

**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.

**LIST OF FACTS AT ISSUE FOR TRIAL IN OPPOSING
NAMEMEDIA INC MOTION FOR PARTIAL SUMMARY JUDGMENT**

Plaintiff opposes Partial Summary Judgment Motion (Docket #18) and asserts evidence will support denial as illustrated more fully in a Supporting Brief filed simultaneously.

1. Plaintiff's torts for outrage created by slander, libel, copyright violations and trademark infringement are subject to equitable tolling till at least June 30, 2008 as will be shown.
2. Plaintiff's time for filing a copyright registration has not expired due to the same tolling as well as due to the Constitutional Right to Equal Access to the law.
3. Punitive damages for violating trademarks and copyrights are allowed because the outrage caused by intentional acts contrary to law resulting in damages. (See AR Code 16-55-206)

This is subject to tolling as was allowed a prisoner who was unable to file a petition on time. *Paige v. United States*, 171 F.3d 559, 561 (8th Cir.1999)

Respectfully submitted,

Curtis J Neeley Jr, MFA

CERTIFICATE OF SERVICE

I hereby certify that, on this ____ day of December 2009, I mailed a copy of the foregoing to the attorney representing NAMEMEDIA INC at the following address:

H. WILLIAM ALLEN (ABN 69001)
KEVIN M. LEMLEY (ABN 2005034)
ALLEN LAW FIRM
A Professional Corporation
212 Center Street, 9th Floor
Little Rock AR 72201

/s/Curtis J Neeley Jr, MFA
Curtis J Neeley Jr, MFA