

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

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GEORGE SASSOWER,	:	Index No.
	:	
Plaintiff,	:	78-17671
	:	
-against-	:	
	:	SUPPLEMENTAL ANSWERS
ERNEST L. SIGNORELLI, ANTHONY	:	OF DEFENDANT NEW YORK
MASTROIANNI, VINCENT G. BERGER, JR.,	:	NEWS INC. TO PLAIN-
ALAN CROCE, ANTHONY GRYMALSKI,	:	TIFF'S SECOND SET
CHARLES BROWN, HARRY E. SEIDELL,	:	<u>OF INTERROGATORIES</u>
NEW YORK NEWS, INC., and	:	
VIRGINIA MATHIAS,	:	
	:	
Defendants.	:	
	:	

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Defendant New York News Inc. (the "News") sets forth supplemental answers to Plaintiff's Second Set of Interrogatories as follows:

5. Set forth whether any of these articles by Art Penny were checked for accuracy or fairness by New York News, Inc., before publication and the result of such checks.

ANSWER TO INTERROGATORY 5:

Upon information and belief, it was the News' policy and practice in 1977 to have its editors check all articles by independent contractors for accuracy and fairness before publishing such articles. While at this time, more than five years after the June and August articles* were published, and in light of the

* As defined in the News' Answer to Interrogatory 4, contained in the "Answers of Defendant New York News Inc. to Plaintiff's Second Set of Interrogatories" dated June 25, 1982 (hereinafter the "News' Answers").

Exhibit "C"

fact that so many articles are checked each day, personnel at the News cannot recall specifically the June and August articles. Based on the News' policy and practice as stated above, we assume that the articles were checked for accuracy and fairness by editors at the News before publication.

In addition, upon information and belief, it was the News' policy and practice in 1977 not to publish articles unless and until they had been checked and approved for accuracy and fairness. Therefore, we assume that, in light of the fact that the June and August articles were published, they were found to be accurate and fair.

6. Set forth whether any of these articles by Art Penny which were published in the New York News were thereafter questioned for accuracy, correctness, fairness or for any similar reason, by anyone, on behalf of the New York News, Inc.

ANSWER TO INTERROGATORY 6:

Except to the extent that the News' counsel has reviewed the June and August articles in connection with this litigation, upon information and belief, after publication, the June and August articles were not questioned by anyone at the News.

14. Set forth the practice of the New York News, Inc., in 1977, regarding checking material or stories submitted by independent contractors to the New York News, Inc.

ANSWER TO INTERROGATORY 14:

Upon information and belief, the practice of the News in

1977 regarding checking material or stories submitted by independent contractors was, generally, as follows:

The independent contractor would first discuss with an editor the idea for the story to determine, generally, the facts underlying the story, whether the story was of interest to the News' readers and whether there would be adequate space in the paper to publish the story. On the basis of this discussion, the editor would assign the independent contractor to write and submit the story.

When a story was submitted, an editor or assistant editor would read it, review it to verify its accuracy and fairness and confer with the independent contractor regarding any questionable material. Thereafter, the story would be read and reviewed several additional times by several editors in different capacities (for example, a copy editor and a news editor). The News would publish the story only after each and every editor who read the story had approved it.

15. Set forth the practice of the New York News, Inc., in 1977 regarding reviewing material submitted for publication by the legal department, and whether the articles regarding plaintiff were submitted for legal review or opinion prior to publication.

ANSWER TO INTERROGATORY 15:

As stated in Answer to Interrogatory 15 in the News' Answers, the News does not have a "legal department". Upon information and belief, in 1977, it was the general practice of the

News not to have stories reviewed by outside counsel; upon information and belief, the June and August articles were not reviewed by outside counsel.

16. If the articles concerning plaintiff were submitted for review by the legal department of the New York News, Inc., set forth copies of same as submitted and as thereafter corrected or adjusted.

ANSWER TO INTERROGATORY 16: See Answer to Interrogatory 15.

19. Set forth the normal procedure of New York News, Inc., in and about June and August 1977 with respect to articles submitted for publication by independent contractors or stringers, insofar as it concerns verification of the contents of the article submitted.

ANSWER TO INTERROGATORY 19: See Answer to Interrogatory 14.

20. Set forth the normal procedure of New York News, Inc., in and about June and August 1977 with respect to articles submitted for publication by Art Penny, insofar as it concerns verification of the contents of the articles submitted.

ANSWER TO INTERROGATORY 20: See Answer to Interrogatory

14.

Dated: February 10, 1983


PATTERSON, BELKNAP, WEBB & TYLER
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(914) 328-0440

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

Robert E. Keane, being duly sworn, deposes and says:

That he is employed by defendant New York News Inc. (the "News") and makes this verification on behalf of defendant News. The foregoing answers to plaintiff's interrogatories were prepared with the assistance and advice of counsel and it was necessary to obtain information to prepare said answers from various sources including personnel, former personnel and records of the corporation. Accordingly, the News reserves the right to make any changes in these answers if it appears at any time that omissions or errors have been made therein, or more accurate information is available. Subject to the statements hereinbefore set forth above, the foregoing answers are true and correct to the best of my knowledge and belief. The reason that this verification is made by me rather than the defendant the News is that the News is a corporation.



Robert E. Keane

Sworn to before me this
10th day of February, 1983.



Notary Public

MARION BULMAN
Notary Public, State of New York
No. 31-5518025
Qualified in New York County
Commission Expires March 30, 1984