglasses, and a larger cover photo of a person's legs in blue jeans. The profile information includes the name 'Abigail Pelzer', the handle '@AbigailPelzer', the title 'Editor of the Newton Daily News & so much more.', the location 'Newton, Iowa', and the website 'newtdailynews.com'. Below this is a 'Tweet to Abigail Pelzer' button and a section for '90 Photos and videos' with a grid of six small image thumbnails. To the right, the 'Tweets' section displays five recent tweets. Each tweet includes the user's name, handle, date, text, and a photo. The tweets are as follows:

- Tweet 1:** Abigail Pelzer @AbigailPelzer · Jul 19  
Pajamas my mom recently purchased for me because she believes I'm still 6 years old.  
Photo: A close-up of a pink pajama top with a green floral pattern and a small cartoon face.
- Tweet 2:** Abigail Pelzer @AbigailPelzer · Jul 19  
Fire, tunes & beautiful night with the fam! But it looks like the kids have taken an interest in The Notorious B.I.G. Whoops.  
Photo: A small, dark image, possibly of a fire or a night scene.
- Tweet 3:** Abigail Pelzer @AbigailPelzer · Jul 18  
Kids' tribute to a dead bird they discovered today. #RIPRob  
Photo: A white sign with a drawing of a bird and the text 'Friday July 18th' placed on a grassy area.
- Tweet 4:** Abigail Pelzer @AbigailPelzer · Jul 17  
Waiting in line rage. #Adventureland  
Photo: A small, dark image, possibly of a person or a scene.
- Tweet 5:** Abigail Pelzer @AbigailPelzer · Jul 16  
Looks like God is an Iowa fan. #GoHawks  
Photo: A large, dark image of a football field at night with the stadium lights on.



## EXHIBIT 4

Twitter (micro blog) of Shaw Media, Inc.'s sports writer for *Newton Daily News*, Ben Schuff (<https://twitter.com/BRSchuff>), accessed July 22, 2014)



The image is a screenshot of a Twitter profile for Ben Schuff (@BRSchuff). The profile header shows a profile picture of a young man in a blue and white striped shirt, a large blue banner image, and statistics: 9,142 tweets, 281 photos/videos, 526 following, 292 followers, and 2,794 favorites. The bio identifies him as being from Newton, Iowa, and joined in December 2010. Below the bio is a 'Tweet to Ben Schuff' button and a section for '281 Photos and videos' showing a grid of images. The main content area displays a list of tweets. The first tweet is a retweet of JS Comments, discussing a comparison of Rodgers and Favre. The second tweet, from 19 hours ago, is about a Dairy Queen employee knowing Wyoming QB Brett Smith but not Baylor QB Bryce Petty, with a link to an Oregonian article. The third tweet is a retweet of Aaron Brenner, featuring a Q&A with Jameis Winston about an upcoming game against Oklahoma State. The fourth tweet is a retweet of Dave Schwartz asking 'With a horse?' accompanied by a photo of a shirtless man with a horse. The fifth tweet is a retweet of NSJC at IU mentioning an IndyCar broadcast.

**Ben Schuff**  
@BRSchuff  
Newton, Iowa  
Joined December 2010

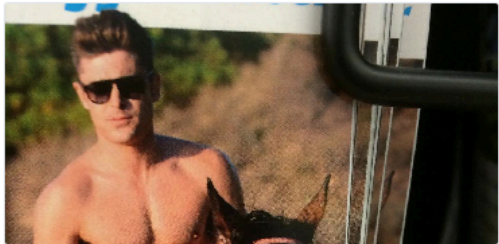
TWEETS 9,142 PHOTOS/VIDEOS 281 FOLLOWING 526 FOLLOWERS 292 FAVORITES 2,794 More ▾

**Tweets** Tweets and replies

Retweeted by Ben Schuff  
**JS Comments** @JSComments · 5h  
Really your going to compare Rodgers to Favre in this article? Ridiculous. Rodger's can't even tie Favre's shoes  
7 3

**Ben Schuff** @BRSchuff · 19h  
Dairy Queen employee knows Wyoming QB Brett Smith but not Baylor QB Bryce Petty — [s.oregonlive.com/G9NruXO](http://s.oregonlive.com/G9NruXO) via @oregonian  
1 View summary

