

**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.;
and GOOGLE, INC.

DEFENDANTS

**SEPARATE DEFENDANT NAMEMEDIA, INC.'S RESPONSE TO
MOTION FOR LEAVE TO FILE FOURTH AMENDED COMPLAINT**

Separate defendant NameMedia, Inc. ("NameMedia"), for its Response to Plaintiff's Motion for Leave to File Fourth Amended Complaint, states as follows:

On May 20, 2010, the Court entered its Order denying Plaintiff's motion for leave to amend his complaint. In support of its decision the Court noted the futility of Mr. Neeley's proposed amendment in light of the fact that the proposed amendment contained patently insufficient allegations to make out viable causes of action. Without going into detail, the present proposed amendment of Mr. Neeley is significantly worse than the previous attempt in that regard. It is thirteen pages long, single-spaced, and is filled with gratuitous commentary and frivolous claims. The Court should deny the motion in its entirety.

Respectfully submitted,

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By: /s/ H. William Allen
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By: /s/ Brooks C. White
Brooks C. White

Attorneys for Defendant and Counterclaimant
NameMedia, Inc.

CERTIFICATE OF SERVICE

I, Brooks C. White, hereby certify that on this 30th day of September, 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 hereby certify that, on this 30th day of September, 2010, I mailed a copy of the foregoing to the following *pro se* plaintiff:

Mr. Curtis J. Neeley, Jr.
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/s/ Brooks C. White
Brooks C. White