

Roger Cleveland Golf Company, Inc.,) Civil Action No. 2:09-2119-MBS
)
Plaintiff,)
)
vs.) **PLAINTIFF'S RULE 26(a)(3)**
) **PRETRIAL DISCLOSURES**
)
Christopher Prince, Sheldon Shelley, Prince)
Distribution, LLC, and Bright Builders,)
Inc.)
)
Defendants.)

[Dockets.Justia.com](https://www.dockets.justia.com)

- e. P 20:8-22:11;
- f. P 23:23-25:4;
- g. P 26:20-29:6;
- h. P 34:19-36:9;
- i. P 37:3-37:25;
- j. P 41:13-43:19.

2. Deposition of Emily Davies on October 28, 2010:

- a. P 7:3-22;
- b. P 8:13-9:13;
- c. P 12:18-22
- d. P 12:23-13:25;
- e. P 15:15-16:8;
- f. P 16:24-18:8;
- g. P 22:1-24:23;
- h. P 27:10-28:13;
- i. Exhibit 1.

3. Deposition of Michael Johnson on October 11, 2010 :

- a. P 8:9-18:1
- b. P 18:2-18:19;
- c. P 23:6-24:14;
- d. P 30:20-36:25
- e. P 37:17-40:4;
- f. P 40:24-41:17;
- g. P 42:14-44:21;
- h. P 45:17-47:25;
- i. P 51:13-51:22;
- j. P 53:17-54:12;
- k. P 55:24-56:18;
- l. P 57:1-58:19;
- m. P 59:7-59:25;
- n. P 60:8-61:25;
- o. P 62:19-63:17;
- p. P 68:12-70:2;
- q. P 70:18-72:7;
- r. P 72:8-73:3;
- s. P 73:20-73:25;
- t. P 75:7-75:19;
- u. P 75:25-76:23;
- v. P 77:23-78:9;
- w. P 84:24-85:18;
- x. P 87:9-15;
- y. P 93:8-94:10;

- z. P 100:6-101:7;
- aa. P 102:3-103:8;
- bb. P 105:11-105:20;

4. Deposition of Greg Cole on October 12, 2010

- a. P 6:13-20:16;
- b. P 22:3-23:3;
- c. P 26:17-39:21;
- d. P 42:1-43:15;
- e. P 47:23-49:7;
- f. P 57:5-63:10;
- g. P 65:2-69:17;
- h. P 69:23-73:8;
- i. P 74:4-75:12;
- j. P 76:14-81:13;
- k. P 86:9-88:20;
- l. P 94:10-95:12;
- m. P 99:3-99:17;
- n. P 101:24-102:20;

5. Plaintiff specifically reserves the right to use any portion of the depositions of Defendant Christopher Prince taken on February 18, 2010 and Defendant Bright Builders, Inc. / Gregory Cole taken on October 12, 2010 at trial.

(C) EXHIBITS

By identifying any document(s) or material herein, Plaintiff does not waive any objections they may have, and hereby reserves any such objections, as to the admissibility of any such exhibit or group of exhibits. Plaintiff further reserves the right to use additional documents previously produced for purposes of cross-examination as these issues arise.

1. Documents which Plaintiff Expects to Offer:

Exhibit No.	Date	Description
1.	n/a	Golf clubs sold through copycatchclubs.com
2.	n/a	Golf clubs sold by Roger Cleveland Golf Company, Inc.
3.	n/a	Bright Builders' "The Psychology of Success" pamphlet
4.	n/a	Bright Builders' "Building Your Successful Business" pamphlet