Retweeted by Ben Schuff  
**Aaron Brenner** @Aaron\_Brenner · Jul 20  
Ah, I don't, uh ... what?  
**Q. Looking at your schedule, you come out the gate against Oklahoma State in short of a shifty game in Dallas, neutral site. Talk about that game and just the odd circumstances of being in a third-party --**  
**JAMEIS WINSTON:** Let me tell you something, dawg. There ain't nothing odd about playing in Jerry World right now. We're looking forward to being on that big stage and representing the ACC and hopefully get a victory over a great  
5 5 View more photos and videos

Retweeted by Ben Schuff  
**Dave Schwartz** @daveschwartz · Jul 19  
With a horse?  
  
1 3 View more photos and videos

Retweeted by Ben Schuff  
**NSJC at IU** @IUsportscenter · Jul 19  
@NBCSN broadcast of @IndyCar's Iowa race was its most viewed series

## EXHIBIT 5


“Ben Schuff’s Broadcasting Blog,” by *Newton Daily News* sports writer, Ben Schuff ([http://schuffbroadcasting.blogspot.com/2011\\_05\\_01\\_archive.html](http://schuffbroadcasting.blogspot.com/2011_05_01_archive.html), accessed July 22, 2014)

# Ben Schuff's Broadcasting Blog

Thursday, May 5, 2011

## Resume Tape

Resume tape



0:18 / 5:07 YouTube

**Ben Schuff (Stand-up):** After three straight weekends of running on the road at Arizona State, LSU, and Auburn, the Iowa men's and women's track and field teams returned to Iowa City this weekend for its only home meet of the year, under the lights.

**Ben Schuff (Stand-up):** Many Iowa born students I spoke with said despite the state lacking any professional teams, Iowa Hawkeye athletics are still second to none. I'm Ben Schuff, Daily Iowan TV.

**Ben Schuff (Stand-up):** In the midst of a shaky economy, college students across the country are struggling to pay for their education. That situation is no different here at the University of Iowa. And now state officials may soon be making college students' problems more expensive.

LEAD: THE IOWA TRACK PROGRAM HOSTED A RARE HOME MEET TODAY. WHILE IOWA HOSTS THE BIG TEN CHAMPIONSHIPS IN THREE WEEKS, MOST OF IOWA'S COMPETITIONS ARE OUT OF STATE. DAILY IOWAN TV'S BEN SCHUFF TAKES A LOOK AT WHY THAT IS.

**Ben Schuff (Stand-up):** After three straight weekends of running on the road at Arizona State, LSU, and Auburn, the Iowa men's and women's track and field teams returned to Iowa City this weekend for its only home meet of the year, under the lights.

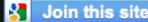
**Ben Schuff (VO):** The Iowa Hawkeyes hosted the 12th annual Musco Twilight track meet today and men's head track coach Larry Wiecezorek said his goal for the meet was to make his track athletes...

**Larry Wiecezorek (SOT):** "...stars for the night under the Musco lights. And for the fans to have a lot of fun."

**Ben Schuff (VO):** This is the only home track meet of the year for Iowa, and the reason is simple: weather. In order for the Hawkeyes to face the best competition possible, they must travel to warmer climates...or face the cold, blustry conditions that they were greeted with today. But still, many of the Hawkeyes said they were excited about the opportunity to run and perform under the lights.

**Nick Brayton (SOT):** "It's awesome. Typically we don't get to go under the lights like this. It's

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### About Me

 Ben Schuff

[View my complete profile](#)

## EXHIBIT 6

“Bioeconomy Institute Internship,” by *Newton Daily News* Senior Special Projects Staff Writer, Kate Malott

(<http://isuinternkate.wordpress.com>, accessed July 22, 2014)

# BIOECONOMY INSTITUTE INTERNSHIP

Inside the life of a summer intern!

