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CHICAGO TRIBUNE COMPANY,
TRIBUNE PUBLISHING COMPANY, and
CHICAGO TRIBUNE NEWSPAPERS, INC.

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

AIR ZIMBABWE CORPORATION, a) Case No. BC 227735
Zimbabwe corporation; and SITA WORLD) [Complaint Filed on: April 5, 2000;
TRAVEL, INC., a California Corporation,) Assigned to Hon. Robert A. Dukes]
Plaintiffs,)
vs.)
TRIBUNE PUBLISHING COMPANY, a)
Delaware corporation, CHICAGO)
TRIBUNE NEWSPAPERS, INC., an)
Illinois corporation, CHICAGO TRIBUNE)
COMPANY, an Illinois corporation, GABY)
PLATTNER, an individual, CTC, a business)
entity of unknown form, and DOES 1-100,)
Defendants.)

)

The Tribune defendants' Special Motions to Strike the Complaint of plaintiffs Air Zimbabwe Corporation ("AZC") and Sita World Travel, Inc., ("Sita") pursuant to Code of Civil Procedure § 425.16, came on regularly for hearing on July 27, 2000, before Judge Robert A. Dukes,

1 presiding, in Department 25 of the above-entitled Court.¹ Kelli L. Sager appeared on behalf of the
2 Tribune defendants and Surjit P. Soni appeared on behalf of the plaintiffs.

3 This Court, having read and considered the supporting points and authorities and evidence,
4 having heard the argument of counsel, and good cause appearing therefor, orders as follows:

5 IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT the Tribune
6 defendants' Special Motion to Strike plaintiff AZC's defamation and negligence causes of action is
7 GRANTED, on the grounds that: (1) the Tribune defendants engaged in the acts of complained of
8 in the Complaint in furtherance of their rights of free speech under the United States and California
9 Constitutions in connection with a matter of public interest; and (2) AZC cannot establish that there
10 is a probability that it will prevail on either of its causes of action. AZC cannot demonstrate a
11 probability of prevailing on its defamation cause of action because: (a) AZC, as a government
12 entity, is precluded under the First Amendment from pursuing a defamation claim; and/or (b) AZC,
13 as a limited purpose public figure that has voluntarily entered the pre-existing public debate about
14 its air safety record, has failed to make the required showing that the Tribune defendants acted with
15 constitutional actual malice. AZC cannot demonstrate a probability of prevailing on its negligence
16 cause of action because that cause of action is based on the same facts as its flawed defamation
17 cause of action and therefore fails for the same reasons.

18 IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT the Tribune
19 defendants' Special Motion to Strike plaintiff Sita's defamation and negligence causes of action is
20 GRANTED, on the grounds that: (1) the Tribune defendants engaged in the acts of complained of
21 in the Complaint in furtherance of their rights of free speech under the United States and California
22 Constitutions in connection with a matter of public interest; and (2) plaintiff Sita cannot establish
23 that there is a probability that it will prevail on either of its causes of action. Sita cannot
24 demonstrate a probability of prevailing on its defamation cause of action because the Tribune
25 defendants' article was not "of and concerning" Sita and Sita therefore cannot state a claim for

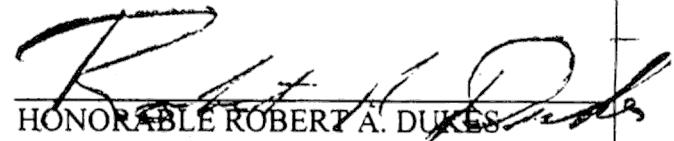
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28 ¹ The Tribune Publishing Company, Chicago Tribune Company, and Chicago Tribune
Newspapers, Inc. are referred to collectively as "the Tribune defendants."

1 defamation. Sita cannot demonstrate a probability of prevailing on its negligence cause of action
2 because that cause of action is based on the same facts as its flawed defamation cause of action and
3 therefore fails for the same reasons.

4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT the Tribune
5 defendants shall be awarded their attorneys' fees and costs incurred in this action pursuant to the
6 Code of Civil Procedure § 425.16(c).

7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT AZC's and Sita's
8 causes of action against the Tribune defendants shall be dismissed in their entirety.

9 DATED: 10/22/2000, 2000


10 HONORABLE ROBERT A. DUKES
11 Judge of the Superior Court

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1 Submitted by:

2 DAVIS WRIGHT TREMAINE LLP
3 KELLI L. SAGER
4 ALONZO WICKERS IV
5 SUSAN E. SEAGER .

6 By: Alonzo Wickers IV
7 Alonzo Wickers IV

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9 CHICAGO TRIBUNE COMPANY,
10 TRIBUNE PUBLISHING COMPANY, and
11 CHICAGO TRIBUNE NEWSPAPERS, INC.

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