

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTSFILED
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U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

07-11673-MLW

WILLIAM V AGUIAR III
PLAINTIFFVS. CIVIL ACTION # NO.07-11673-
MLWASHIDA KIMAND ALL
DEFENDANT'SPLAINTIFF DENIAL OF DEFENDANTS PEPLY MEMORANDUM IN SUPPORT
OF HIS MOTION TO DISMISS-RADFORD DAVIS

Now Comes Plaintiff William V Aguiar, Pro Se, in proper person who moves this Honorable Court to Deny the Defendants Memorandum. Defendant Davis site's the DCMA takedown which he bases his jurisdiction argument. The DCMA is just a small piece of the Defendant's copyright violation's the violation date back to 2005 to 2007. Jurisdiction is relevant By Rule 4 [e][1] and Plaintiff does prove personal jurisdiction in this Honorable Court.

1. Plaintiff's motion once again demonstrates jurisdiction in this honorable Court. Plaintiff states the condition's that irrefutable. And does rise to the consideration by this Honorable Court.

In his Support of his motion, The Plaintiff attaches the following response to Defendants Petition.

2. Plaintiff never alleged that Defendant consented to the jurisdiction of this Honorable Court threw the counter-notification #163720033 to You-Tube, in response to his DCMA notification #1633364

Plaintiff alleges that Defendant Davis has been in violation of my copyrighted material's dating back to 2005 to present. The DCMA takedown and counter notification process was just a small part of the overall copyright violations. Plaintiff Aguiar has show beyond a reasonable doubt that Defendant Davis has consistently violated the law. The DCMA takedown and Counter Notification Process. I will show that Defendant Davis has violated copyright.

- A. Attachment By Mr. Davis does not show relevance to this Copyright claim . We were never notified at all but this shows no weight to the copyright case.
 - B. Plaintiff's complaint was filed September 7, 2007 this shows that William V Aguiar III plaintiff was not following the DCMA case. But following a straight out Copyright case against Defendant Davis and ALL.
 - C. Plaintiff has never received any re-traction at all. But this shows no relevance because it is shown by your own Motion that plaintiff Aguiar waited 40 days later this show that Plaintiff Aguiar was not following the counter notification process.
 - D. This has no relevance. To Plaintiffs claim of copyright infringement. Because the burden of the re-traction is on the Defendant Davis to notify Plaintiff Aguiar which he did not. Even if he did notify Plaintiff Aguiar because of the amount of the infringement is irrefutable.
3. We have proved several time over that Plaintiff Barron Shepperd does own Ashida Kim and Dojo Press threw e-mail's provided. By Defendant Shepperd to me stating that he bought Ashida Kim's holding in an attempt to market it.
 4. Plaintiff does cite that Defendant Davis is still in violation of said copyrights by his own admission. They violation were so vicious that the web server refused to put it back on until the change's were made. The Plaintiff followed the law with the proper Cease and Desist and the Defendant continued to violate copyright by selling the World's Deadliest Fighting Secrets circa 1969.
 5. We do not contest
 6. When you slander someone with in the DCMA to intimidate You-Tube John F Creeden III challenged you per your web site and said that he put up the money calculated to 50,000 dollars. You misrepresent yourself but

when you use a e-mail to use to gain your own out come is criminal , slanderous to Mr. Credence III . To wit you used in a mis-leading manner to deceive this Honorable Court.

7. We will prove threw e-mails that Defendant Barron Shepperd did buy Defendant Davis intellectual Property involving Dojo press and Skssystems.
8. Plaintiff alleges that Defendant Davis has been in violation of my copyrighted material's dating back to 2005 to present. The DCMA takedown and counter notification process was just a small part of the overall copyright violations. Plaintiff Aguiar has show beyond a reasonable doubt that Defendant Davis has consistently violated the law. The DCMA takedown and Counter Notification Process. I will show that Defendant Davis has violated copyright. We have evidence that will be submitted that Include Defendant Davis proclaiming him to be the Supreme Grand Master and using copyrighted footage from my dvd's. By submitting this evidence it justifies jurisdiction in this case.
9. Plaintiff therefore ask's this Honorable Court To Deny said motion on the ground's that Plaintiff has shown sufficient evidence to Deny this Memorandum. We continually tell Defendant Davis that Diversity rules don't apply . That's it's a Federal Question in front of this honorable Court. Therefore Defendant's Davis Memorandum should be denied on the grounds that that Plaintiff Aguiar rises to the maximum level of consideration under this Honorable Court.

Respectfully Submitted



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12-2-07