

1 Rodney F. Stich
2 Diablo Western Press
3 PO Box 10587
4 Reno, NV 89510

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CERTIFIED COPY
Clerk of Court
DORCHESTER COUNTY

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8 IN THE COURT OF COMMON PLEAS
9 COUNTY OF DORCHESTER
10 STATE OF SOUTH CAROLINA
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12 STATE OF SOUTH CAROLINA
13 COUNTY OF DORCHESTER

) Case No. 00-CP-18-646

14 STEVE GRATZER,

) DEFENDANT'S RESPONSE TO PLAIN-
) TIFF'S MOTION

) DECLARATION

15 Plaintiff,

16 vs.

) Date: January 3, 2001
) Time: 10:00 a.m.

17 DIABLO WESTERN PRESS, INC,
18 AND RODNEY F. STICH,

19 Defendants.
20

21 Defendants responds to Plaintiff's motion seeking to strike the special appearance response
22 of Diablo Western Press on the basis that Defendant Rodney F. Stich is not an attorney. Defen-
23 dant Diablo Western Press has no assets. Defendant Rodney Stich is the sole shareholder. Diablo
24 Western Press has been a non-profit operation from the day of its existence, and was formed and
25 is operated for the sole purpose of informing the public of misconduct in certain government of-
26 fices.

27 Case law establishes that when a corporation lacks assets, its sole owner could represent the
28 corporation in pro se status. It has been held that due process is denied where a corporation can-
not afford to hire legal counsel, and a sole shareholder is denied the right to represent the corpo-


1 ration. *In the Matter of Holliday's Tax Services, Inc.*, 417 F.Supp 182 (E.D.N.Y. 1976), the court
2 held that a corporation could be represented by its owner where both had filed Chapter XI pro-
3 ceedings and neither the corporation or the individual owner could afford an attorney.

4 It is important that all persons have the right of access to the courts. See e.g. *Bounds,*
5 *Correction Commissioner v. Smith*, 430 U.S. 817, 97 S.Ct. 1491, 52 L.ed.2d 72
6 (1977); *Matthews v. Eldridge*, 424 U.S. 319, 96 S.Ct. 893.

7 A favorable decision for the plaintiff would deny defendants due process, would impede
8 the efforts to expose corruption in government, and there are no assets to seize. Further, it is very
9 possible, or probable, that this lawsuit is an attempt to block the efforts to continue exposing cor-
10 ruption in government.

11 Dated: December 23, 2000.

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Rodney F. Stich