

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

SAINT LOUIS UNIVERSITY,)	
a Missouri benevolent corporation,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:07CV1733 CEJ
)	
AVIS MEYER,)	
)	
Defendant.)	

JOINT STIPULATION OF UNCONTESTED FACTS

COME NOW Plaintiff Saint Louis University (“Plaintiff” or “SLU”) and Defendant Avis Meyer (“Defendant” or “Meyer”), by and through their respective counsel and in accordance with Section II.1 of this Court’s Case Management Order dated February 7, 2008 [dkt # 12], and hereby submit this Joint Stipulation of Uncontested Facts, as follows:

1. Plaintiff is a Missouri benevolent corporation duly organized and existing under the name “St. Louis University” under the laws of the State of Missouri since 1832.
2. Plaintiff is an institution of higher education of longstanding duration in St. Louis, Missouri.
3. Plaintiff has published a campus paper since about 1921. Since approximately 1931, Plaintiff’s campus newspaper has been titled *The University News, A Student Voice of Saint Louis University Since 1921*.
4. Defendant Avis Meyer is a PhD, tenured professor at SLU.
5. Defendant has been employed by SLU since at least 1979.

6. On or about March 16, 2007, Defendant submitted Articles of Incorporation to the Missouri Secretary of State for registration of a non-profit corporation under the name “The University News, a Student Voice Serving Saint Louis University Since 1921.”

7. On or about August 21, 2007, Defendant filed with the Missouri Secretary of State papers dissolving the non-profit corporation.

8. Defendant did not seek Plaintiff’s permission to include the name “Saint Louis University” within the registered name of his non-profit corporation, nor did he notify SLU of his intention to include “Saint Louis University” in the name of his non-profit corporation, before he submitted the Articles of Incorporation to the Missouri Secretary of State.

9. At no time has Defendant had Plaintiff’s permission to include the name “Saint Louis University” in the name of any non-profit corporation formed by him.

10. In May or June of 2007, one of Plaintiff’s in-house lawyers identified Defendant’s non-profit corporation as an entity that included the name “Saint Louis University.”

11. Plaintiff notified Defendant by letter dated June 22, 2007, that it objected to his inclusion of “Saint Louis University” within the name of his then existing and now dissolved non-profit corporation.

12. Plaintiff again notified Defendant by letter dated August 16, 2007, as to its objections.

CERTIFICATE OF SERVICE

I further certify that on the 31st day of December, 2008, the foregoing was filed with the Clerk of Court to be served via the Court's ECF system upon all counsel of record.

/s/ Frank B. Janoski

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