

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

ANTHONY LAWRENCE DASH,)

Plaintiff,)

v.)

FLOYD MAYWEATHER, JR.,)
an individual; MAYWEATHER)
PROMOTIONS; MAYWEATHER)
PROMOTIONS, LLC; PHILTHY)
RICH RECORDS, INC.; and WORLD)
WRESTLING ENTERTAINMENT,)
INC.;)

Defendants.)

Civil Action No.: 3-10-CV-01036-JFA

ORDER OF COURT MODIFYING CASE MANAGEMENT ORDER

On November 3, 2011, this Court granted WWE’s request to modify the existing Case Management Order so as to bifurcate discovery on copyright infringement and entitlement to profits based damages.

Following the Court’s Order of November 3, 2011, the parties have presented a joint motion and plan designed to implement the Court’s ruling in the most cost-effective manner, which plan the Court hereby adopts. It is, therefore, ordered that the Defendants shall submit partial summary judgment motions on the issue of Plaintiff’s entitlement to actual damages and/or a profits-based measure of damages pursuant to 17 U.S.C. §504(b) forty-five (45) days from the entry of this Order. Plaintiff’s Brief in Opposition shall be

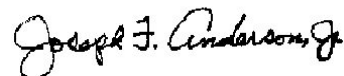
due seventy-five (75) days from the entry of this Order, and the Defendants' Reply Briefs will be due ninety (90) days from the date of this Order.

Following disposition of the partial summary judgment motions regarding Plaintiff's entitlement, if any, to actual damages or any of the Defendants' profits pursuant to 17 U.S.C. §504(b), the Court will reconvene the parties and, if necessary, determine whether it is necessary to appoint an expert at that time, and to establish schedules for disposition of validity and infringement issues. Toward that end, the Court further orders the parties to continue to consult and confer regarding the electronic files produced by, and requested from, the Plaintiff in order to identify for the Court, and any potential expert retained by the Court, the files which have been produced and those which have not been produced.

The Court further orders that other deadlines in the CMO of July 5, 2011 are adjourned, and will be reset, if necessary, on disposition of the aforementioned motions regarding Plaintiff's entitlement to actual damages and a profits measure of damages pursuant to 17 U.S.C. §504(b). It is further ordered that the resumed deposition of Plaintiff, and the deposition of Plaintiff's damages expert, are stayed pending the Court's decision on the motions regarding Plaintiff's damages entitlement, if any.

IT IS SO ORDERED.

December 1, 2011
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge