

**UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

TUSHAWN CRAIG and MARQUETTA
STOKES,

Plaintiffs

vs

CORNERSTONE TRADING GROUP, LLC,
SETH SMITH, and CITY OF RICHMOND,
INDIANA,

Defendants.

Civil Action No.
1:23-cv-01575-TWP-MJD

**DECLARATION OF NON-PARTY MIKE EMERY IN SUPPORT OF MOTION TO QUASH
SUBPOENA**

Pursuant to 28 U.S.C. § 1746, I, MIKE EMERY, declare and state as follows:

1. I am a resident of Wayne County, Indiana, and am over eighteen (18) years of age.

I am competent to testify in this matter and have firsthand knowledge of the matters contained in this Declaration.

2. I am not a party to this civil action.

3. Since December 2022, I have been employed as a reporter for Western Wayne News, a print digital news publication that covers news and other issues of public interest in Wayne County, Indiana. As a reporter for *Western Wayne News*, I cover a wide range of local matters, including breaking news, local government, courts and crime.

4. On August 28, 2026, Western Wayne News publisher Chris Hardie handed me a certified mailing addressed to me, which he explained had been delivered to the Post Office box

maintained by Western Wayne News (which is listed on the newspaper's website): P.O. Box 9, Richmond, IN 47375. With Mr. Hardie standing next to me, I opened the envelope and saw that it contained a subpoena commanding me to testify as a witness in the trial in the above-captioned matter, along with a check made out to me for \$128.64. A true and correct copy of the subpoena I received (along with the check and the envelope in which the materials were sent) is attached hereto as **Exhibit A**.

5. I have reviewed filings in this case, and have observed that defendants Cornerstone Trading Group, LLC and Seth Smith (collectively, the "Cornerstone Defendants") included an article I wrote for the Western Wayne News in their List of Trial Exhibits, filed on July 27, 2026, at docket entry number 361. Specifically, item number 566 on the List of Trial Exhibits is "Western Wayne News article by Mike Emery, *Blame for Fire's Cause, Costs Hit Property Owner* (April 20, 2023)."

6. On April 19, 2023, Western Wayne News published an article by me under the headline "Blame for Fire's Cause, Costs Hit Property Owner" (the "Article") in the print edition. On April 20, 2023, Western Wayne News published the Article on its website at the URL <https://westernwaynenews.com/blame-fire-cause-costs/>. A true and correct copy of a printout of the online version of the Article is attached hereto as **Exhibit B**. A true and correct copy of a printout of the Article as it appeared on pages 16-17 of the April 19 print edition (as retrieved from Western Wayne News' digital archives of past print layouts) is attached hereto as **Exhibit C**.

7. All of the information reported in the Article was obtained by me in the course of my newsgathering efforts for Western Wayne News.

8. I have no firsthand personal knowledge of the facts and events I reported in the Article. My only knowledge about these facts and events comes from information I collected in the course of my reporting.

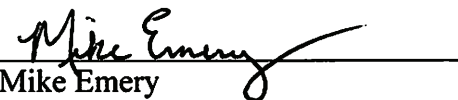
9. I have been a reporter for over 18 years and routinely cover city and county government including local government meetings; civil and criminal court proceedings at the local and county level; zoning and housing issues including blight and historic preservation; crime and law enforcement activities; local elections; and breaking community news. If I were required to give evidence in court cases related to my work, it would significantly burden my ability to operate as a journalist.

10. I frequently obtain information from sources, both confidential and non-confidential. If sources assumed that whatever they tell me will inevitably become the subject of testimony I would be required to provide in court, it would significantly burden my ability to operate as a journalist.

11. Further, in order to comply with this subpoena, I would need to take time out of my day to travel to the federal courthouse in Indianapolis, more than 70 miles away from my home. This would prevent me from performing my ordinary reporting duties, which I otherwise pursue on a full-time basis, including covering local government meetings (several of which are scheduled on the same day as I am being commanded to testify in court, as well as writing articles and assisting with layout in the Western Wayne News newsroom.

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

EXECUTED this 9th day of September 2026, Richmond, Indiana.


Mike Emery