

**U.S. District Court
District of South Carolina (Charleston)
CIVIL DOCKET FOR CASE #: 2:06-cv-02195-CWH**

Trademark Properties Inc et al v. A&E Television Networks et al
Assigned to: Honorable C Weston Houck
Cause: 28:1346 Breach of Contract

Date Filed: 08/02/2006
Jury Demand: Both
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

Trademark Properties Inc
a South Carolina Corporation

represented by **Frank M Cisa**
Cisa and Dodds
858 Lowcountry Boulevard
Suite 101
Mt Pleasant, SC 29464
843-881-6530
Fax: 843-881-5433
Email: frank@cisadodds.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Richard C Davis
an Individual

represented by **Frank M Cisa**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

A&E Television Networks
a Joint Venture of the Hearst Corporation

represented by **Bruce P Keller**
Debevoise and Plimpton
875 Third Avenue
New York, NY 10022
212-909-6118
Email: bpkeller@debevoise.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard Ashby Farrier, Jr
Nelson Mullins Riley and Scarborough
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Charleston, SC 29402
843-720-4301
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Email: raf@nmrs.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert H Jordan
Nelson Mullins Riley and Scarborough
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Charleston, SC 29402
843-534-4221
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Bruce Shaw
Nelson Mullins Riley and Scarborough
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

S Zev Parnass
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875 Third Avenue
New York, NY 10022
212-909-6613
Email: szparnass@debevoise.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

ABC Inc

Defendant

NBC Universal

Defendant

Departure Films
an Entity of Unknown Origin

represented by **Richard Ashby Farrier, Jr**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert H Jordan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Bruce Shaw
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Doe 1-20
Inclusive

Counter Claimant

A&E Television Networks

represented by **Richard Ashby Farrier, Jr**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert H Jordan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Bruce Shaw
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant

Trademark Properties Inc

represented by **Frank M Cisa**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Defendant

Richard C Davis

represented by **Frank M Cisa**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

Departure Films
an Entity of Unknown Origin

represented by **Robert H Jordan**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Counter Claimant

A&E Television Networks

represented by **Robert H Jordan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

A&E Television Networks
a Joint Venture of the Hearst Corporation

represented by **Robert H Jordan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant

Trademark Properties Inc

Counter Defendant

Richard C Davis

Counter Claimant

Departure Films
an Entity of Unknown Origin

represented by **Richard Ashby Farrier, Jr**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert H Jordan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Bruce Shaw
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

A&E Television Networks

represented by **Bruce P Keller**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeremy Feigelson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard Ashby Farrier, Jr
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert H Jordan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Bruce Shaw
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

S Zev Parnass
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

A&E Television Networks
*a Joint Venture of the Hearst
Corporation*

represented by **Bruce P Keller**
(See above for address)
LEAD ATTORNEY
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(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant**Trademark Properties Inc**

represented by **Frank M Cisa**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Defendant**Richard C Davis**

represented by **Frank M Cisa**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Defendant

Trademark Properties Inc
a South Carolina Corporation

represented by **Frank M Cisa**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Defendant

Richard C Davis
an Individual

represented by **Frank M Cisa**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/02/2006	1	NOTICE OF REMOVAL by Departure Films, A&E Television Networks from Court of Common Pleas Charleston County, case number 06-CP-10-2822. (Filing fee \$ 350 receipt number 678046), filed by Departure Films, A&E Television Networks. (Attachments: # 1 Exhibit State Court Pleadings) (erav,) (Entered: 08/03/2006)
08/02/2006	2	Local Rule 26.01 Answers to Interrogatories by Departure Films, A&E Television Networks.(erav,) (Entered: 08/03/2006)
08/03/2006	4	<i>AETN's and Departure Film's</i> ANSWER to Complaint, COUNTERCLAIM against Trademark Properties Inc, Richard C Davis by Departure Films, A&E Television Networks, A&E Television Networks.(Jordan, Robert) (Entered: 08/03/2006)
08/03/2006	5	CERTIFICATE OF SERVICE by Departure Films, A&E Television Networks, Departure Films, A&E Television Networks re 1 Notice of Removal,, 4 Answer to Complaint, Counterclaim, 2 Local Rule 26.01 Answers to Interrogatories (Jordan, Robert) (Entered: 08/03/2006)
08/03/2006	6	NOTICE and Acknowledgment of receipt of Notice of Removal by Clerk of Court for Charleston County. (Attachments: # 1 Exhibit Executed

