

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF DORCHESTER) CASE NO.: 00-CP-18-646
STEVE GRATZER,)
PLAINTIFF,)
VS.) ORDER
DIABLO WESTERN PRESS, INC.)
AND RODNEY STICH,)
DEFENDANTS.)

In this action, the Defendants, Diablo Western Press, Inc. and Rodney Stich, were served with a Summons and Complaint, via certified mail, on August 23, 2000 and by personal service on August 31, 2000. The Defendants, in their *pro se* answer, filed a Notice of Special Appearance objecting to this Court's personal jurisdiction in this matter.

On October 16, 2000, counsel for the Plaintiff, David Athell Collins, sent the Defendants notice of a hearing pertaining to Defendants' objection to jurisdiction. The hearing was held before me on October 23, 2000. Present at the hearing were counsel for the Plaintiff, David Athell Collins. Neither Mr. Stich nor hired counsel were present for the Defendants.

The Plaintiff, Steven Gratzner, argued that this Court should deny Defendants' objection to personal jurisdiction raised by their Notice of Special Appearance based on Keeton v. Hustler Magazine, 465 U.S. 770, 104 S.Ct. 1473 (1984), maintaining that the Defendants established the requisite contacts with this forum by carrying on a "part of its general business" in South Carolina and that the injury that resulted from Defendants' libelous conduct occurred in South Carolina and resulted from that business activity.

THEREFORE IT IS HEREBY ORDERED that the objection to personal

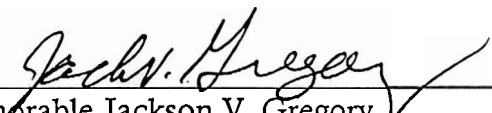
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jurisdiction set forth in the Notice of Special Appearance of Defendants, Diablo Western Press, Inc. and Rodney Stich, is hereby denied.

IF IS FURTHER ORDERED that this Court finds that jurisdiction is proper in this case, the Defendants having established sufficient contacts with this forum through their web site, as well as national retailers, which market and sell the book from which this cause of action arises, and that harm complained of occurred in South Carolina, and that the cause of action arose from the very activity being complained of.

IT IS HEREBY ORDERED!



Honorable Jackson V. Gregory
Circuit Court Judge

Dated: 11-3-2000
Charleston, South Carolina

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