

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EDWARD L. WHITE, EDWARD L.  
WHITE, P.C., and KENNETH ELAN, on  
behalf of themselves and all others similarly  
situated

Plaintiffs,

v.

WEST PUBLISHING CORPORATION  
d/b/a "West," and REED ELSEVIER INC.  
d/b/a LexisNexis,

Defendants.

ECF CASE

Civil Action No. 12-CV-1340 (JSR)

**NOTICE OF DEFENDANT REED ELSEVIER INC.'S**  
**PARTIAL MOTION TO DISMISS**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in support of this motion, Defendant Reed Elsevier Inc. d/b/a LexisNexis ("LexisNexis") moves pursuant to Federal Rule of Civil Procedure 12(b)(6), before the Honorable Jed S. Rakoff, for an order dismissing the claims of Plaintiff Kenneth Elan for failure to state a claim, along with the claims of the proposed subclass he seeks to represent.

PLEASE TAKE FURTHER NOTICE that, pursuant to the April 2, 2012 telephone scheduling conference, Plaintiff Elan shall file and serve his responsive papers on or before April 27, 2012, and LexisNexis shall file and serve its reply papers on or before May 7, 2012. The Court has scheduled oral argument for May 16, 2012, at 4:00 p.m.

Dated: April 6, 2012

MORRISON & FOERSTER LLP

/s/ James E. Hough

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