

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

SHANA SANDLER,)	
)	
Plaintiff)	Case No. 1:07-cv-00029
)	
v.)	
)	
MIA CALCAGNI,)	
EMET GABAR,)	
JOHN DOE and/or)	
JANE DOE, and)	
BOOKSURGE, LLC,)	
)	
Defendants)	

**PLAINTIFF’S REPLY TO DEFENDANT BOOKSURGE, LLC’S
OBJECTION TO PLAINTIFF’S MOTION TO DISMISS DEFENDANTS
EMET GABAR, JOHN DOE AND JANE DOE AND JOIN DEFENDANTS
RALPH CALCAGNI, MAUREEN CALCAGNI AND PETER MARS,
AND TO AMEND COMPLAINT**

Defendant Booksurge’s opposition sets forth its objection only to the alleged failure of Plaintiff’s Amended Complaint to set forth with particularity the allegedly false and defamatory statements. Booksurge asserted the same position in its Answer to Plaintiff’s original Complaint.

Booksurge does not set forth a legitimate basis to deny Plaintiff’s Motion. Its position more properly forms the basis for discovery requests directed to an identification of the specific defamatory statements in the book published by Booksurge.

In addition, Booksurge does not oppose the dismissal of Defendants John Doe, Jane Doe and Emet Gabar or the joinder of Ralph Calcagni, Maureen Calcagni and Peter Mars as Defendants.

Defendant Mia Calcagni has not timely objected to Plaintiff’s Motion.

Plaintiff’s Motion is entirely consistent with this Court’s March 15, 2007 Order. Accordingly, Plaintiff’s Motion to Amend Complaint should be granted.

Dated at Bangor, Maine, this 15th day of June, 2007.

PLAINTIFF, Shana Sandler,

BY /s/ Bernard J. Kubetz
Bernard J. Kubetz, Esq.
Eaton Peabody
P. O. Box 1210
80 Exchange Street
Bangor, Maine 04402-1210
(207) 947-0111
bkubetz@eatonpeabody.com

CERTIFICATE OF SERVICE

I, Bernard J. Kubetz, hereby certify that on June 15, 2007, I electronically filed the foregoing Reply to Defendant's Objection to Plaintiff's Motion to Dismiss Defendants and Amend Complaint with the Clerk of the United States District Court using the CM/ECF system, which will send notification of such filing to the following:

Bruce Mallonee, Esq.
Rudman & Winchell, LLC
84 Harlow Street
P. O. Box 1401
Bangor, Maine 04402-1401

Steven P. Wright, Esq.
Kirkpatrick & Lockhart Preston Gates Ellis LLP
State Street Financial Center
One Lincoln Street
Boston, Massachusetts 02111-2950

and I hereby certify that on June 15, 2007, I mailed by United States Postal Service, the documents to the following non-registered participants:

Matthew J. Segal, Esq.
Stephen A. Smith, Esq.
Kirkpatrick & Lockhart Preston Gates Ellis LLP
925 Fourth Avenue
Suite 2900
Seattle, WA 98104-1158

/s/ Bernard J. Kubetz
Bernard J. Kubetz