

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

WILLIAM V. AGUIAR)
)
Plaintiff)
v.)
)
FLOYD WEBB, BARRON SHEPPARD,)
WENDY SHEPPARD and ASHIDA)
KIM a.k.a. RADFORD DAVIS and)
a.k.a. CHRISTOPHER HUNTER)
)
Defendants)

Civil Action No. 07-11673-MLW

MOTION TO DISMISS DUE TO INSUFFICIENCY OF AMOUNT IN CONTROVERSY

[28 USCA paragraph 1332 (a); Fed R Civ P 12 (b), 12(h)(3)] RADFORD DAVIS

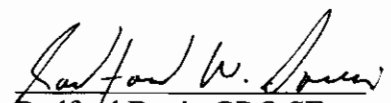
Defendant, RADFORD DAVIS aka ASHIDA KIM aka CHRISTOPHER HUNTER, Pro Se,
hereby moves this Honorable Court to dismiss the above-entitled action with prejudice on the
ground that the matter in controversy, exclusive of interests and cost, is less that \$75,000.

ARGUMENT IN SUPPORT OF MOTION TO DISMISS

- 1) Plaintiff's petition (on record) fails to demonstrate sales in excess of \$75,000
- 2) Plaintiff's petition fails to demonstrate loss of sales or revenue in excess of \$75,000
- 3) Plaintiff's petition fails to demonstrate the value of his copyrighted material to be in excess of \$75,000
- 4) Plaintiff's petition fails to demonstrate damages or irreparable harm in excess of \$75,000

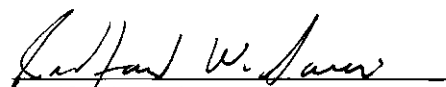
Accordingly the cause of action does not fall under the purview of this Honorable Court by
not rising to the minimum level of consideration under Federal District Court jurisdiction.

Respectfully submitted,


Radford Davis, PRO SE
Post Office Box 209
Lake Alfred, Florida 33850

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon each party appearing pro se and the attorney of record for each other party by mail on October 22, 2007.


Radford Davis, PRO SE