

**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

RESPONSE TO PLAINTIFF'S MOTION
"FOR JOINING OF CLAIMS AND
JOINDER OF THE FCC AS ANOTHER PARTY"

Separate defendant NameMedia, Inc. ("NameMedia"), for its Response to Plaintiff's Motion "For Joining of Claims and Joinder of the FCC as Another Party," states as follows:

1. Plaintiff's motion is in substance nothing but a motion to amend his complaint.
2. Plaintiff apparently misunderstands the function of Rules 18 and 20 of the Federal Rules of Civil Procedure; those rules merely define when and under what circumstances claims and parties may be joined in a single action; they do not provide a mechanism for adding parties and claims to an existing lawsuit.
3. For this reason, Plaintiff's motion should be denied in its entirety.

WHEREFORE, NameMedia requests that the motion be denied, and for all other relief to which it may be entitled.

Respectfully submitted,

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By: /s/ H. William Allen

H. William Allen

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 2nd day of November, 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 2nd day of November, 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