		Acknowledgment of Receipt of Filed Copy of Notice of Removal)(Jordan, Robert) (Entered: 08/03/2006)
08/03/2006	7	AMENDED DOCUMENT by Departure Films, A&E Television Networks, Departure Films, A&E Television Networks. Amendment to 5 Certificate of Service. (Jordan, Robert) (Entered: 08/03/2006)
08/08/2006	8	AMENDED NOTICE OF REMOVAL by Departure Films, A&E Television Networks, Departure Films, A&E Television Networks. Amendment to 1 Notice of Removal,. (Attachments: # 1 State Court Complaint Exhibit A) (Jordan, Robert) Modified on 8/8/2006 by Clerk to correct text (erav,). (Entered: 08/08/2006)
08/14/2006	9	MOTION to Appear Pro Hac Vice by JEREMY FEIGELSON (Filing fee \$ 250 receipt number 690313) by Departure Films, A&E Television Networks. Response to Motion due by 9/1/2006 (Attachments: # 1 Affidavit APPLICATION FOR PRO HAC VICE ADMISSION)Proposed order is being emailed to chambers with copy to opposing counsel(Jordan, Robert) (Entered: 08/14/2006)
08/14/2006	10	MOTION to Appear Pro Hac Vice by S. ZEV PARNASS (Filing fee \$ 250 receipt number 690335) by Departure Films, A&E Television Networks. Response to Motion due by 9/1/2006 (Attachments: # 1 Affidavit APPLICATION FOR PRO HAC VICE ADMISSION)Proposed order is being emailed to chambers with copy to opposing counsel(Jordan, Robert) (Entered: 08/14/2006)
08/14/2006	11	MOTION to Appear Pro Hac Vice by BRUCE P. KELLER (Filing fee \$ 250 receipt number 690357) by Departure Films, A&E Television Networks. Response to Motion due by 9/1/2006 (Attachments: # 1 Affidavit APPLICATION FOR PRO HAC VICE ADMISSION)Proposed order is being emailed to chambers with copy to opposing counsel(Jordan, Robert) (Entered: 08/14/2006)
08/14/2006	12	ORDER granting 11 Motion for Bruce P Keller to Appear Pro Hac Vice on behalf of defendants. Signed by Judge C Weston Houck on 8/14/06.(erav,) (Entered: 08/15/2006)
08/14/2006	13	ORDER granting 10 Motion for S Zev Parnass to Appear Pro Hac Vice on behalf of defendants A&E Television Networks and Max Weissman Productions, Inc d/b/a Departure Films. Signed by Judge C Weston Houck on 8/14/06.(erav,) (Entered: 08/15/2006)
08/14/2006	14	ORDER granting 9 Motion for Jeremy Feigelson to Appear Pro Hac Vice on behalf of defendants A&E Televisions Networks and Max Weissman Productions, Inc d/b/a Departure Films. Signed by Judge C Weston Houck on 8/14/06.(erav,) (Entered: 08/15/2006)
08/22/2006	15	REPLY by Trademark Properties Inc <i>Reply to Counterclaim</i> . (Cisa, Frank) (Entered: 08/22/2006)
08/22/2006	16	REPLY by Richard C Davis <i>Reply to Defendants Counterclaim</i> . (Cisa, Frank) (Entered: 08/22/2006)

