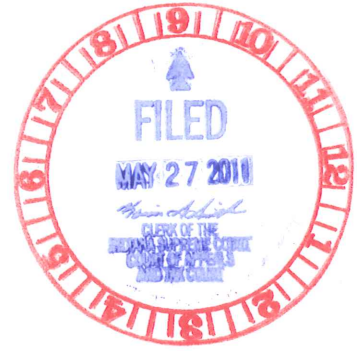


IN THE
COURT OF APPEALS OF INDIANA



IN RE INDIANA NEWSPAPER, INC.,)
d/b/a THE INDIANAPOLIS STAR,)
)
Appellant,)
)
vs.) CAUSE NO. 49A02-1103-PL-234
)
JEFFREY M. MILLER, et al.,)
)
Appellees.)

ORDER

Appellees Jeffrey M. Miller and Cynthia S. Miller, by counsel, filed a Verified Motion To Dismiss Indiana Newspaper, Inc.’s Notice Of Appeal For Lack Of Appellate Jurisdiction. Appellant, by counsel, filed its Response To Verified Motion To Dismiss Indiana Newspaper, Inc.’s Notice Of Appeal For Lack Of Appellate Jurisdiction. Appellees Miller then filed a Motion For Leave To File Reply In Support Of Verified Motion To Dismiss Indiana Newspaper, Inc.’s Notice Of Appeal For Lack Of Appellate Jurisdiction and tendered a Reply In Support Of Verified Motion To Dismiss Indiana Newspaper, Inc.’s Notice Of Appeal For Lack Of Appellate Jurisdiction.

A Motion Of Public Citizen, Inc., For Leave To File Memorandum As Amicus Curiae In Support Of Indianapolis Star’s Opposition To The Motion To Dismiss The Appeal And To File Brief As Amicus Curiae Supporting Reversal was filed, and a Memorandum Of Public Citizen, Inc., As Amicus Curiae, In Support Of Indianapolis Star’s Opposition To The Motion To Dismiss The Appeal was tendered with this motion. Appellant next filed Indiana Newspapers, Inc.’s Response To The Miller’s Motion For Leave To File Reply. The Millers then filed a Motion For Leave To File Reply In Support Of Motion For Leave To File Reply In Support Of Verified Motion To Dismiss Indiana Newspaper, Inc.’s Notice Of Appeal For Lack Of Appellate Jurisdiction.

Having reviewed the matter, the Court FINDS AND ORDERS AS FOLLOWS:

1. Appellees Jeffrey M. Miller and Cynthia S. Miller's Verified Motion To Dismiss Indiana Newspaper, Inc.'s Notice Of Appeal For Lack Of Appellate Jurisdiction is DENIED.

2. Appellees Jeffrey M. Miller and Cynthia S. Miller's Motion For Leave To File Reply In Support Of Verified Motion To Dismiss Indiana Newspaper, Inc's Notice Of Appeal For Lack Of Appellate Jurisdiction is GRANTED. This Court's Clerk is directed to file as of the date of this order the tendered Reply In Support Of Verified Motion To Dismiss Indiana Newspaper, Inc's Notice Of Appeal For Lack Of Appellate Jurisdiction.

3. The Motion Of Public Citizen, Inc., For Leave To File Memorandum As Amicus Curiae In Support Of Indianapolis Star's Opposition To The Motion To Dismiss The Appeal And To File Brief As Amicus Curiae Supporting Reversal is GRANTED. This Court's Clerk is directed to file as of the date of this order the Memorandum Of Public Citizen, Inc., As Amicus Curiae, In Support Of Indianapolis Star's Opposition To The Motion To Dismiss The Appeal.

4. The Appellant's Brief and Appendix shall be filed thirty (30) days from the date of this order.

ORDERED this 27th day of May, 2011.

Vaidik, Mathias, JJ., Sullivan, Sr.J., concur.

FOR THE COURT,



Chief Judge