

**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

RESPONSE TO “MOTION FOR MORE DEFINITE STATEMENT”

NameMedia, Inc. (“NameMedia”), in response to the “Motion for More Definite Statement” filed by Plaintiff Curtis J. Neeley, Jr., states as follows:

1. The motion is both factually and legally frivolous under F.R.C.P. 11; namely, it is being presented to harass, cause unnecessary delay, and needlessly increase the cost of litigation in violation of Rule 11(b)(1); and it is not warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law, in violation of Rule 11(b)(2);
2. As the Court knows, F.R.C.P. 12(e) (not the nonexistent “15(e)” as stated by Plaintiff) applies to pleadings, and in any event NameMedia’s Statement of Facts is not a “pleading”;
3. The motion contains numerous scurrilous personal attacks upon attorney Kevin Lemley, and in the motion Plaintiff threatens to put up a website entitled “Lemley-lies.com” so that Plaintiff can “express [his] feelings of outrage”;

4. The Court should require Plaintiff, pursuant to Rule 11(c)(3), to show cause why the contents of his motion do not violate Rule 11(b).

WHEREFORE, NameMedia requests that Plaintiff's motion be denied, for its costs and attorney fees in responding to the motion, and for all other relief to which it may be entitled.

Respectfully submitted,

H. WILLIAM ALLEN (ABN 69001)
BROOKS C. WHITE (ABN 2000093)
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212 Center Street, 9th Floor
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By: /s/ H. William Allen
H. William Allen

By: /s/ Brooks C. White
Brooks C. White

Attorneys for Defendant NameMedia, Inc.

CERTIFICATE OF SERVICE

I, Brooks C. White, hereby certify that on this 22nd day of February, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following attorneys of record:

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I further certify that, on this 22nd day of February, 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/ Brooks C. White
Brooks C. White