09/07/2006	17	PRE-SCHEDULING ORDER: Within 30 days from the date of this order, the plaintiff shall e-mail to chambers and serve on all parties the information required by Rule 26(a)(1) and electronically file the information required by Rule 26(f) of the FRCP and LCR 26.03. The defendant shall do likewise within 45 days of the date of this order. Signed by Judge C Weston Houck on 9/7/06. (erav,) (Entered: 09/07/2006)
10/02/2006	18	Local Rule 26.01 Answers to Interrogatories by Richard C Davis.(Cisa, Frank) (Entered: 10/02/2006)
10/02/2006	19	Local Rule 26.01 Answers to Interrogatories by Trademark Properties Inc. (Cisa, Frank) (Entered: 10/02/2006)
10/23/2006	21	Rule 26(f) Report by Departure Films, A&E Television Networks, A&E Television Networks. (Attachments: # 1 Proposed Order)(Jordan, Robert) (Entered: 10/23/2006)
10/23/2006		ENTRY DELETED: Document Number:20 Rule 26(a)(1) Initial Disclosures. (erav,) (Entered: 10/23/2006)
11/10/2006	22	Rule 26(f) Report by Trademark Properties Inc. (Attachments: # 1)(Cisa, Frank) (Entered: 11/10/2006)
11/10/2006	23	Rule 26(f) Report by Richard C Davis. (Attachments: # 1)(Cisa, Frank) (Entered: 11/10/2006)
11/17/2006	24	SCHEDULING ORDER: Amended Pleadings due by 1/1/2007, Plaintiffs ID of Expert Witness due by 12/15/2006, Defendants ID of Expert Witnesses due by 1/1/2007, Discovery due by 4/1/2007, Motions due by 4/16/2007, Jury Selection Deadline 5/7/2007, Mediation due by 3/1/2007. Signed by Judge C Weston Houck on 11/17/06. (erav,) (Entered: 11/17/2006)
12/08/2006	25	MOTION to Compel <i>Discovery Responses of Plaintiffs/Counterclaim Defendants</i> by Departure Films, A&E Television Networks.Response to Motion due by 12/29/2006 (Attachments: # 1 Exhibit Exhibits A - D# 2 Exhibit Exhibits E - G)No proposed order(Farrier, Richard) (Entered: 12/08/2006)
12/27/2006	26	RESPONSE in Opposition re 25 MOTION to Compel <i>Discovery Responses of Plaintiffs/Counterclaim Defendants</i> Response filed by Trademark Properties Inc, Trademark Properties Inc, Richard C Davis. Reply to Response to Motion due by 1/8/2007 (Attachments: # 1)(Cisa, Frank) Modified on 12/28/2006 to reflect all filers (cmck,). (Entered: 12/27/2006)
12/28/2006	28	MOTION to Amend/Correct <i>Names of the Defendants</i> by Trademark Properties Inc, Richard C Davis, Trademark Properties Inc, Richard C Davis.Response to Motion due by 1/16/2007 (Attachments: # 1 # 2)No proposed order(Cisa, Frank) (Entered: 12/28/2006)
01/04/2007	29	RESPONSE in Support re 25 MOTION to Compel <i>Discovery Responses of Plaintiffs/Counterclaim Defendants</i> Response filed by A&E Television Networks, Departure Films, A&E Television Networks(a Joint Venture of the Hearst Corporation). (Attachments: # 1 Appendix A-C)(Jordan, Robert) (Entered: 01/04/2007)

