

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CRAIG REED, et al.,

Plaintiffs

vs.

FREEBIRD FILM PRODUCTIONS, INC., et al.,

Defendants.

CASE NO. 1:08-CV-01761

JUDGE CHRISTOPHER A. BOYKO

**MOTION TO EXCUSE THE  
ATTENDANCE OF DEFENDANTS  
RHI ENTERTAINMENT  
DISTRIBUTION, LLC (SUCCESSOR  
IN INTEREST TO NAMED  
DEFENDANT HALLMARK  
ENTERTAINMENT DIST., LLC)  
AND LIONS GATE FILMS, INC.  
(SUCCESSOR IN INTEREST TO  
NAMED DEFENDANT ARTISAN  
ENTERTAINMENT, INC.) AND  
LEAD COUNSEL FROM THE CASE  
MANAGEMENT CONFERENCE**

Defendants RHI Entertainment Distribution, LLC, (successor in interest to named defendant Hallmark Entertainment Dist., LLC) (“RHI”) and Lions Gate Films, Inc. (successor in interest to named defendant Artisan Entertainment, Inc.) (“Lions Gate”) hereby respectfully move this Court for leave not to appear in person at the case management conference scheduled for September 29, 2008 in this case. Defendants also respectfully ask this Court to excuse the attendance of Louis A. Colombo, their lead counsel.

The reasons for the requested excused absences are that RHI is a limited liability company headquartered in New York City, and Lions Gate is a corporation headquartered in California, and it would constitute a significant burden for either to have to appear in person at the case management conference. Furthermore, since neither defendant has engaged in any

infringement of copyright in this action, each anticipates filing an early motion for summary judgment if the claims against them are not disposed of by agreement.

Defendants also request that their lead counsel, Louis A. Colombo, be excused from attending the case management conference. He will be in Europe at the time of the conference, on a vacation planned almost six months ago, and should be excused from attendance. One of Mr. Colombo's associates will, of course, be present at the case management conference.

If the Court prefers that lead counsel be present, Mr. Colombo will be back in the office on October 7.

Respectfully submitted,

/s/Louis A. Colombo  
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*Attorneys for Defendants RHI Entertainment  
Distribution, LLC and Lions Gate  
Entertainment, Inc.*

**CERTIFICATE OF SERVICE**

A copy of the foregoing was served upon each of the defendants via the Court's electronic filing system this 15th day of September, 2008.

s/Louis A. Colombo  
*One of the Attorneys for Defendants  
RHI Entertainment Distribution, LLC  
and Lions Gate Entertainment, Inc.*