## IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF ARKANSAS WESTERN DIVISION

ROBERT STEINBUCH

**PLAINTIFF** 

V.

No. 4-08-CV-000456 JLH

HACHETTE BOOK GROUP

**DEFENDANT** 

## DEFENDANT HACHETTE BOOK GROUP'S MOTION FOR LEAVE TO FILE REPLY BRIEF

Defendant Hachette Book Group, Inc. ("Hachette"), for its motion for leave to file reply brief, states:

- 1. Hachette filed a motion to dismiss on October 20, 2008, on grounds that the plaintiff's complaint fails to state a claim upon which relief can be granted.
  - 2. The plaintiff responded to Hachette's motion on December 15, 2008.
- 3. The plaintiff's response makes numerous accusations—against Hachette, Hachette's counsel, and other persons—not contained in the original complaint.
- 4. The plaintiff's response improperly argues several factual and legal matters concerning non-parties to this action who are before the Court in a separate proceeding, *Steinbuch v. Cutler*, No. 4:06-CV-00620-JLH.
- 5. The plaintiff's response confuses the issues before the Court on Hachette's motion.

6. Fairness requires that Hachette be given a reasonable opportunity to

reply to the plaintiff's response.

7. Hachette requests that the Court grant it leave to file a reply brief in

support of its motion to dismiss.

8. Due to the upcoming holidays, on or before January 9, 2009, is a

reasonable time within which for Hachette to reply brief.

9. Hachette has conferred with the plaintiff, who is proceeding pro se,

regarding its request for leave to file a reply brief. The Plaintiff's response to that

request is attached to this motion as Exhibit 1.

WHEREFORE, defendant Hachette Book Group, Inc., respectfully requests

leave to file a reply brief in support of its motion to dismiss, such reply brief to be

due on or before January 9, 2009.

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Attorneys for Defendant Hachette Book Group

-2-

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of December, 2008, a copy of the foregoing brief was served on all parties of record via this Court's CM/ECF system and a copy has been served via U.S. Mail and electronic mail upon:

Robert Steinbuch, Esquire 6834 Cantrell Road, #222 Little Rock, AR 72207 robertsteinbuch@gmail.com

> /s/ Clayborne S. Stone Clayborne S. Stone