

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

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RICHARD G. CONVERTINO)	
)	
)	
)	Plaintiff,
)	
v.)	Case No. 07-CV-13842
)	Assigned to: Hon. Robert H. Cleland
UNITED STATES DEPARTMENT OF JUSTICE,)	
<i>et al.</i>)	
)	
)	
)	Defendants.
_____)	

**PLAINTIFF RICHARD G. CONVERTINO’S RENEWED MOTION TO COMPEL
PRODUCTION FROM NON-PARTY CORPORATION DETRIOT FREE PRESS**

Pursuant to Federal Rules of Civil Procedure 37(a)(2)(B) and 45(c)(2)(B), Plaintiff Richard G. Convertino hereby renews his motion, originally filed on June 6, 2007 (*see* Dkt. # 1), for this Court to compel the non-party corporation Detroit Free Press, Inc. (“Free Press”) to designate a corporate representative for deposition and to produce related documents as requested by Mr. Convertino’s Rule 30(b)(6) subpoena *duces tecum*.

For the reasons set forth in this Court’s Order dated August 28, 2008 (Dkt. # 27) there is no First Amendment privilege preventing this Court from granting this motion. Additionally, the Fifth Amendment privileges recently invoked by Free Press reporter David Ashenfelter are not applicable to a corporate defendant. *See In re Grand Jury Proceedings*, 576 F.2d 703, 705 (6th Cir. 1978) (quoting *U.S. v. White*, 322 U.S. 694, 698 (1944) (“Since the privilege against self-incrimination is a purely personal one, it cannot be utilized by or on behalf of any organization, such as a corporation”)).

Because the issues raised in this renewed motion have already been extensively briefed and argued, we request that this motion be decided on an expedited schedule, without oral argument.

On April 29, 2009, counsel for Mr. Convertino contacted counsel for the Free Press, explained the basis and legal grounds for the motion, and conferred in good faith in an attempt to resolve this matter without court involvement. The parties were unable to do so.

Respectfully submitted,

/s/ Stephen M. Kohn

Stephen M. Kohn
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Tel: (202) 342-6980
Fax: (202) 342-6984

Attorneys for Mr. Convertino

April 29, 2009

ISSUES PRESENTED

1. In light of the Court's April 21, 2009 ruling upholding Mr. Ashenfelter's invocation of the Fifth Amendment, and given the extreme lengths to which Mr. Ashenfelter has proven he is willing to go to avoid complying with his subpoena, should the Court now revisit and grant Mr. Convertino's motion to compel the Detroit Free Press?

CONTROLLING/MOST APPROPRIATE AUTHORITY

In re Grand Jury Proceedings, 576 F.2d 703, 705 (6th Cir. 1978)

Branzburg v. Hayes, 408 U.S. 665 (1972)

In re Grand Jury, 810 F.2d 580, 584 (6th Cir. 1987)

In re DaimlerChrysler, 216 F.R.D. 395, 399 (E.D.Mich. 2003)

Aetna Cas. & Sur. Co. v. Leahey Constr. Co., 219 F.3d 519, 541 (6th Cir. 2000)

MEMORANDUM OF POINTS AND AUTHORITIES

BACKGROUND

On August 28, 2008, this Court granted Mr. Convertino's motion to compel production from non-party David Ashenfelter and denied, without prejudice, his motion to compel production from non-party Detroit Free Press. The Court based its ruling on the reasonable grounds that "Convertino's best chance of learning the identity of Ashenfelter's sources is deposing Ashenfelter himself, and that an additional subpoena of the Free Press is unlikely to produce more information than that uncovered in a deposition of Ashenfelter." Dkt. # 27, Order, p. 22. The Court also noted that "[c]ontingent upon, for example, evidence of non-compliance with this order through impossibility, it may be appropriate to revisit the court's analysis as to the discovery obligations of the Free Press." *Id.*, n. 17.

