

IN THE UNITED STATES COURT
WESTERN DISTRICT OF ARKANSAS

CURTIS J NEELEY JR, M.F.

v

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

NameMedia Inc.

Network Solutions Inc.

Google Inc.

EXHIBIT OF WHAT THE RESPONSE
SHOULD HAVE RESEMBLED

Professor Lemley and Esq White; the response seeking denial could have been less adversarial and more effective if done like follows and would have conserved the professionalism of the attorneys and the actions of the pro se litigant rather than angering the Plaintiff.

1. The Court has not yet issued the initial Scheduling Order pursuant to Local Rule 16.1 so it is early to be overly concerned with the Rule 26(f) meeting. The Separate Defendant NAMEMEDIA INC empathizes with *pro se* litigant's desire to meet face-to-face to avoid difficulty with using the telephone and taking notes.
2. Plaintiff's motion asserts fear of an inability to conduct a Rule 26f conference by telephone very well. Plaintiff stated in private communication with Separate Defendant NAMEMEDIA INC Counsel that he is not able to use a telephone and take notes due to having only one normal arm and that he does not feel that his physical disabilities would allow teleconferencing to work. Counsel for Separate Defendant NAMEMEDIA INC realizes Plaintiff is unaware that the Rule 23(f) meeting tasks can possibly be done by email.

Exhibit A

3. Plaintiff has made it clear in private dialogs with Separate Defendant NAMEMEDIA INC Counsel that he prefers communication between himself and NameMedia counsel to be by email; therefore, Separate Defendant NAMEMEDIA INC prays the Rule 26(f) conference should be conducted by email if at all possible.
4. Separate Defendant NAMEMEDIA INC is opposed to a face-to-face meeting simply because it would generate unnecessary expenses for each Defendant as well as the Plaintiff and the Court.
5. Plaintiff was likely unaware that email could be used and would have preferred it if he had known email was a possibility.

Whereas a face-to-face meeting generates unnecessary costs for each party;

Separate Defendant NAMEMEDIA INC prays the Court Order the Parties to use email communication to conduct the tasks of the Rule 26(f) conference and deny the requested face-to-face Rule 26(f) request.

You had a chance, Professor, to respond to a motion and advance your Party's interests and bill without angering the opposing litigant. I now see that Separate Defendant NAMEMEDIA lies as well as you in Dckt #77 (p) after reading over Docket 77, 78. It is not surprising that offending and distorting facts was what you chose to do before you attempted honesty. This would have been a more acceptable response. It could have been a result of two emails instead of four legal filings.

It would also have been less EMBARRASSING than deceiving the Court, VIOLATING copyright then HIDING.

I am in no HURRY to meet you!