ABOUT HOME

LEAVE A COMMENT

## ABOUT

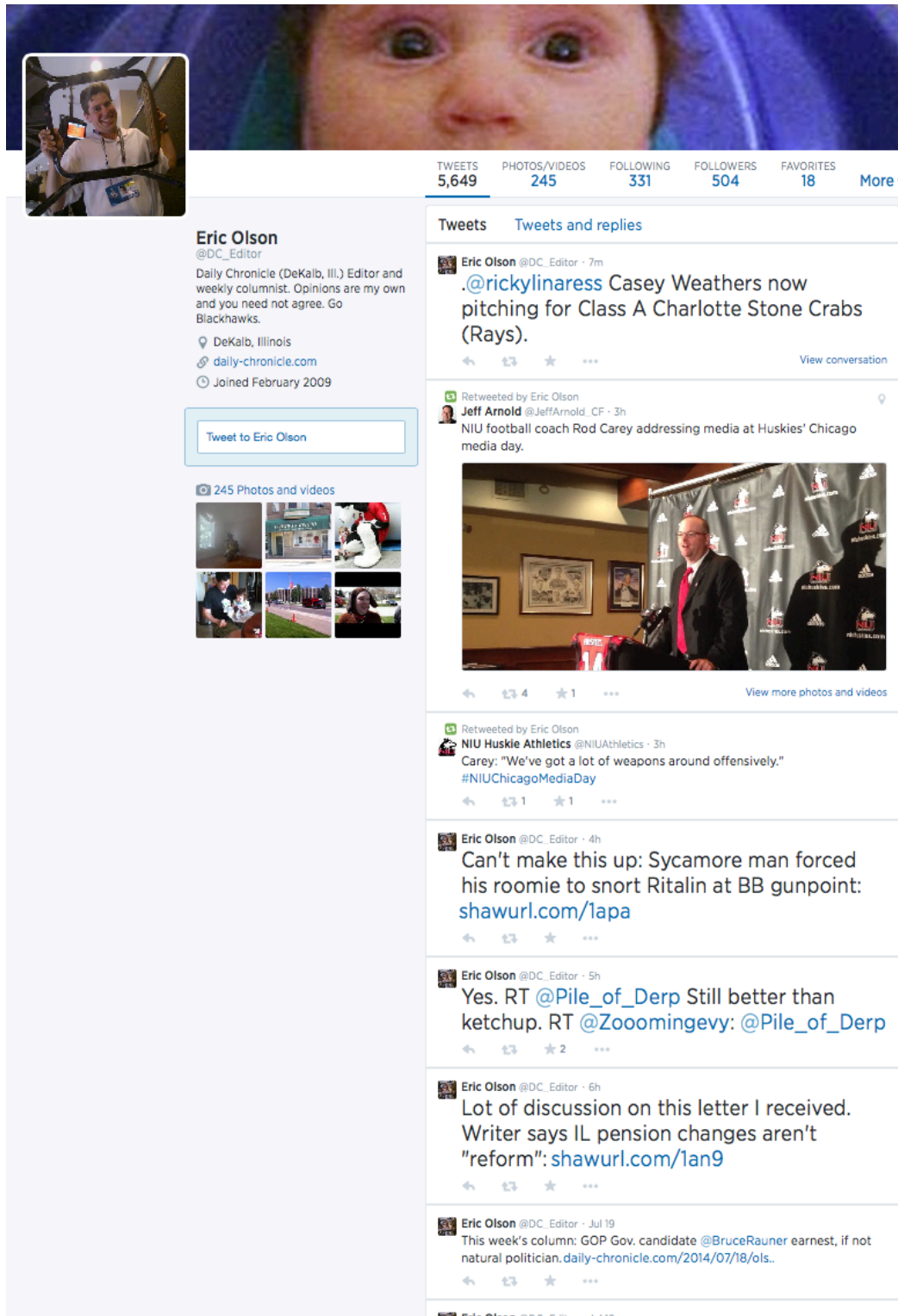
Kate Malott is a recent graduate of Iowa State University with a bachelors in advertising and a minor in statistics. Her academic concentration was in consumer behavior research, a combined study of marketing, anthropology, economics, psychology and sociology. Along with an interest in consumer behavior, Kate played an invaluable role as a research assistant in the Department of Psychology. During her time at Iowa State, Kate was a four-year member of the Student Union Board and served as VP of Public Relations. Kate will focus on writing about energy policy, energy utilization research, K-12, diversity, and STEM education as a communications intern with Iowa EPSCoR.