In light of the Court's April 21, 2009 ruling upholding Mr. Ashenfelter's invocation of the Fifth Amendment, and given the extreme lengths to which Mr. Ashenfelter has proven he is willing to go to avoid complying with his subpoena, Mr. Convertino believes that revisiting his motion to compel against the Free Press is now appropriate.¹

ARGUMENT

Mr. Convertino hereby reasserts and incorporates by reference all of the arguments he raised in his June 6, 2007 motion to compel against the Free Press, Dkt. # 1. All of these issues have been fully briefed by both sides and the Court has ruled the Free Press' arguments to be without merit. Moreover, corporations have no Fifth Amendment rights. *See In re Grand Jury*

¹ This filing should not in any way be interpreted as an agreement or concession that Mr. Ashenfelter's invocation of the Fifth Amendment was in any way proper, or that Mr. Convertino does not intend to fully pursue his efforts to compel Mr. Ashenfelter's testimony. Mr. Convertino fully intends to file a motion for reconsideration of the Court's April 21, 2009 ruling.

Proceedings, 576 F.2d 703, 705 (6th Cir. 1978) (quoting *U.S. v. White*, 322 U.S. 694, 698 (1944) (“Since the privilege against self-incrimination is a purely personal one, it cannot be utilized by or on behalf of any organization, such as a corporation”)). There should thus be no question that the Free Press is obligated to turn over all documents responsive to Mr. Convertino’s May 2, 2007 subpoena *duces tecum*, and designate a corporate representative to testify as to Mr. Ashenfelter’s source(s) and the contents of all responsive documents. Furthermore, it is evident that the Free Press has responsive documents and information within its possession and/or control.

I. THE FREE PRESS HAS RESPONSIVE DOCUMENTS WITHIN ITS POSSESSION OR CONTROL

In response to the subpoena *duces tecum* Mr. Convertino served on him on April 30, 2007, Mr. Ashenfelter produced a privilege log describing some 108 responsive documents. *See* Exhibit A, Privilege Log.² The subpoena *duces tecum* served on the Free Press on May 2, 2007 instructed it to produce exactly the same documents as Mr. Ashenfelter. The Free Press must thus turn over any of the documents described in Mr. Ashenfelter’s Privilege Log that are within the possession or control of the Free Press. The majority of these documents should be in the control of the Free Press, as well as additional documents and information related to the application of the Free Press ethics rule which mandated that an editor approve Mr. Ashenfelter’s use of confidential sources. Based on the Free Press’ own internal ethics rule, it is evident that the Free Press actually possesses or controls many responsive documents, and consequently must produce them.

² A copy of this privilege log was marked as Exhibit 2 at Mr. Ashenfelter’s December 8, 2008 deposition.

In his privilege log, Mr. Ashenfelter states that on “approx. 2004” and “approx. Dec. 2004” he sent responsive memos to his editor. *See* Ex. A, Privilege Log, ¶¶ 41, 42. Copies of these documents are certainly within the possession or control of the Free Press. Mr. Ashenfelter also identifies a number of responsive documents as “Memo to file,” which presumably refers to files stored either on a work computer, or some other container in the possession or control of the Free Press. *See* Ex. A, Privilege Log, ¶¶ 27, 49, 68, 81, 82, and 108. Mr. Ashenfelter’s privilege log lists some 19 emails sent in the weeks leading up to and immediately following the Free Press Article. *See* Ex. A, Privilege Log, ¶¶ 85-95, 98-104, 107. If, as is likely, these emails were sent using Mr. Ashenfelter’s work email address, sent to another Free Press employee’s work email address, or otherwise stored on the Free Press’ server or computers, then copies are within the possession or control of the Free Press.

With respect to the other documents identified on Mr. Ashenfelter’s privilege log, to the extent that copies exist on Free Press computers or are otherwise within the possession or control of the Free Press, they must be produced. The same is true for any other documents within the Free Press’ possession or control that are responsive to Mr. Convertino’s subpoena, but were not contained in Mr. Ashenfelter’s privilege log. This could include numerous documents related to the actions of Mr. Ashenfelter’s editors, emails and other communications sent by Mr. Ashenfelter to other employees at the Detroit Free Press, including (but not limited to) his editors and cell phone records or other telephone records in the control or possession of the Free Press that document contacts between the Free Press and the potential source(s) for the Ashenfelter Article. Any and all records of phone calls between any Free Press employee and Mr. Jonathan Tukel, the then First Assistant United States Attorney for the Eastern District of Michigan, are particularly relevant, as Mr. Tukel stated in his April 24, 2009 deposition that he talked

extensively to Mr. Ashenfelter on his cell phone on the evening of December 12, 2003 concerning matters related to Mr. Convertino.

