

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

BRAD JACKSON,)	
)	
Plaintiff,)	Case No. 4:24-cv-01207-NCC
)	
v.)	
)	
CITY OF MAPLEWOOD, et al.)	
)	
Defendants.)	

OBJECTIONS TO SUBPOENA

Pursuant to Fed. R. Civ. P. 45(d)(2)(B), non-party Doug Miner serves the following objections to the subpoena directed to Doug Miner, 40 South News, LLC.

- 1. The IP address, email address, account username, and account password for each individual who has posted on the comment section of 40 South News’ online story entitled, “Maplewood resident Brad Jackson files second suit against city,” from April 28, 2025 to the present.**

RESPONSE: Mr. Miner objects that this request seeks specific information and is not a request for documents. To the extent Plaintiff requests documents that contain the information above, this request seeks documents that are outside the proper scope of discovery under Fed. R. Civ. P. 26(b)(1) because they are not relevant to any party’s claim. Plaintiff’s operative complaint contains no allegations regarding any comment on the cited article and contains no allegations connecting any defendant with any of the 31 comments from the 18 accounts that posted on the cited article. To the extent Plaintiff seeks documents or information seeking to connect named

defendants with the comments on the article, the request further violates Fed. R. Civ. P. 26(b)(1) and contradicts Fed. R. Civ. P. 45(d)(1) because it imposes an undue burden on Mr. Miner when such information or documents can be obtained by written discovery or depositions of the defendants.

In addition, and as further explained in the June 17, 2025 letter from Mr. Miner's undersigned counsel, Mr. Miner objects that Plaintiff's request for documents to unmask anonymous online commenters fails to satisfy the heightened standards required by the First Amendment. Plaintiff has not even alleged that any comment to the cited article is actionable, much less than all 31 comments by 18 commenters are defamatory. Nor can Plaintiff demonstrate that documents revealing the identifying information of these commenters are or necessary to his existing claims.

Finally, even if identifying information about these commenters had any relevance, which it does not, Plaintiff's request extends to passwords for these users. Mr. Miner objects that this request has no relevance to any claim in this action and that revelation of such password information could have serious cyber security implications for these commenters.

2. All website cookies used by 40 South News from April 28, 2025 to the present.

RESPONSE: Mr. Miner objects that this request seeks documents that are outside the proper scope of discovery under Fed. R. Civ. P. 26(b)(1) because any cookies used by 40 South News' website are not relevant to any party's claim. Plaintiff's operative complaint contains no allegations regarding 40 South News, no allegations regarding any comment on the cited article, and no allegations connecting any defendant with any of the 31 comments from the 18 accounts that posted on the cited article. To the extent Plaintiff seeks documents or information seeking to

connect named defendants with the comments on the article, the request further violates Fed. R. Civ. P. 26(b)(1) and contradicts Fed. R. Civ. P. 45(d)(1) because it imposes an undue burden on Mr. Miner when such information or documents can be obtained by written discovery or depositions of the defendants.

Dated: June 17, 2025

/s/ Lisa S. Hoppenjans

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