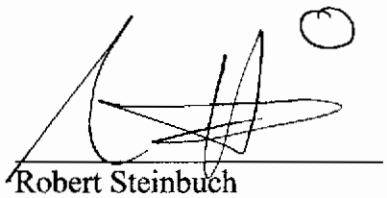
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

Robert Steinbuch	**:Index No.: 4-08-cv-000456 JLH**
Plaintiff,	**: (Chief Judge Leon Holmes)**
-v-	
Hachette Book Group, AKA Hatchette Book Group	
Defendant.	

NOTICE OF ADDITIONAL AUTHORITY

In its Reply Brief to its motion to dismiss, Hachette asserts that Plaintiff's citation to *Frey v. City of Herculaneum*, 44 F.3d 667, 671 (8th Cir. 1995) to describe the pleading standard for a Complaint was inapt. Hachette cites to the Supreme Court's opinion in *Bell v. Twombly*, 127 S. Ct. 1955, 1965 (*May* 2007), which overturned a standard for pleading *nowhere* found in Plaintiff's brief. Through an attempt at linguistic legerdemain, Hachette seeks to convince the Court that *Frey v. City of Herculaneum*, 44 F.3d 667, 671 (8th Cir. 1995) has also been overturned. However, six months ago and well after the Supreme Court issued its opinion in *Bell v. Twombly*, the Eighth Circuit, in *Chambers v. St. Louis County*, 247 Fed. Appx. 846, 848 (8th Cir. *August* 2007), cited approvingly to *Frey v. City of Herculaneum*, 44 F.3d 667, 671 (8th Cir. 1995) for the pleading standard necessary for a Complaint. Indeed, the Eighth Circuit cited to the very same pinpoint cite used by Plaintiff for the pleading standard necessary for a Complaint.

January 21, 2009



Robert Steinbuch
Plaintiff
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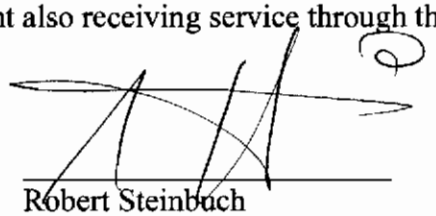
CERTIFICATE OF SERVICE

Plaintiff served the attached motion by causing it to be mailed via US mail on defendant on January 21, 2009 at:

Philip Anderson et al.
Williams & Anderson
111 Center St.
Little Rock, AR 72201

In addition, plaintiff's filing will result in defendant also receiving service through the ECF system.



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