In the event that Mr. Ashenfelter or another Free Press employee, in anticipation of this motion or for any other reason, removed or destroyed some or all of the copies of any responsive documents that once existed within the Free Press' possession or control, the Free Press remains liable to produce them and/or explain the circumstances of their removal or destruction.

II. THE FREE PRESS KNOWS THE IDENTITY OF MR. ASHENFELTER'S SOURCES

According to the Free Press' published ethics policy: "We name our sources. The use of unidentified sources in published material requires the approval of a managing editor or the highest-ranking editor available." *See* Exhibit B, Ethics Policy, p. 2.³ There is no indication that Mr. Ashenfelter did not follow the Free Press' ethics policy, and indeed, failing to do so could have resulted in "dismissal from the Free Press." *Id.* Mr. Ashenfelter also directly informed Mr. Convertino that it was an "editorial decision" to publish some of the confidential information which appeared in the newspaper. As such, it is likely that at least one current or former employee of the Free Press was told, or otherwise knows, the identity of Mr. Ashenfelter's source(s).

However, as set forth in Mr. Convertino's original Motion to Compel, the Free Press also knows the identity of Mr. Ashenfelter's source(s) because Mr. Ashenfelter acquired the knowledge of his source(s)' identity in the course of his employment with the Free Press. While the Free Press can attempt to assert the same First Amendment privileges raised by Mr.

³ A copy of this policy was marked as an exhibit at Mr. Ashenfelter's April 21, 2009 deposition. It is also available online at <http://www.freep.com/apps/pbcs.dll/article?AID=200550926003>

Ashenfelter with respect to this knowledge, as described above it cannot invoke the Fifth Amendment.

Accordingly, for the reasons set forth above and in Mr. Convertino's original Motion to Compel, Dkt. # 1, the Free Press knows the identity of Mr. Ashenfelter's source(s) and must be compelled to comply with Mr. Convertino's May 2, 2007 subpoena *duces tecum* and produce responsive documents and designate a corporate representative to give testimony as set forth in that subpoena.

Respectfully submitted,

/s/ Stephen M. Kohn

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Attorneys for Mr. Convertino

April 27, 2009

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

<hr/>)	
RICHARD G. CONVERTINO)	
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	Plaintiff,)	
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v.)	Case No. 07-CV-13842
)	Assigned to: Hon. Robert H. Cleland
UNITED STATES DEPARTMENT OF JUSTICE,)	
<i>et al.</i>)	
)	
	Defendants.)	
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ORDER

Upon consideration of Plaintiff Richard G. Convertino’s original Motion to Compel, Dkt. # 1, the opposition thereto, the instant motion and the entire record in this case, Plaintiff’s renewed “Motion To Compel Production From Non-Party Corporation Detroit Free Press” is hereby GRANTED.

Dated

Signed

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2009, I electronically filed the foregoing paper(s) with the Clerk of the Court using the ECF system, which shall send notice to all counsel of record.

/s/ Erik D. Snyder

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Washington, DC 20007-2756
Tel: (202) 342-6980
Fax: (202) 342-6984

Attorney for Mr. Convertino

UNITED STATES DISTRICT COURT
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RICHARD G. CONVERTINO)	
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	Plaintiff,)	
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UNITED STATES DEPARTMENT OF JUSTICE,)	
<i>et al.</i>)	
)	
	Defendants.)	
_____)	

CERTIFICATE OF ATTEMPT TO RESOLVE DISPUTE WITHOUT COURT ACTION

Pursuant to E.D. Mich. L.R. 7.1(a)(2), counsel for Plaintiff Richard G. Convertino hereby certifies that on April 27-29, 2009 Mr. Convertino, through counsel, attempted to confer in good faith with counsel for the Detroit Free Press. Counsel for Mr. Convertino attempted to reach Hershel Fink and Brian Wassom, the Free Press' counsel of record, but was unsuccessful and was instead directed to Robert Bernius. On April 29, 2009, counsel for Mr. Convertino explained the basis for the instant motion via email, and Mr. Bernius replied that the Free Press did not consent.

