



## **ARGUMENT**

The Atwell Defendants filed their Answer and Counterclaim of Camelot Entertainment Group, Inc., Camelot Film Group, Inc., Camelot Distribution Group, Inc., Robert P. Atwell, Jamie R. Thompson, and Steven Istock to Amended Complaint on July 27, 2011, on time and as required by the Court's July 1, 2011 Order. By timely filing their answer on July 27, 2011, the Atwell Defendants triggered the five-day period for Plaintiff Incentive to respond to Defendant Ted Baer's Motion to Dismiss, which period expired, August 1, 2011 or, at the very latest on August 3, 2011.

Because the Atwell Defendants answered on July 27, 2011, and because the five-day deadline set by the July 1, 2011 Order for Plaintiff Incentive to respond to Defendant Ted Baer's Motion to Dismiss expired on August 1, 2011 or, at the very latest, August 3, 2011, without any response in opposition having been filed by Plaintiff Incentive, Defendant Ted Baer requests that the Court now grant Defendant Ted Baer's Motion to Dismiss Plaintiff's Amended Complaint for Lack of Personal Jurisdiction.

DATED this 5<sup>th</sup> day of August, 2011.

MORGAN, MINNOCK, RICE & JAMES, L.C.

/s/ Dennis R. James  
Dennis R. James  
Brian H. Hess  
*Counsel for Defendant Ted Baer*

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 5<sup>th</sup> day of August, 2011, I electronically filed a true and correct copy of the foregoing **REPLY MEMORANDUM ON DEFENDANT TED BAER'S MOTION TO RECONSIDER ORDER ON PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANT TED BAER'S MOTION TO DISMISS FOR LACK OF JURISDICTION AND REQUEST TO SUBMIT DEFENDANT TED BAER'S MOTION FOR DECISION** with the Clerk of Court using the CM/ECF system which sent notification of such filing to the following:

Joseph G. Pia  
Nathan S. Dorius  
PIA ANDERSON DORIUS REYNARD &  
MOSS, PLLC  
[joe.pia@padrm.com](mailto:joe.pia@padrm.com)  
[nathan@padrm.com](mailto:nathan@padrm.com)  
*Attorneys for Plaintiff*

John A. Snow  
Karen E. O'Brien  
VAN COTT BAGLEY CORNWALL &  
McCARTHY  
[jsnow@vancott.com](mailto:jsnow@vancott.com)  
[kobrien@vancott.com](mailto:kobrien@vancott.com)  
*Attorneys for Defendants Camelot, Atwell,  
Thompson and Istock*

Jonathan M. Levitan  
[jonathanlevitan@aol.com](mailto:jonathanlevitan@aol.com)  
*Attorneys for Defendants Camelot, Atwell,  
Thompson and Istock*

Wayne G. Petty  
MOYLE & DRAPER, P.C.  
[wayne@moylelawfirm.com](mailto:wayne@moylelawfirm.com)  
*Attorneys for Defendant Peter Jarowey*

Marc E. Kasowitz  
David J. Shapiro  
KASOWITZ, BENSON, TORRES &  
FRIEDMAN LLP  
[mkasowitz@kasowitz.com](mailto:mkasowitz@kasowitz.com)  
[dshapiro@kasowitz.com](mailto:dshapiro@kasowitz.com)  
*Attorneys for Defendant Peter Jarowey*

/s/ Lynette Ambrose

---