In the future, Kate plans to use her experience in mass communication and research, and work in the planning department at an advertising agency.



## EXHIBIT 7

Twitter (micro blog) of Shaw Media, Inc.'s editor of *Daily Chronicle*, Eric Olson  
([https://twitter.com/DC\\_Editor](https://twitter.com/DC_Editor), accessed July 21, 2014)



The screenshot displays the Twitter profile of Eric Olson (@DC\_Editor). The profile header includes a profile picture of a man in a white shirt, a large cover photo of a baby's face, and statistics: 5,649 tweets, 245 photos/videos, 331 following, 504 followers, and 18 favorites. The bio identifies him as the Editor and weekly columnist of the Daily Chronicle (DeKalb, Ill.), with a location in DeKalb, Illinois, a website link to daily-chronicle.com, and a join date of February 2009. Below the bio is a 'Tweet to Eric Olson' button and a gallery of 245 photos and videos. The main feed shows a series of tweets, including a tweet about Casey Weathers pitching for the Charlotte Stone Crabs, a retweet of a tweet about Rod Carey at a media day, a retweet of a tweet about a Sycamore man forced to snort Ritalin, and a tweet about a letter received regarding pension changes. The interface is from 2014, as indicated by the URL and the date of access.

**Eric Olson**  
@DC\_Editor  
Daily Chronicle (DeKalb, Ill.) Editor and weekly columnist. Opinions are my own and you need not agree. Go Blackhawks.  
DeKalb, Illinois  
[daily-chronicle.com](http://daily-chronicle.com)  
Joined February 2009

Tweet to Eric Olson

245 Photos and videos

**Tweets** Tweets and replies

**Eric Olson** @DC\_Editor · 7m  
.@rickylinaress Casey Weathers now pitching for Class A Charlotte Stone Crabs (Rays).  
View conversation

Retweeted by Eric Olson  
**Jeff Arnold** @JeffArnold\_CF · 3h  
NIU football coach Rod Carey addressing media at Huskies' Chicago media day.  
View more photos and videos

Retweeted by Eric Olson  
**NIU Huskie Athletics** @NIUAthletics · 3h  
Carey: "We've got a lot of weapons around offensively."  
#NIUChicagoMediaDay

**Eric Olson** @DC\_Editor · 4h  
Can't make this up: Sycamore man forced his roomie to snort Ritalin at BB gunpoint: [shawurl.com/1apa](http://shawurl.com/1apa)

**Eric Olson** @DC\_Editor · 5h  
Yes. RT @Pile\_of\_Derp Still better than ketchup. RT @Zoomingevy: @Pile\_of\_Derp

**Eric Olson** @DC\_Editor · 6h  
Lot of discussion on this letter I received. Writer says IL pension changes aren't "reform": [shawurl.com/1an9](http://shawurl.com/1an9)

**Eric Olson** @DC\_Editor · Jul 19  
This week's column: GOP Gov. candidate @BruceRauner earnest, if not natural politician. [daily-chronicle.com/2014/07/18/ols](http://daily-chronicle.com/2014/07/18/ols).


**Eric Olson** @DC\_Editor · Jul 18



## EXHIBIT 8

Twitter (micro blog) of Shaw Media, Inc.'s editor of *Morris Daily Herald* and *The Herald-News*, Kate Schott

([https://twitter.com/Kate\\_Schott78](https://twitter.com/Kate_Schott78), accessed July 21, 2014)



TWEETS  
1,735

PHOTOS/VIDEOS  
7

FOLLOWING  
968

FOLLOWERS  
330







FAVORITES  
323

More ▾


**Kate Schott**  
@Kate\_Schott78  
Editor of The (Joliet) Herald-News and Morris Daily Herald, Blackhawks fan, flea market aficionado, devoted aunt. Always searching for the next great story.  
📍 Joliet, Ill.  
🕒 Joined February 2010


Tweet to Kate Schott


7 Photos and videos





Tweets Tweets and replies


 **Kate Schott** @Kate\_Schott78 · Jul 17  
New restaurant could open soon in the old The Department space, [shawurl.com/1af3](http://shawurl.com/1af3)  
🔍 🔄 ⭐ ⋮


