

**IN THE UNITED STATES COURT
WESTERN DISTRICT OF ARKANSAS**

CURTIS J NEELEY JR, MFA

VS

CASE NO. 5:09-cv-05151-JLH

NameMedia Inc.

Network Solutions Inc.

Google Inc.

**BRIEF SUPPORTING MOTION REQUESTING PRELIMINARY
INJUNCTIONS TO STOP DEFAMATIONS
AND TITLE 15 § 1125 VIOLATIONS**

Whereas the Federal Rules of Civil Procedure Rule 65 is the controlling legal standard, this brief concisely illustrates the factual current and immanent defamatory acts that are prejudicial to the Plaintiff's honor. The injunction sought will support the honor of the Plaintiff as well as preventing irreparable defamations and this injunction is an attempt to mitigate damages of the current continuous and increasing defamations. These will be illustrated concisely for each proposed added defendant and the injunction security is pled waived due to the Plaintiff's pauper status. The injunction is supported as follows.

I. Increasing broadcasts of defamatory publications

1. The Defendants Google Inc and NAMEMEDIA INC have each published the Plaintiff's figure nude art to anonymous viewers that may be minors, Muslims, or atheist. This defamation has since ceased by Defendant NAMEMEDIA INC. Defamations were increased during this litigation, as can be seen in the exhibits in the record, by Defendant Google Inc. This increase of defamatory exposure by Defendant Google Inc while facing the Plaintiff in Court causes the Plaintiff to finally beg for preliminary injunctions that are renewed every ten days till this matter is resolved at trial. (See Ex. Google-Oops) Compare this first printout of Google Inc Books from May 7, 2010. Compared this to the current search results that display an outrageous increase of defamation of the Plaintiff's honor in the last two months and after the first search was mentioned in docket #111 in the supporting attached Amended Replacement Complaint in ¶ #2 of the Prayer/Conclusion section on page eighteen. Google Inc stated only that no preview was available at the time and evidence of the Plaintiffs outrage is seen as a posted review in the exhibit and reads as follows.

Is this book scanned by Google already? My nude photography is in this book and I already sued Gogle for violating my copyrights and common law TMs. They say that if it is already copyrighted they will pay \$60 for violating the copyrights? I want 60 billion instead.

The Defendant removed the review above when they chose to further defame the Plaintiff and “thumb their nose” at both the Plaintiff and United States Court for the Western District of Arkansas. The Plaintiff believes this act expresses Defendant Google Inc not attempting to mitigate the damages they cause while asserting a failure to mitigate damages by the Plaintiff as their own tenth affirmative defense in the docket #114 answer. This Preliminary injunction is warranted to mitigate damages for a Defendant not concerned about creating more damages and showing an utter disregard for this Court. (*See* Ex. Google-Oops2) Three images of the Plaintiff’s figure nude art are now shown in the preceding exhibit printout of searches now at <books.google.com>. Plaintiff does original art called pornography by many and perpetually will. Displays of this art to anonymous visitors who may be the Plaintiff’s minor children, Muslims or atheist increase the defamation of the Plaintiff and maliciously increase his outrage.

II. Continuous broadcasts of defamatory publications

The Search Engine Defendants that are proposed added do the same acts by continually using the Plaintiff’s Personal name in image searches to display nude art to anonymous viewers. This is commonly thought to be an attribution and is a defamation that can be seen in the record repeatedly. The <google.com>, <ask.com>, <yahoo.com>, and <bing.com> search printouts are can be seen in the record. *See* Docket #73 Attachments: (# 1 Exhibit CHIN, # 2 Exhibit YAHOO, # 3 Exhibit AOL, # 4 Exhibit BING and Docket #129 #2 Exhibit Ask.) The record shows each Defendant attributing the Plaintiff to nude photographs in a manner that shames him and his father. It would cost nothing out-of-pocket to any Defendant. Defendant Google should bear security costs of this injunction because of demonstrating continuing policies of defamation. Plaintiff believes Yahoo Inc, Microsoft Corporation, IAC, as well as the FCC should not be entitled to a hearing or notice, as a hearing and notice would further defame the Plaintiff.

III. Continual nonfeasance of the FCC

The Communications Act of 1934 created a statutory obligation to regulate communications by wire and the Federal Communications Commission has refused to perform their statutory duty to regulate communications by wire since the speed of the communications by wire developed to be called the Internet. This nonfeasance results in pornographic art being broadcast by search engines including what many call pornography that was created by the Plaintiff. The potential receivers of these broadcasts include the Plaintiff's minor children and the minor friends of the Plaintiff's children.

III. Continuous “cybersquatting” by Network Solutions LLC

Network Solutions LLC has a policy of offering certified offers to purchase all domains perpetually to anyone. Network Solutions LLC is the registrar of Plaintiff's domain <sleepspot.org> and advertised Plaintiff's former domains <eartheye.com> and <sleepspot.com> in 2003. Network Solutions LLC advertises all “expiring” domains as available to register or traffics in them. Network Solutions LLC will advertise <sleepspot.com> as “expiring” or recently expired and available in early 2011 around the time it expires when they may then “Directly Transfer” it to themselves and offer <sleepspot.org> at auction. Network Solutions LLC will claim an agreement by the Plaintiff in a 116-page click to accept “Service Agreement”. Network Solutions LLC treats expired registrations not yet deleted as owned by them and available for “redemption”.

Prayer for preliminary injunctive relief

1. Whereas the Plaintiff has alleged US Title 17 unconstitutional on its face and the Federal Communications Commission (FCC) as continually nonfeasant regulating communications by wire, the Plaintiff seeks an injunction that the Search Engine Defendants each face a continuously renewing injunction that requires no broadcast of pornography or nudity that is not allowed broadcast on television in response to a request that involves the name of the Plaintiff like can be seen done by <lycos.com> thereby establishing being done by the Search Engine Defendants by choice.

2. Recognizing the granted preliminary injunction in ¶ # 1 causes no out-of-pocket expense for the Search Engine Defendants and yet may not be granted, the Plaintiff asks that the Federal Communications Commission (FCC) be ordered to regulate communications by wire, as commonly called “the Internet”, for uses of the Plaintiff’s personal name which will result in exactly the same effect although resulting in a cascade of FCC fines for each Search Engine Defendant.

3. Network solutions LLC should face a preliminary injunction that they not advertise any of the Plaintiff’s registered domains and especially not the one registered with them of <sleepspot.com>.

4. The severely brain injured Plaintiff hereby pleads for specific relief against every current defendant as well as all the Search Engine Defendants he requests to add and there is no need for further notice to Google Inc, IAC, Yahoo Inc. as well as Microsoft Corporation and the FCC will only increase damages created by opposing in a hearing. The injunction should be served with their summons. The preliminary injunction might prevent a minor child from being exposed and then tease the Plaintiff’s children. The Defendant Google Inc demonstrated an increase of defamation that is outrageous and was discovered after the May 27, 2010 filings. Plaintiff begs the Court to grant the injunction and pending request to amend using the replacement, replacement complaint attached. Plaintiff requests Defendant Google Inc face this injunction’s security costs if required and therefore allow the Plaintiff to finally stop revising his complaint and begin preparing for discovery. (*See* Ex. Replacement2) Plaintiff is profoundly distressed by the actions done to continually delay, defame and increase the costs of this action.

Respectfully and humbly submitted,

Curtis J Neeley Jr, MFA