Signed,

/s/ Stephen M. Kohn

Stephen M. Kohn
Attorney for Mr. Convertino

April 29, 2009

CONVERTINO v. UNITED STATES DEPARTMENT OF JUSTICE
CASE NO. 2:07-cv-13842-RHC-RSW
ASHENFELTER PRIVILEGE LOG

No.	Type	Date	Privileges
1	Research Notes to File	Approx. 2002	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
2	Research Notes to File	Approx. 2002	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
3	Research Notes to File	Approx. 2002	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
4	Research Notes to File	Approx. 2002	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
5	Electronic Notes	Approx. 2002	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
6	Research Notes to File	Approx. 2002	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
7	List of possible stories	Approx. Aug. 2002	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

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No.	Type	Date	Privileges
8	Research Notes to File	Approx. Aug. 2002	US 5 th Amend; Mich 5 th (Art 1 §17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
9	Research Notes to File	Approx. 2003	US 5 th Amend; Mich 5 th (Art 1 §17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
10	Resume	Approx. March, 2003	US 5 th Amend; Mich 5 th (Art 1 §17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
11	Research Notes to File	Approx. Early, 2003	US 5 th Amend; Mich 5 th (Art 1 §17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

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No.	Type	Date	Privileges
15	Resume	Approx. Early, 2003	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
16	Biographical Materials	Approx. Early, 2003	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
17	Biographical Materials	Approx. Early, 2003	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
18	Court Docket	Approx. March, 2003	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
19	Rough Draft of Story	Approx. Early, 2003	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
20	Research Notes to File	Approx, Early, 2003	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
21	Trial Testimony Summary	Approx. Mid, 2003	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

No.	Type	Date	Privileges
22	Court Docket	Approx. May, 2003	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
23	Rough Draft of Story	Approx. May, 2003	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
24	Electronic Notes	Approx. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
25	Research Notes to File	Approx. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
26	Letter	1/16/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
27	Typed Memo to File	1/17/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv
28	Interview Notes	Approx. Early, 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
29	List of Court Cases	Approx. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

No.	Type	Date	Privileges
30	Research Notes to File	Approx. May, 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
31	Research Notes to File	Approx. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
32	Court Docket	Approx. Aug. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
33	Research Notes to File	Approx. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
34	Research Notes to File	Approx. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
35	Research Notes to File	Approx 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
36	Interview Notes	Approx. Oct, 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

No.	Type	Date	Privileges
37	Court Brief	Approx. 1999	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
38	Court Brief	Approx. 1999	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
39	Interview Notes	Approx. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
40	Interview Notes	Approx. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
41	Memo to Editor	Approx. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
42	Memo to Editor	Approx Dec. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
43	Interview Notes	Approx. Dec 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

No.	Type	Date	Privileges
44	Research Notes to File	Approx. Dec 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
45	Research Notes to File	Approx. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
46	Research Notes for Story	Approx. March, 2005	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
47	Interview Notes	Approx. May, 2005	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
48	Trial Testimony Summary	Approx. 2003	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
49	Memo to File	11/01/05	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
50	Research Materials	Approx March, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
51	Interview Notes	Approx. March, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

No.	Type	Date	Privileges
52	Interview Notes and Research	Approx. March, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
53	Story Research	Approx. March, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
54	Story Research	Approx. March, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
55	Court Docket	Approx. March, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
56	Court Docket	Approx. March, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
57	Court Brief	Approx. April, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
58	Story Research	Approx. 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

No.	Type	Date	Privileges
59	Story Notes/Research	Approx. 2004	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
60	Story Notes	Approx. March, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
61	Story Draft	Approx. March, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
62	Story Draft	Approx. March, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
63	Story Notes	Approx. March, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
64	Interview Notes	Approx. April, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
65	Research Notes to File	Approx. April 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

CNVRT-ASH-00009

No.	Type	Date	Privileges
66	Story Notes	Approx. April, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
67	Copy of Web Page	Approx. Oct, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
68	Typed Memo To File	1/17/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv
69	Interview Notes	Approx. 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
70	Letter	Approx. July, 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
71	Interview Notes	Approx. 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
72	List of upcoming Federal Cases	Approx. 2006	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

No.	Type	Date	Privileges
73	Court Docket	Approx. Jan. 2007	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
74	Letter	April 23, 2007	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
75	Summary of Court Motion	Approx. July, 2007	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
76	Rough Draft of Story	Approx. Oct. 2007	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
77	Interview Notes	Approx. Early, 2008	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
78	Interview Notes	Approx. April, 2008	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
79	Story Notes	Approx. April, 2008	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
80	Story Notes	Approx. Nov. 2008	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