01/08/2007	30	CONSENT AMENDED SCHEDULING ORDER: Motions to amend the pleadings shall be filed by 1/1/07, Plaintiffs ID of Expert Witness due by 2/1/2007, Defendants ID of Expert Witnesses due by 3/1/2007, Discovery due by 4/1/2007, Motions due by 4/16/2007, Jury Selection Deadline 5/7/2007, Mediation due by 3/1/2007. Signed by Judge C Weston Houck on 1/3/07. (erav,) (Entered: 01/08/2007)
01/23/2007	31	First MOTION to Compel by Trademark Properties Inc, Richard C Davis.Response to Motion due by 2/12/2007 (Attachments: # 1)No proposed order(Cisa, Frank) (Entered: 01/23/2007)
01/25/2007	32	NOTICE of Hearing on Motion 25 MOTION to Compel <i>Discovery Responses of Plaintiffs/Counterclaim Defendants</i> , 31 First MOTION to Compel, 28 MOTION to Amend/Correct <i>Names of the Defendants</i> : Motion Hearing set for 2/6/2007 11:00 AM in Charleston Courtroom #4, U. S. Court House, 85 Broad St, Charleston before Honorable C Weston Houck. (sshe,) (Entered: 01/25/2007)
01/25/2007	33	Consent MOTION for Confidentiality Order by Departure Films, A&E Television Networks, A&E Television Networks(a Joint Venture of the Hearst Corporation).Response to Motion due by 2/12/2007 (Attachments: # 1 Proposed Order)No proposed order(Jordan, Robert) (Entered: 01/25/2007)
01/26/2007	34	CONFIDENTIALITY ORDER granting 33 Motion for Confidentiality Order. (details outlined in order). Signed by Judge C Weston Houck on 1/26/07.(erav,) (Entered: 01/26/2007)
02/02/2007	35	RESPONSE in Opposition re 31 First MOTION to Compel Response filed by Departure Films, A&E Television Networks, A&E Television Networks(a Joint Venture of the Hearst Corporation).Reply to Response to Motion due by 2/12/2007 (Attachments: # 1 Affidavit Declaration of Richard Farrier# 2 Exhibit Exhibit A to Farrier Declaration# 3 Exhibit EXH B, C, D# 4 Exhibit EXH E, F# 5 Exhibit EXH G# 6 Exhibit EXH H, I, J, K# 7 Exhibit EXH L, M# 8 Affidavit Lemaire Declaration# 9 Affidavit Weissman Declaration) (Farrier, Richard) (Entered: 02/02/2007)
02/06/2007	36	Minute Entry. Proceedings held before Judge C Weston Houck: Motion Hearing held on 2/6/2007. re Granting 25 MOTION to Compel Discovery Responses of Plaintiff. Denying 31 First MOTION to Compel filed by Trademark Properties Inc, Richard C Davis. Discovery is bifurcated as to Liability issues. Court Reporter Debbie Potocki. (jdod,) (Entered: 02/07/2007)
02/06/2007	38	ORAL ORDER : Motion hearing held 2/6/07 Granting 28 Motion to Amend/Correct Names of defendants. Plaintiffs have until February 19, 2007 to file an amended complaint.(jdod,) (Entered: 02/07/2007)
02/07/2007	37	ORAL ORDER to continue case to the August Term of Court (jdod,) (Entered: 02/07/2007)
02/08/2007	39	TRANSCRIPT of Motion hearing, 24 pp., held on 2-6-07 before Judge C.Weston Houck. Court Reporter: Debra Potocki. (dpotocki,) (Entered: 02/08/2007)

