

Declaration of Stephen Wolf in Support of Public.Resource.Org

I, Stephen Wolf, declare as follows:

1. I am the CEO of American Legal Publishing Corporation (“American Legal”). I have held the positions of President or CEO for the last 37 of my 42 years with American Legal. The company has been employee-owned since 2006. I have personal knowledge of the facts stated in this declaration and know them to be true and correct. I could competently testify to them if called as a witness. The opinions and statements I offer herein are mine alone and do not necessarily represent the opinions of American Legal.

2. American Legal is a codification company. We contract with municipalities to organize, supplement, and publish municipal ordinances.

3. Our primary competitors are Municipal Code Corporation, General Code Corporation, Code Publishing Company, and Quality Code Publishing Company. Code Publishing and Quality Code Publishing are owned by former employees of Book Publishing Company, which was acquired and then later dissolved by Lexis.

4. We service approximately 3,300 municipalities.

5. We provide our clients with both the print versions of the codes that we create and the electronic databases. We make the electronic code publicly available because we view this information as the public’s information. We make no copyright assertions to our code products. This practice is not always the industry standard, and many of our competitors do in fact assert copyright over their materials. In fact, I know that some cities’ codifiers will outright refuse access to these materials without payment.

6. In 2003, we decided to expand our business to include state codification in response to an opportunity in New Mexico. The New Mexico state government was unhappy with Lexis, their prior codification service provider, so we attempted to win their business. We ultimately won the contract, but we began to experience issues with Lexis almost immediately. The New Mexico state government was supposed to provide us with an integrated database of their state codes, which they were to receive from

Lexis. New Mexico informed us that Lexis refused to provide this database and told New Mexico that if they tried to sue them for access, that Lexis would drag out the litigation for years.

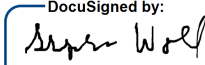
7. Lacking the integrated database, New Mexico provided us with old folio files which contained the basic text but no case law. Lexis refused to license the case law to us so we were forced to go to a third party for the case law. This cost was not in our original bid, and without this material, we could not provide New Mexico with the same services they had received from Lexis. It is my opinion that Lexis refused access to an essential database so that American Legal could not compete with the service that Lexis was offering, even though New Mexico had awarded the business to American Legal

8. Meanwhile, Lexis began to offer the code for free as long as the customer subscribed to receive supplements. This exerted enormous pressure on New Mexico to remain with Lexis, even though they were dissatisfied with Lexis' services. We ultimately negotiated out of our contract and New Mexico. It is my opinion that Lexis was only able to do this due to its enormous size and available resources, which it used to undercut competitor's pricing in a way that drove us away from the opportunity to service New Mexico.

9. I believe that Lexis's activity described above and the lack of open access to case law created a barrier to entry into the field of state law codification, leaving New Mexico with fewer options and ultimately impeding competition.

I declare that the foregoing is true and correct.

Executed on 8/10/2021 in Cincinnati, Ohio

DocuSigned by:

/s/ 904B00D41AE54E9...
STEPHEN WOLF