

and therefore in violation of that candidate's First Amendment rights. Defendants libels as alleged in Plaintiff's pleadings were clearly intended to—and undoubtedly did—keep untold multitudes from reading the positions set forth at Plaintiff's website. Plaintiffs' website was written and rewritten over many months and was based on numerous published sources as set forth therein. Such an issues-based website was inspired by the words of Abraham Lincoln: "I am a firm believer in the people. If given the truth, they can be depended upon to meet any national crisis. The great point is to bring them the real facts."

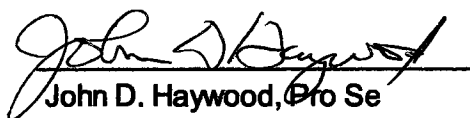
That is what Plaintiff attempted to do. That is what Defendants prevented him from doing. It is *Plaintiff's* free speech rights that have been infringed on by the malicious libels as enumerated in the pleadings to date.

Plaintiff says and alleges that the Special Motion to Strike is frivolous, is intended to delay, and that costs should be awarded in the event Plaintiff must travel to a hearing on the Motion to Strike. Said costs are allowed in accordance with 12 V.S.A. section 1041(f)(1).

Plaintiff says further that Defendants have no right to appeal an interlocutory order dismissing the motion under 12 V.S.A. section 1041 (g) as the federal courts of appeal are governed by the Interlocutory Appeals Act (28 U.S.C.A. section 1292). This act grants discretion to the courts of appeal to review interlocutory order in civil cases where the district court judge states in the order that a controlling question of law is in doubt and that the immediate resolution of the issue will materially advance the ultimate

termination of litigation. State appellate courts, on the other hand, are governed by statutes and court rules of appellate procedure regarding review of interlocutory orders.

Dated at Durham, North Carolina this 5th day of October, 2012.



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CERTIFICATE OF SERVICE

I, John D. Haywood, certify that on October 5, 2012, I served the foregoing Plaintiff's Response to Defendant St. Michael's College's Special Motion to Strike on counsel for the Defendants by mailing a copy of same to the attorneys for the Defendants by first class mail postage prepaid to the following:

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