02/08/2007	40	AMENDED COMPLAINT against Departure Films, A&E Television Networks, filed by Trademark Properties Inc, Richard C Davis. (Cisa, Frank) (Entered: 02/08/2007)
02/22/2007	41	ANSWER to Amended Complaint <i>and</i> , COUNTERCLAIM against Trademark Properties Inc, Richard C Davis, Trademark Properties Inc, Richard C Davis by Departure Films, A&E Television Networks, A&E Television Networks(a Joint Venture of the Hearst Corporation).(Jordan, Robert) (Entered: 02/22/2007)
02/27/2007	42	REPLY by Trademark Properties Inc, Richard C Davis <i>Plaintiffs' Reply to Defendants' Amended Answer and Counterclaim</i> . (Cisa, Frank) (Entered: 02/27/2007)
04/02/2007	46	AFFIDAVIT of Charles Norlander by Departure Films, A&E Television Networks. (Attachments: # 1 Affidavit Declaration of Charles Norlander) (Farrier, Richard) (Entered: 04/02/2007)
04/02/2007	49	DECLARATIONbyDeparture Films, A&E Television Networks of <i>NANCY DUBUC</i> . (Attachments: # 1 Affidavit Declaration of Nancy Dubuc)(Jordan, Robert) (Entered: 04/02/2007)
04/02/2007	50	Sealed Document. (Attachments: # (1) Exhibit A# (2) Exhibit B# (3) Exhibit C# (4) Exhibit D# (5) Exhibit E# (6) Exhibit F# (7) Exhibit G# (8) Exhibit H# (9) Exhibit I# (10) Exhibit J# (11) Exhibit K# (12) Exhibit L# (13) Exhibit M# (14) Exhibit N# (15) Exhibit O# (16) Exhibit P# (17) Exhibit Q# (18) Exhibit R# (19) Exhibit S# (20) Exhibit T# (21) Exhibit U# (22) Exhibit V# (23) Exhibit W# (24) Exhibit X# (25) Exhibit Y# (26) Exhibit Z# (27) Exhibit AA)(Jordan, Robert) Modified on 4/3/2007 to correct the file date (erav,). (Entered: 04/03/2007)
04/02/2007	51	SEALED MOTION by Departure Films, A&E Television Networks.Response to Motion due by 4/23/2007 (Attachments: # (1) Memo in Support # (2) Exhibit A- Unpublished Decisions) No proposed order (Jordan, Robert) Modified on 4/3/2007 to correct the file date (erav,). (Entered: 04/03/2007)
04/03/2007		ENTRY DELETED: Document Number: 44. Corrected Filing Document Number: 51. Modified filing date to that of original filing: 4/2/07. Response due date modified to that of original filing: 4/20/07 (erav,) Modified to update the corrected filing document number on 4/24/2007 (tshe,). (Entered: 04/03/2007)
04/03/2007		ENTRY DELETED: Document Number: 45. Corrected Filing Document Number: 49. Modified filing date to that of original filing: 4/2/07 (erav,) (Entered: 04/03/2007)
04/03/2007		ENTRY DELETED: Document Number: 47. Document should have been filed under seal, per attorney. Corrected Document Number: 50. Modified filing date to that of original filing: 4/2/07 (erav,) Modified on 4/3/2007 to enter corrected file document number: 50. (erav,). (Entered: 04/03/2007)
04/03/2007		ENTRY DELETED: Document Number: 48. Corrected Filing Document

		Number: 51. Modified filing date to that of original filing: 4/2/07 Response due date modified to that of original filing: 4/20/07 (erav,) (Entered: 04/03/2007)
04/13/2007	52	Letter from Robert H. Jordan, Esq., Attorney for Defendants. (Attachments: # 1 Appendix Correspondence between counsel for parties regarding unsealing of Defendants' Motion for Summary Judgment and Memorandum in Support Thereof# 2 Appendix Public Version of Defendants' Motion for Summary Judgment filed April 2, 2007# 3 Appendix Public Version of Memorandum in Support of Defendants' Motion for Summary Judgment filed April 2, 2007# 4 Exhibit A to Memorandum in Support of Defendants' Motion for Summary Judgment (Unpublished Decisions))(Jordan, Robert) (Entered: 04/13/2007)
05/03/2007	55	RESPONSE in Opposition re [51] SEALED MOTION <i>Plaintiffs' Memorandum in Opposition to Defendants' Motion for Summary Judgment</i> Response filed by Trademark Properties Inc, Richard C Davis.Reply to Response to Motion due by 5/14/2007 (Attachments: # 1 # 2 # 3 # 4 # 5 # 6 # 7)(Cisa, Frank) (Entered: 05/03/2007)
05/14/2007	56	NOTICE of Hearing on Motion [51] SEALED MOTION : Motion Hearing set for 6/6/2007 11:00 AM in Charleston Courtroom #4, U. S. Court House, 85 Broad St, Charleston before Honorable C Weston Houck. (sshe,) (Entered: 05/14/2007)
05/14/2007	57	Sealed Document. (Attachments: # (1) Exhibit A- Unpublished Decisions) (Jordan, Robert) (Entered: 05/14/2007)
06/06/2007	59	Minute Entry. Proceedings held before Judge C. Weston Houck : denying [51] Sealed Motion; Motion Hearing held on 6/6/2007 re [51] SEALED MOTION filed by Departure Films, A&E Television Networks; the Court will issue a new scheduling order. Court Reporter Amy Diaz. (gjoh,) Modified on 6/7/2007 to correct docket text (gjoh,). (Entered: 06/06/2007)
06/11/2007	60	TRANSCRIPT (Unredacted) of Summary Judgment Motion Hearing held on June 6, 2007 before Judge C. Weston Houck. Court Reporter: Amy Diaz. (adia,) (Entered: 06/11/2007)