

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

AT CHARLESTON

ERIC CURRAN,

Plaintiff

v.

AMAZON.COM, INC., a Delaware corporation; GETTY IMAGES, INC., a Delaware corporation; ST. MARTIN'S PRESS, LLC, SIDESHOW INC., d/b/a SIDESHOW COLLECTIBLES, a Delaware corporation; HOT TOYS, LTD., a business entity incorporated in Hong Kong; and CAFEPRESS.COM, INC., a Delaware corporation,

CIVIL ACTION NO. 2:07-0354

Defendants.

CAFEPRESS.COM, INC.'S REQUEST FOR STATUS CONFERENCE

Defendant CafePress hereby requests a status conference in the above-referenced action to address scheduling issues. CafePress moved to dismiss the complaint against it pursuant to 47 U.S.C. § 230(c) by motion filed with the court on June 8, 2007. This case is scheduled for trial on July 29, 2008. Even with the recently approved new discovery schedule, CafePress faces a discovery cut-off date of April 16, motion practice cut-off of April 21, and deadline to designate experts of February 14. CafePress is a small company that does not believe it properly should be a party to this lawsuit by virtue of its entitlement to the statutory exemption created by 47 U.S.C. § 230(c). CafePress does not want to needlessly incur the substantial expenses associated with discovery and trial preparation in this case while its motion to dismiss is pending.

Accordingly, CafePress respectfully asks that the court set a scheduling conference so that a more realistic trial date and case schedule can be set. CafePress also respectfully seeks leave to have CafePress's California counsel, Ian Ballon and the law firm of Greenberg Traurig LLP, participate in the scheduling conference telephonically.

Dated: January 15, 2008

Respectfully Submitted,

CAFEPRESS.COM, INC.

BY: THE TINNEY LAW FIRM, PLLC

/s/ John H. Tinney, Jr.

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CIVIL ACTION NO.: 2:07-0354

**AMAZON.COM, INC., a
Delaware corporation; GETTY
IMAGES, INC., a Delaware
corporation; ST. MARTIN'S
PRESS, LLC, SIDESHOW INC.,
d/b/a SIDESHOW COLLECTIBLES,
a Delaware corporation; HOT TOYS
LTD., a business entity incorporated
in Hong Kong; AND CAFEPRESS.COM,
INC., a Delaware corporation,**

Defendants.

CERTIFICATE OF SERVICE

I, John H. Tinney, Jr., hereby certify that on the 15th day of January, 2008, the foregoing "**CafePress.Com, Inc.'s Request for Status Conference**" was electronically filed with the Clerk of the Court and served electronically upon:

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