

FILED

SID J. WHITE

MAR 31 1998

IN THE SUPREME COURT OF FLORIDA

CASE NO. 92,321

**District Court of Appeal,
First District Case No. 9702864**

**MORRIS COMMUNICATIONS COMPANY,
et al., Petitioners,**

vs.

**SUSANNE Y. FRANGIE,
et al., Respondents.**

CLERK, SUPREME COURT

By _____
Chief Deputy Clerk

RESPONDENTS, SUSANNE Y. FRANGIE AND FRANK FRANGIE'S ANSWER BRIEF

✓
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**Counsel for Respondents, Susanne Y. Frangie
and Frank Frangie**

TABLE OF CONTENTS

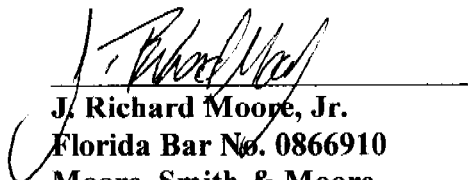
	PAGE
ARGUMENT	1
CERTIFICATE OF SERVICE	2

ARGUMENT

Respondents, Susanne Y. Frangie, and Frank Frangie, Plaintiffs below, file this Answer Brief simply to reiterate their stated position throughout the pendency of these appeals, that they take no position as to the right of litigants to depose newspaper reporters in circumstances such as the case at bar. However, it is the strong belief of these respondents that the deposition of Mike Bianchi, the reporter in question, will have no material effect on the underlying litigation and the respondents should be entitled to their day in court.

Since the lower court has vacated the stay that was in place pending the decision of the First District Court of Appeal, these proceedings are, at this time, not delaying the trial of this cause. In sum, the rights of the Defendant, in a civil case, to depose a non-material witness should never outweigh the Plaintiffs' right to trial by jury.

Respectfully submitted,

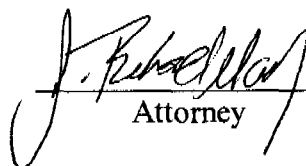


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Attorneys for Respondents, Susanne Y.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to Harvey L. Jay, III, Esquire, 225 Water Street, Suite 1000, Jacksonville, Florida 32202; Ronald E. Reed, Esquire, 233 East Bay Street, Suite 711, Jacksonville, Florida 32202; and Thomas Beverly, Esquire, The Bedell Building, 101 East Adams Street, Jacksonville, Florida 32202, George D. Gabel, Jr., Esquire, 50 North Laura Street, Jacksonville, Florida 32202, and Honorable Frederic A. Buttner, Circuit Court Judge, Clay County Courthouse, Green Cove Springs, Florida 32043, by U.S. Mail, this 30th day of March, 1998.



Attorney