

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

POLSTER, LEBEN,
WOLFF & HUGHES
FEB 21 2008
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SAINT LOUIS UNIVERSITY,)
a Missouri benevolent corporation,)
)
Plaintiff,)
)
v.)
)
AVIS MEYER,)
)
Defendant.)

Case No. 4:07CV1733 CEJ

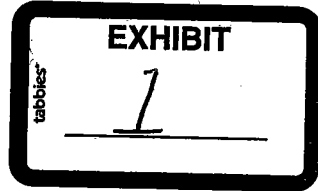
**PLAINTIFF'S INITIAL DISCLOSURES PURSUANT
TO FEDERAL RULE OF CIVIL PROCEDURE 26(a)**

COMES NOW Plaintiff Saint Louis University, and pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, makes the following initial disclosures:

INTRODUCTORY STATEMENT

The following disclosures are made based on the information reasonably available to Plaintiff as of the time of these disclosures. Representations of fact and law herein are made in good faith without the benefit of completed discovery. Thus, by making these disclosures, Plaintiff does not represent that it is identifying every document, tangible thing, witness or insurance policy possibly relevant to this lawsuit. These disclosures should therefore not be considered to limit the ability of Plaintiff to introduce testimony, facts, or the identity of relevant documents as such facts, witnesses, or documents become known through discovery. Plaintiff reserves the right to supplement these initial disclosures. Plaintiff additionally reserves the right to object to the production of any document or tangible thing disclosed herein on the basis of any privilege, the work product doctrine, relevancy, undue burden, or any other valid objection.

1319554.2



DISCLOSURES

(A) Individuals Likely to Have Discoverable Information: As well as those individuals named in the documents identified herein, Plaintiffs identify the following individuals likely to have discoverable information that Plaintiffs may use to support their claims or defenses:

Avis Meyer

Professor Meyer is likely to have discoverable knowledge regarding the allegations set forth in the Complaint filed against him.

(B) Relevant Documents and Things: Plaintiff may use the following documents to support its claims:

Plaintiff may use documents related to Saint Louis University's extensive and long standing use of the trademarks and intellectual property infringed by Defendant.

Plaintiff may also use print and other media which include statements by Defendant related to the allegations set forth in the Complaint. Plaintiff may also use Secretary of State documents related to Defendant's registration of the Non-Profit Organization referenced in the Complaint. These documents will be made available for copying and inspection at a mutually convenient time and place.

(C) Damages Claimed by Plaintiff: Plaintiff seeks damages for Defendant's infringement and dilution of Plaintiff's trademarks and Defendant's unfair trade practices as they relate to Plaintiff's names and trademarks to compensate Plaintiff for loss of revenue, donations, loss of goodwill, and damage to its goodwill and reputation as a result of Defendant's acts. The precise amount of damages will become known as discovery is conducted.

(D) Insurance Agreements: Plaintiff is unaware of any insurance agreements relevant to this dispute.

Respectfully submitted,

LEWIS, RICE & FINGERSH, L.C.

By: 

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Attorneys for Plaintiff
SAINT LOUIS UNIVERSITY

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document was served via U.S. Mail, postage prepaid, upon counsel of record this 20th day of February, 2008 addressed as follows:

Nelson D. Nolte
Scott A. Smith
David L. Howard
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