 **Kate Schott** @Kate\_Schott78 · Jul 17  
Elwood bar owners plan to rebuild after fire, [shawurl.com/1af0](http://shawurl.com/1af0)  
🔍 🔄 ⭐ ⋮


 **Kate Schott** @Kate\_Schott78 · Jul 16  
New Lenox board approves police union contracts, [shawurl.com/1abs](http://shawurl.com/1abs)  
🔍 🔄 ⭐ ⋮

 **Kate Schott** @Kate\_Schott78 · Jul 16  
Proposed fourth train on Heritage Corridor Metra line has supporters in Will County, [shawurl.com/1abq](http://shawurl.com/1abq)  
🔍 🔄 ⭐ ⋮

 **Kate Schott** @Kate\_Schott78 · Jul 16  
Joliet to begin annual testing of hydrants by 2015, [shawurl.com/1abr](http://shawurl.com/1abr)  
🔍 🔄 ⭐ ⋮

 **Kate Schott** @Kate\_Schott78 · Jul 16  
An estimated 10,000 people checked out the Mariano's in Shorewood yesterday. Were you one of them? [shawurl.com/1abo](http://shawurl.com/1abo)  
🔍 🔄 ⭐ ⋮

 **Kate Schott** @Kate\_Schott78 · Jul 15  
Dutch softball squad tops Joliet Slammers, 4-0, in exhibition game, [shawurl.com/1a8s](http://shawurl.com/1a8s)  
🔍 🔄 ⭐ ⋮

 **Kate Schott** @Kate\_Schott78 · Jul 15  
Development of the Salamie farm property north of the Plainfield Edward Medical Group facilities is in limbo, [shawurl.com/1a8c](http://shawurl.com/1a8c)

## EXHIBIT 9

Twitter (micro blog) of Shaw Media, Inc.'s editor of *Northwest Herald*, Jason Schaumburg (<https://twitter.com/Schaumy>, accessed July 21, 2014)



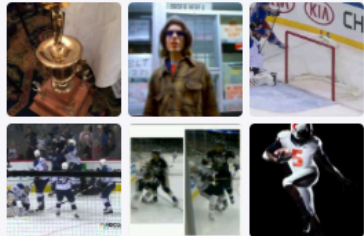
**Jason Schaumburg**  
@Schaumy

Editor of @nwherald and hockey dad.  
Warning: I'm wired as a pessimist.

Huntley, IL  
[nwherald.com](http://nwherald.com)  
Joined July 2008

[Tweet to Jason Schaumburg](#)



260 Photos and videos





TWEETS 6,398 PHOTOS/VIDEOS 260 FOLLOWING 499 FOLLOWERS 400 FAVORITES 73 More ▾


Tweets Tweets and replies




 **Jason Schaumburg** @Schaumy · Jul 18  
So, can @MattSpiegel670 and @MattAbbatacola just become @670TheScore's permanent midday show?

  2  5 ...



 **Jason Schaumburg** @Schaumy · Jul 16  
Thanks @meganebozek for a great camp last week. My son enjoyed it and improved a lot. Kudos.


   1 ...

 Retweeted by Jason Schaumburg  
 **Phil Jackson** @PhilJackson11 · Jul 4  
Last night reread Declaration of Ind. How many freedoms lost, how much our gov is controlled by interest groups all in my lifetime?

  2.8K  2.3K ...



 Retweeted by Jason Schaumburg  
 **Melissa Denker** @MelissaDenker · Jun 30  
Just called in my first tornado. Rt. 23 and Dunham rd area. I can see it. Hasn't touch down yet. I see funnel #ILwx @ForbesRicky

  3  ...

 **Jason Schaumburg** @Schaumy · Jun 23  
Watch John Oliver absolutely destroy Dr. Oz [vox.com/e/5598201?utm\\_...](http://vox.com/e/5598201?utm_...) via @voxdotcom

   ... [View summary](#)

 **Jason Schaumburg** @Schaumy · Jun 20  
Doh! MT @JSahly: Attn: @Schaumy RT @nwherald: Your #Starbucks order is going to cost a little more.

   ... [View conversation](#)