No.	Type	Date	Privileges
81	Typed Memo To File	1/17/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv
82	Handwritten memo To File	1/17/06	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv
83	E-mail	8/10/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
84	E-mail	8/11/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
85	E-mail	12/12/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
86	E-mail	12/13/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
87	E-mail	12/15/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
88	E-mail	12/16/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

No.	Type	Date	Privileges
89	E-mail	12/16/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
90	E-mail	12/16/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
91	E-mail	12/19/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
92	E-mail	12/19/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
93	E-mail	12/19/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
94	E-mail	12/19/03	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
95	E-mail	1/16/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

No.	Type	Date	Privileges
96	E-mail To Herschel Fink	1/16/04	Atty/Client Priv; Work Product; US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
97	E-mail To Herschel Fink	1/16/04	Atty/Client Priv; Work Product; US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
98	E-mail	1/17/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
99	E-mail	1/17/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
100	E-mail	1/17/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
101	E-mail	1/18/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
102	E-mail	1/19/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence

No.	Type	Date	Privileges
103	E-mail	1/19/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
104	E-mail	1/19/04	Attorney/Client Priv; Work Product; US 5 th Amended; Mich 1 st Amend (Art 1 §17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
105	E-mail With Instructions for Herschel Fink	1/19/04	Atty/Client Priv; Work Product; US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
106	E-mail With Instructions for Herschel Fink	1/19/04	Atty/Client Priv; Work Product; US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
107	E-mail	1/23/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv; overbroad and burdensome and not likely to lead to discoverable evidence
108	E-mail/Memo To File	2/18/04	US 5 th Amend; Mich 5 th (Art 1§17); US 1 st Amend; Mich 1 st Amend (Art 1 § 5); Statutory/Rule/Case Law Rptr's/News gathers Priv

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Credibility is the franchise of journalism. People must be able to trust the Detroit Free Press. That requires a commitment to high ethical standards. We are all expected to be alert to situations that could diminish the Free Press' reputation or integrity, or could be perceived as doing so.

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Our overall guiding force is honest conduct. We should never engage in activities that could lessen our value as Free Press employees, harm our ability to do our jobs impartially or damage the newspaper's credibility. The appearance of a conflict of interest can be as much a concern as an actual conflict.

If you are not sure of what might qualify as an ethical breach or have concerns about a situation that predates the revised policy, ask a department head or higher editor.

These guidelines serve in a variety of situations. They apply to all staff members, as well as anyone working under contract for us or on a freelance basis. The guidelines cannot envision all circumstances. They are not legal standards. Other news organizations and those affected by our coverage may view some matters differently. Occasions will arise where news decisions must be made that will vary with these guidelines.

The policy is accompanied by "A Guide To Ethics," which answers frequently asked questions and provides scenarios to illustrate how the policy should be applied. In addition, the Free Press stylebook outlines our practices on issues such as coverage of children and juveniles, criminal matters, libel, privacy, racial coverage, sensitivity and taste, sexism and sourcing. It should be read and consulted.

We are obliged to report potential violations by colleagues to a managing editor or higher. The Free Press protects employees reporting such concerns from repercussions.

Violations of any of these principles may have consequences including dismissal from the Free Press.

These are our 10 core principles:

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1. We tell the truth

We don't mislead readers. We do not publish made-up material, such as false names, unless it is obvious to the reader, as in a column or illustration that is unmistakably satirical or fanciful. We quote people accurately. We don't imply we have witnessed events we haven't seen or been in places we haven't been.

In our newsgathering, we must have a clear and compelling public interest to deliberately conceal our identity or the purpose of our work, or to record people surreptitiously. Such instances require advance approval from a managing editor or higher.

Freelancers should not identify themselves as Free Press staff members, but rather should say they are doing work to submit to the Free Press.

We do not change photographs in any way that might mislead readers. We do not move, eliminate, alter or add to a photo's content (except by cropping or toning). Photographic illustrations should be unmistakably obvious as contrived or unreal. Illustrations should not deceive readers.

2. We correct our mistakes

We publish corrections or clarifications for errors of fact and when we believe there is an omission, distortion or circumstance resulting in an incorrect or unfair impression.

Each of us is expected to tell the public editor or a supervisor if we see something we've published that looks wrong.

