

STATE OF WISCONSIN CIRCUIT COURT MANITOWOC COUNTY

IN MATTER OF SUBPOENA TO:

LAURA RICCIARDI, and
SYNTHESIS FILMS,

Calumet County Sheriff's Dept.
Incident No. 05-157-955

MANITOWOC COUNTY
STATE OF WISCONSIN
FILED

MOTION TO QUASH SUBPOENA

DEC 7 2006

CLERK OF CIRCUIT COURT

Laura Ricciardi and Synthesis Films, Inc. (Ricciardi) move to quash the §
968.135 subpoena for the following reasons:

1. Ricciardi asserts the journalist privilege to refuse to disclose her information.
2. The Subpoena is not supported by probable cause.
3. If the Affidavit for Subpoena states probable cause, it is vitiated by Ricciardi's submissions in her Motion to Quash.
4. The subpoena is overbroad.
5. The interests of Ricciardi as a journalist and of society in insuring the free flow of ideas outweighs the need articulated by the state for the items sought.
6. Ricciardi relies on the Affidavit in Support of Motion to Quash, Affidavit of Counsel in Support of Motion to Quash, and Memorandum in Support of Motion to Quash.

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(1)

Robert J. Dvorak, Attorney at Law

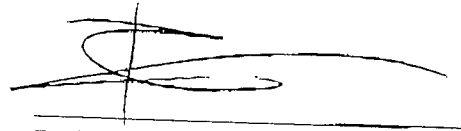
7. Ricciardi also relies on her rights under the 1st, 4th, and 14th Amendments to the United States Constitution, and Article I, sections 3 and 11 of the Wisconsin Constitution.

If the court decides to order an *in camera* inspection, Ricciardi requests the following prior to delivering any items to the court:

- a. Production of all of the tapes of jail conversations of any party whom the state believes Ricciardi has interviewed and who has relevant information to give.
- b. Production of all police reports, memo books, etc. relating to any individual whom the state believes that Ricciardi has interviewed and who has relevant information to give.
- c. Production of all internal memorandum concerning the state's case, including what it determines the important issues in the case are, and what it anticipates from the defense.
- d. After review of the above evidence, Ricciardi requests time to file a motion for a hearing to supplement the record on the state's need for the evidence, the existence of probable cause, the efforts made by the state to satisfy its obligation to seek alternate sources for the information, over breadth, and the balancing of the state's interest in obtaining the information against the interests of Ricciardi and society in the freedom of the press.

Dated: December 1, 2006.

Respectfully submitted,



Robert J. Dvorak
State Bar No. 1017212

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