

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

CURTIS J. NEELEY, Jr.

PLAINTIFF

VS.

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

NAMEMEDIA, INC.;
NETWORK SOLUTIONS, INC.;
and GOOGLE, INC.

DEFENDANTS

**BRIEF IN SUPPORT OF NAMEMEDIA'S MOTION TO STRIKE PLAINTIFF'S
AMENDED BRIEF OBJECTING TO HARASSING ANSWERS**

NameMedia, Inc. ("NameMedia") moves the Court to strike Plaintiff's Amended Brief Objecting to Harassing Answers (Docket # 35) and states as follows:

1. An objection to harassing answers is not a permitted pleading under Fed. R. Civ. P. 7.
2. Docket # 35 is essentially an amended brief in support of Plaintiff's motion for sanctions, although Plaintiff has withdrawn his motion for sanctions. *See* Docket # 34.
3. To the extent Docket #35 is considered a new motion for sanctions, Plaintiff failed to comply with the procedures set forth in Fed. R. Civ. P. 11(c)(2) and *Gordon v. Unifund CCR Partners*, 345 F.3d 1028 (8th Cir. 2003).

WHEREFORE, NameMedia requests the Court strike Docket # 35.

Respectfully submitted,

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By: /s/ H. William Allen
H. William Allen

By: /s/ Kevin M. Lemley
Kevin M. Lemley

Attorneys for Defendant NameMedia, Inc.

CERTIFICATE OF SERVICE

I hereby certify that, on this 12th day of January, 2010, I mailed a copy of the foregoing to the following *pro se* plaintiff:

Mr. Curtis J. Neeley, Jr.
2619 N. Quality Lane, Apt. 123
Fayetteville, AR 72703

/s/ Kevin M. Lemley
Kevin M. Lemley