3. We protect the integrity of the Free Press

We do not manipulate news. We do not contrive what we cover or cause it to happen. We do not facilitate, by payment, props or encouragement, something that otherwise would not occur.

We name our sources. The use of unidentified sources in published material requires the approval of a managing editor or the highest-ranking editor available.

We do not pay sources for news.

We don't promise sources or subjects of coverage an opportunity to review material before publication. In instances when pre-publication review might be justified, a department head or higher editor will make the decision with the knowledge of the staff member involved. Partial review -- to check the accuracy of a quote, facts or other technical data, for example -- may be desirable.

Everything we compile and create on the job is the property of the Free Press. Unpublished material of any kind should not be used or disclosed to anyone outside the Free Press without permission from the publisher and editor. We do not use material created for the Free Press, or the Free Press logo, on personal Web sites without permission of a managing editor or higher.

We must be cautious about lending the credibility of the Free Press to organizations with a special interest. This includes accepting awards or other honors.

The Free Press can be a powerful instrument for good in the community. We support demonstrably worthy charities. Before the Free Press backs a charity, we strive to ensure that it meets proper standards of integrity. When relevant, we disclose in stories when we have given substantial financial support to such causes.

As individuals, each of us must be careful to avoid involvement in charities that could conflict with our duties to the Free Press.

It's also crucial for us to avoid improper source relationships that could compromise our impartiality or value as Free Press employees. This includes donating money or anything else

12/22/2008

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impartiality or value as Free Press employees. This includes donating money or anything else of value to sources, even in a humanitarian gesture. To do so would diminish our role as journalists. Our best course of action is to pursue the journalism that leads to change for everybody.

4. We do not steal the work of others

We don't plagiarize. That means we don't pass off others' work or ideas as our own.

We give credit where it's due for content of any kind, including articles, photographs, graphics, Web sites, research and news service reports that contribute to our work.

We should always be clear with readers about the source of information in our published work, including commentaries. If we use quotes or other material gathered by another news organization, we credit the original source. The same is true if we are unable, on our own, to confirm information that has appeared elsewhere. When we cite a quote that we did not hear first-hand, we say where and when the comment was made.

5. We demand fairness

We are committed to fairness and balance in all aspects of our coverage and presentation. These principles are foremost in building trust with readers. To that end, we strive for journalism free of favoritism or prejudice. We recognize that pure objectivity is impossible, but we demand fair coverage. We vigorously pursue comment from all subjects in our coverage. We attempt to examine the many sides of issues and strive for balance among competing interests.

6. We are independent and we serve the public

We stand on guard for the public interest. We champion the people's right to know.

We serve the public best by fiercely protecting our independence and our reputation. We do not engage in outside activities that could conflict with our duty to the public or lessen the value of our services to the Free Press.

We do not work for pay or as a volunteer in a political campaign or organization. Any staff member should consult with the editor before running for public office. We do not participate in political activities that diminish our usefulness to the Free Press or could be perceived as a conflict of interest.

We publicly disclose when we have relevant personal or corporate involvement in anything we cover or publish, including when a staff member has a substantial relationship with a person cited in the coverage. The managing editor or editor will determine whether the disclosure is necessary in all coverage that follows an initial story.

7. We pay our own way

We must not allow our coverage to be bought or influenced by favors. We also must avoid the appearance of being bought or influenced.

Therefore, we do not accept benefits of more than token value unavailable to the public. That includes but is not limited to travel, lodging, club memberships, loans, merchandise and discounts.

Unsolicited gifts should be returned with a note explaining our policy. If this is not possible, the gift should be donated to a charity with a note to the donor explaining the circumstances. Gifts of token value may be accepted. If you are unsure what might be token, ask a department head or higher editor.

Meals and drinks shared with news sources should be paid for, whenever possible, by the Free Press.

We accept free admission to events only when necessary for our work. The key issue is this:

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12/22/2008

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Am I attending an event for personal benefit or because it helps me do my job?

When reviewing or covering events, we may accept seating that is generally available to accredited news media. If no such accommodations are available, we should pay our way.

Books, recordings, video games and other such items received for review purposes belong to the Free Press. Those assigned for review then become property of the reviewer, but are not to be sold or exchanged or otherwise used for profit. Unreviewed material that is not of professional use to a staff member should be given to a library or charity.

