

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION**

|                                       |   |                                     |
|---------------------------------------|---|-------------------------------------|
| <b>CURTIS J. NEELEY JR.,</b>          | § |                                     |
|                                       | § |                                     |
| <b>PLAINTIFF</b>                      | § |                                     |
|                                       | § |                                     |
| <b>VS.</b>                            | § | <b>CIVIL ACTION NO. 12-5208-JLH</b> |
|                                       | § |                                     |
| <b>FEDERAL COMMUNICATIONS</b>         | § |                                     |
| <b>COMMISSION, MICROSOFT</b>          | § |                                     |
| <b>CORPORATION, AND GOOGLE, INC.,</b> | § |                                     |
|                                       | § |                                     |
| <b>DEFENDANTS</b>                     | § |                                     |

**DEFENDANT GOOGLE’S RESPONSE TO PLAINTIFF’S MOTION  
FOR LEAVE TO FURTHER AMEND THE AMENDED COMPLAINT**

Defendant Google, Inc. (“Google”) opposes Plaintiff Curtis Neeley’s (“Mr. Neeley”) most recent motion for leave to “amend” his latest complaint yet again (Dkt. No. 48). The motion states no cognizable basis for leave. Instead, Mr. Neeley explains that his amendment is intended to clarify without adding new claims, and to revise the prayer for relief “to be realistic rather than being so absurd.”<sup>1</sup> *Id.* Again Mr. Neeley’s own filing reveals the vexatious nature of this case. Mr. Neeley’s claims need no clarification because they are frivolous and should be barred under *res judicata*. Therefore, and for the reasons asserted in Google’s pending motions (Dkt. Nos. 16 & 36), justice does not require another amendment. Mr. Neeley’s motion should be denied.

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<sup>1</sup> Mr. Neeley does not quantify or specify what his intended amendments will be but merely advances vague descriptions.

Respectfully submitted,

/s/ Jennifer H. Doan

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**ATTORNEYS FOR DEFENDANT  
GOOGLE, INC.**

**CERTIFICATE OF SERVICE**

I, Jennifer H. Doan, hereby certify that on January 22, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to CM/ECF participants, and I hereby certify that I have mailed the document by the United States Postal Service to the following non-CM/ECF participant:

Curtis J. Neely, Jr.  
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/s Jennifer H. Doan

Jennifer H. Doan