

UNITED STATES DISTRICT COURT

for the DISTRICT OF HAWAII

FILED IN THE UNITED STATES DISTRICT COURT DISTRICT OF HAWAII

LIBERTY MEDIA HOLDINGS, LLC )
Plaintiff )
v. )
BRAD HATCHER, et. al. )
Defendant(s) )

9 NOV 02 2011 at 9 o'clock and 20 min. SUE BEITIA CLERK

Civil Action No. 1:11-cv-00262 DAE-RLP

MOTION TO DISMISS UNDER RULE 12(b) FOR FAILURE TO STATE A CLAIM

The defendant moves to dismiss the action because:

- 1. The complaint fails to state a claim upon which relief can be granted.
2. Plaintiff has failed to provide any adequate basis to support his claims that I am a direct and/or contributory infringer...
3. Plaintiff's claim for negligence fails to identify any cognizable legal duty...
4. Plaintiff has failed to establish in their complaint any fact basis for the assertion that I have (or have caused) the illegal republishing...
5. Defendant respectfully requests the court dismiss this suit as against Plaintiff (John Doe #4) a.k.a. Brad Hatcher, a.k.a. Ervin Bradford Hatcher to all counts.

Date: 1 November 2011

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