Discounts offered company-wide may be accepted. The editor or managing editor will review discount programs offered through the Free Press, Knight Ridder and Detroit Newspapers Inc. to ensure that no individual at the Free Press would receive something special because of his or her journalistic position. Staff members with questions about such discounts should ask a managing editor or higher.

8. We do not abuse our position

We do not use our Free Press positions to obtain personal or financial benefit for ourselves. Nor do we make journalism decisions with the intention of creating a financial gain or loss for someone else.

We do not use the company's name to curry favor, imply a threat or pressure, expedite personal business, seek special consideration or imply any of these.

We avoid investments that conflict with our duties. If a staff member holds an investment in a company that becomes the subject of coverage, the staff member should avoid participating in the coverage or disclose that investment to a department head or higher editor, who will decide whether it's relevant. Investments in broadly based mutual funds or similar instruments are usually not a problem.

We also must be mindful of potential conflicts that could arise from having investments in media companies other than Knight Ridder. If an investment could be construed as undermining a staffer's value to the Free Press, the staffer should disclose the issue to a department head or higher.

We do not use unpublished information gathered by the Free Press to make investment decisions. This does not include news service or similar material also available at the same time to the public.

We avoid writing about, reporting on, photographing or making news judgments about an individual related by blood or marriage or with whom we have a close personal relationship, or groups of which we are members. Possible conflicts must be disclosed to a department head.

9. We work first and foremost for the Free Press

All work for pay outside the Free Press must be disclosed to a department head or higher. We avoid employment that conflicts with our responsibilities or is detrimental to the Free Press. We also avoid outside business ventures that could damage the newspaper's reputation or credibility. This could include work for an employer who is the subject of Free Press coverage or identifiably working in situations that might be construed as an endorsement by the Free Press of a product, Web site, service, political cause or business.

We do not work for Free Press competitors, including online, without the permission of a department head or higher.

We do not enter business relationships with news sources.

Staff members' appearances in other media or forums can benefit the Free Press but could raise ethical questions. Ask a department head or higher editor before accepting such invitations.

12/22/2008

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Staff members should not accept payment, including travel expenses, speaking fees or judging honoraria, from special interest groups. If you cannot decline a fee, donate it to a charity designated by the Free Press.

10. We reflect the diversity of our community

We strive for the newspaper and our newsroom to reflect the diverse community we serve. We do not impose our cultural values on others. We do not stereotype people, and we aim for multiple perspectives and images in gathering the news. We show a spectrum of race, ethnicity, age, gender, religion, national origin, sexual orientation, health status and geography in our coverage.

We are stewards of a public trust held in this community for nearly two centuries. If the Free Press is to stand on guard for the public interest, we must stand on guard for these principles.

Last Revised July 22, 2005

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SITE INDEX

- | | | | | | | | | |
|---|--|---|--|--|---|--|---|--|
| <p>Home
 Photos
 Videos
 Add your photos
 Lottery
 Print edition
 Contact us
 Frequently Asked Questions
 Help</p> | <p>Local
 Detroit
 Wayne
 Oakland
 Macomb
 Metro
 Michigan
 Election 2008
 Driving & traffic
 School closings
 Columnists</p> | <p>Nation/World
 Top stories
 Lotteries
 Election 2008
 Nation/World
 Business</p> | <p>Sports
 Lions
 Pistons
 Red Wings
 Tigers
 U-M Wolverines
 MSU Spartans
 High School
 Sports
 Scores
 Columnists
 Shock
 Outdoors
 Olympics sports</p> | <p>Entertainment
 Search for events
 Things to do
 Celebrities
 Movies
 Music
 TV/Radio
 Casinos
 Theater/Arts
 Dining
 Video games
 Metromix.com
 Photos</p> | <p>Autos/Business
 Auto new s
 Business new s
 Markets
 Auto review s
 Technology
 Detroit Auto Show</p> | <p>Life
 Travel
 USA Today
 Travel
 Shopping
 Relationships
 Food
 Pets
 Health
 Columnists
 Technology
 Tw ist</p> | <p>Opinion
 Editorials
 Blogs
 Cartoons
 Letters to the Editor
 Columnists
 Forums</p> | <p>Obituaries
 Death notices</p> <p>Extras
 Photos
 Videos
 Databases
 Digital Free Press
 Forums
 Lottery
 Comics
 Scores
 Contests</p> |
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