Exhibit No.	Date	Description
5.	n/a	Bright Builders' "Making the World of your Business" marketing package
6.	n/a	Bright Builders' "Your Bright Builder Help Team" pamphlet
7.	n/a	Bright Builders' "Visit the Resource center" pamphlet
8.	n/a	Bright Builders' "Coaching Sessions" pamphlet
9.	n/a	Bright Builders' Coaching Client Agreement
10.	n/a	Bright Builders' Welcome letter and packet
11.	6/2/2008 - 7/1/2010	Emails string / account notes between Christopher Prince and Bright Builders
12.	2/21/2008	Bright Builders' Internet Program Invoice
13.	8/31/2008	Daily Invoice for <copycatclubs.com>
14.	8/1/2009	Daily Invoice for <copycatclubs.com>
15.	2/1/2009-8/3/2009	Bright Builders' Order Details for sales of products
16.	6/12/2009	Investigative report of Frederick James Fessenden IV
17.	6/23/2009	Printouts of the copycatclubs.com website
18.	2/25/2008	Bright Builders' Hosting Agreement with Christopher Prince
19.	n/a	Bright Builders' search engine submission template
20.	10/00/2009	OECD, <i>Magnitude of Counterfeiting and Privacy of Tangible Products: An Update.</i>
21.	4/6/2006	Printout of opening remarks by Thomas J. Donahue, President and CEO, U.S. Chamber of Commerce
22.	9/29/2006	U.S. Chamber of Commerce press release entitled "U.S. Chamber Joins Government and Industry Leaders to Combat Counterfeiting and Piracy"
23.	2008	OECD, <i>The Economic Impact of Counterfeiting and Piracy</i>
24.	5/00/2009	BASCAP, <i>The Impact of Counterfeiting on Governments and Consumers</i>
25.	2009-2010	Cleveland Intellectual Property Enforcement Budget
26.	2010	Cleveland Golf Price List
27.	9/1/2010	Cleveland Golf Super Brand Rebate Program letter
28.	n/a	Cleveland Golf Confidential Credit Application
29.	5/25/2010	Defendant Christopher Prince and Prince Distribution, LLC Amended Answers to Plaintiff's Second Set of Interrogatories
30.	3/19/2010	Defendants Christopher Prince and Prince Distribution, LLC's Answers to Plaintiff's Requests for Admission
31.	4/26/2010	Defendants Christopher Prince and Prince Distribution, LLC's Answers to Plaintiff's Second Set of Interrogatories
32.	4/28/2010	Defendants Christopher Prince and Prince Distribution, LLC's Answers to Plaintiff's First Set of Interrogatories
33.	6/28/2010	Defendant Bright Builders, Inc.'s Responses to Plaintiff's Requests for Admission

Cleveland Golf reserves the right to supplement this list.

2. Documents which Plaintiff May Offer:

Exhibit No.	Date	Description
		Unauthorized activity investigation reports of Mystery Shopper
		All pleadings and written discovery served by any party; All answers to written discovery.
		Any documents produced by any party
		Any and all exhibits listed by any party
		Any exhibits that may be needed for rebuttal
	2/1/2009 - 2/10/2009	Emails between Chris Prince and jackeh@covad.net
	2/26/2007	Emails between Chris Prince and jwalsh@valleywiderecreation.org
	4/20/2009 - 5/19/2009	Emails between Chris Prince and almond@teleport.com
	5/19/2009	Emails between Chris Prince and jmusser@brooksource.com
	12/23/2008-6/14/2009	Emails between Chris Prince and tjhinson69@hotmail.com
	2009	Bright Builders, Inc. 2009 Federal Tax Return
	2008	Bright Builders, Inc. 2008 Federal Tax Return
	2008	Bright Builders, Inc. 2008 Profit and Loss Statements and Transaction Details
	n/a	Bright Builders' employee list
	n/a	Bright Builders' and related companies' corporate structure sheet
	n/a	Christopher Prince Google checkout transaction and payment
	2/3/2009 – 8/30/2009	Paypal account history
	3/10/2007 - 12/10/2009	Christopher Prince and Natalie Estep Checking Account summary
	n/a	PayPal account history from Shelley and First Reliance Bank online transaction detail
	6/23/2009	Copycatclubs.com Website printout CPRINCE 00001-40

Cleveland Golf reserves the right to supplement this list.

Plaintiff reserves the right to supplement this disclosure based upon any information which may be revealed by further discovery in this matter, or otherwise as appropriate.

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February 1, 2011