IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF SOUTH CAROLINA

CHARLESTON DIVISION

TRADEMARK PROPERTIES, INC., a South Carolina corporation; RICHARD C. DAVIS, an individual	
Plaintiffs,)
VS.)
A&E TELEVISION NETWORKS, and MAX WEISSMAN PRODUCTIONS, INC. d/b/a DEPARTURE FILMS	 PLAINTIFFS' MEMORANDUM IN OPPOSITION TO THE DEFENDANTS', MOTIONS FOR CLARIFICATION AND RECONSIDERATION
Defendants.)
A&E TELEVISION NETWORKS,)
Counterclaim Plaintiff,)
VS.))
TRADEMARK PROPERTIES, INC and RICHARD C. DAVIS,) .))
Counterclaim Defendants.)))

The Plaintiffs' respectfully submit that there is no reason to clarify or reconsider the

Court's ruling relative to the Motion for Summary Judgment.

During the hearing the Court stated "and in my judgment, there are genuine issues of fact

as to the existence of an oral contract between the parties." See June 6, 2007 transcript at 34:9-

<u>11</u>. The Court also made it clear that the denial of the summary judgment motion in its entirety

did not preclude the Defendants' from addressing the viability of the Plaintiffs' other causes of action at some future date. The Court stated "we'll have to sort those other causes of action out based upon discovery and determine which ones are viable and which ones should be submitted to the jury." <u>See June 6, 2007 transcript at 36: 9-12.</u>

Respectfully Submitted By:

s/ Frank M. Cisa

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July 9, 2007 Mt. Pleasant, SC