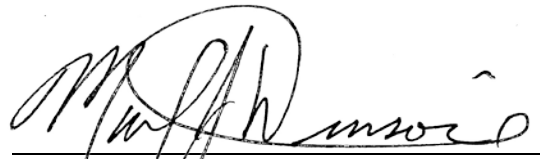


UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT INDIANA

MALIBU MEDIA, LLC,)
)
Plaintiff,)
)
v.)
)
ANDREW LEIGHTNER, KEVIN DEMPSEY,)
KENNETH REESE, CARL RUDY, LUCAS)
SHULTZ, LUCIAN SAVULESCU, DAN)
COROIAN, JIM GENDRON, JEREMY)
COTTON, NEVILLE FERNANDES, DANIEL)
PITTMAN, JAY GARRETT, JERRY RICHEY,)
CONNIE FELONGCO, TERESA)
STEPHENSON, KIRAN POULSEN, CHRIS)
MINOR, SIWEI LI, DERICK BROOKS,)
CLARISSA HENDERSHOT and JOHN DOES)
14, 16, 17, 20, 23, 24 and 29.)
)
Defendants.)
)

Civil Case No. 1:12-cv-00845-TWP-MJD



Mark J. Dinsmore
United States Magistrate Judge
Southern District of Indiana

**PLAINTIFF'S EMERGENCY MOTION TO SET A TELEPHONIC STATUS
CONFERENCE AND TO ENJOIN DEFENDANT FROM FILING CERTAIN PAPERS**

Plaintiff's motion seeks a telephone conference to discuss certain material that may be filed by counsel for Defendant and to "[e]njoin[] Defendant from filing any papers that could be construed as embarrassing to undersigned counsel until after such hearing." First, any sort of injunction on the filing of motions or other documents, particularly in the entirely abstract scenario presented by the Plaintiff by this motion, could well constitute an impermissible prior restraint upon Defendant's free speech rights. However, more fundamentally, until demonstrated otherwise, the Court assumes that all counsel that appear before it are aware of and endeavor to comply with the relevant rules, decisions and statutes that govern their conduct before the Court. To grant Plaintiff's motion would be to presume, in the absence of any evidence, Defendant's counsel's intent to not comply with such rules, decisions and statutes. The Court does and must expect such compliance and, if any counsel fails in that duty, can then exercise the full extent of its authority to punish such failure. But an invitation to presume and/or enjoin such non-compliance in the absence of any evidence thereof is an invitation the Court cannot accept. Accordingly, Plaintiff's motion must be **DENIED**.
Dated: May 24, 2013

2. Undersigned respectfully requests the opportunity to discuss this situation with the Court prior to the offensive documents being filed.