

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICHARD REINHARDT :
(pka Richie Ramone and Richie Beau), an individual, :

07 Civ. 8233 (SAS)

Plaintiff, :

NOTICE OF MOTION

-against- :

WAL MART STORES, INC., APPLE, INC., :
REALNETWORKS, INC., ESTATE OF :
JOHN CUMMINGS (aka JOHN RAMONE and :
JOHNNY RAMONE), TACO TUNES, INC., :
RAMONES PRODUCTIONS, INC., :
HERZOG & STRAUS, IRA HERZOG, :

Defendants. :


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PLEASE TAKE NOTICE that upon the annexed declaration of Stewart L. Levy, Esq, dated May 2, 2008, the exhibits annexed thereto, the accompanying Memorandum of Law in support of this motion dated May 2, 2008, and upon all pleadings and proceedings heretofore had herein, defendants Taco Tunes, Inc., Ramones Productions, Inc., the John Family Trust (incorrectly named in the complaint as the "Estate of John Cummings"), Herzog & Straus, and Ira Herzog will move this as soon as counsel can be heard before the Honorable Shira A. Scheindlin, United States District Judge, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10017 for an order, pursuant to Fed. R. Civ. Pro. 54(d)(2), for attorneys fees as the prevailing party in this action in accordance with 17 U.S.C. §505.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b) answering papers must be served within ten (10) business days.

Dated: New York, New York
May 2, 2008

EISENBERG TANCHUM & LEVY
*Attorneys for Defendants Taco Tunes, Inc.
Ramonés Productions, Inc., the John Family
Trust (incorrectly named in the complaint as
the "Estate of John Cummings"), Herzog &
Straus and Ira Herzog*

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