

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

CURTIS J. NEELEY JR.,

PLAINTIFF

VS.

NAMEMEDIA, INC., NETWORK  
SOLUTIONS, INC., GOOGLE INC.

DEFENDANTS

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CIVIL ACTION NO. 09-5151

**RULE 26(f) REPORT**

The parties conferred via email during the week of June 6, 2010, and on June 8, 2010  
Curtis J. Neeley, Josh Thane, and Michael Page conferred via telephone. The following report  
resulted:

- (1) Any changes in timing, form, or requirements of mandatory disclosures under Fed. R.  
Civ. P. 26(a): **Plaintiff and Defendants agree that the mandatory disclosures  
required under Fed. R. Civ. P. 26(a) will be made.**
- (2) Date when mandatory disclosures were or will be made: **Plaintiff and Defendants agree  
to make disclosures on or before July 15, 2010.**
- (3) Subjects on which discovery may be needed: **Liability and Damages. The Plaintiff also  
anticipates discovery on the issue of motive.**
- (4) Whether any party will likely be requested to disclose or produce information from  
electronic or computer-based media. **Yes.**

If so:

- (a) whether disclosure or production will be limited to data reasonably available to the parties in the ordinary course of business: **Yes.**
  - (b) the anticipated scope, cost, and time required for disclosure or production of data beyond what is reasonably available to the parties in the ordinary course of business: **The parties anticipate the production of all relevant documents or documents that could lead to the discovery of admissible evidence which are maintained within the course of business. Any requests for documents beyond such documents would be incredibly burdensome, expensive, and time consuming.**
  - (c) the format and media agreed to by the parties for the production of such Data as well as agreed procedures for such production: **To the extent that the Data is maintained in a searchable format in the normal course of business, the parties agree that it shall be produced in searchable format.**
  - (d) whether reasonable measures have been taken to preserve potentially discoverable data from alteration or destruction in the ordinary course of business or otherwise: **Plaintiff's data is mirrored on several computers in separate locations to prevent loss of discoverable data. Defendants' information has been preserved under litigation hold policies and/or is stored under normal retention policies and procedures.**
  - (e) other problems which the parties anticipate may arise in connection with electronic or computer-based discovery: **The parties do not anticipate any problem at this time.**
- (5) Date by which discovery should be completed: **March 21, 2011.**

- (6) Any needed changes in limitations imposed by the Federal Rules of Civil Procedure: **The parties do not anticipate any changes in the limitations laid out in the Federal Rules of Civil Procedure.**
- (7) Any Orders, e.g. protective orders, which should be entered: **If proprietary or confidential information is requested, the parties may request a motion for a protective order regarding confidentiality. A Scheduling Order including any expert and discovery deadlines should also be entered.**
- (8) Any objections to initial disclosures on the ground that mandatory disclosures are not appropriate in the circumstances of the action: **The parties do not have any objections at this time.**
- (9) Any objections to the proposed trial date: **Yes. Given the trial schedule of trial counsel, the parties respectfully request that the trial date be set for June 20, 2011. Further, the Plaintiff has filed an interlocutory appeal regarding dismissal of Defendant Network Solutions LLC entirely and the limitation ruling of Dkt 97 and motion to Amend in Dkt 111 that was not granted. After the appeal, the Plaintiff may request rescheduling of the trial date.**
- (10) Proposed deadline for joining other parties and amending the pleadings: **June 30, 2010.**
- (11) Proposed deadline for completing discovery: **March 21, 2011.**
- (12) Proposed deadline for filing [dispositive, etc.] motions other than motions for class certification. (Note: In the typical case, the deadline for filing motions should be no later than sixty (60) days before trial.): **April 18, 2011.**
- (13) Class certification: In the case of a class action complaint, the proposed deadline for the parties to file a motion for class certification. (Note: In the typical case, the deadline for

filing motions for class certification should be no later than ninety (90) days after the Fed.

R. Civ. P. 26.(f) conference.): **Not applicable.**

Respectfully submitted,

/s/ Curtis J. Neeley Jr. (w/permission)

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**PRO SE PLAINTIFF**

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**ATTORNEYS FOR DEFENDANT  
NAMEMEDIA, INC.**

**CERTIFICATE OF SERVICE**

I, Joshua R. Thane, hereby certify that on June 10, 2010, I electronically filed the foregoing RULE 26(f) REPORT FROM THE PARTIES with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following list:

H. William Allen  
Brooks White  
Allen Law Firm, P.C.  
212 Center Street  
Ninth floor  
Little Rock, Arkansas 72201

and I hereby certify that I have mailed the document by the United States Postal Service to the following non-CM/ECF participants:

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Fayetteville, AR 72703

/s/ Joshua R. Thane  
Joshua R. Thane