

U.S. District Court
District of New Jersey [LIVE] (Newark)
CIVIL DOCKET FOR CASE #: 2:14-cv-00553-CCC-MF

North Jersey Media Group Inc. v. SarahPac et al
Assigned to: Judge Claire C. Cecchi
Referred to: Magistrate Judge Mark Falk
Case in other court: New York Southern, 1:13-cv-06494
Cause: 17:101 Copyright Infringement

Date Filed: 01/27/2014
Jury Demand: Plaintiff
Nature of Suit: 820 Copyright
Jurisdiction: Federal Question

Plaintiff

**NORTH JERSEY MEDIA GROUP
INC.**

represented by **JENNIFER A. BORG**
NORTH JERSEY MEDIA GROUP INC.
1 GARRET MOUNTAIN PLAZA
6TH FLOOR - LEGAL DEPARTMENT
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V.

Defendant

SarahPac

represented by **BRIAN DANIEL FARKAS**
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Defendant**Sarah Palin**represented by **BRIAN DANIEL FARKAS**

(See above for address)

LEAD ATTORNEY

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RONALD D. COLEMAN

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant**John Does Nos. 1-5**

Date Filed	#	Docket Text
09/13/2013	<u>1</u> R	COMPLAINT against Sarah Palin, SarahPac. (Filing Fee \$ 350.00, Receipt Number 465401076702)Document filed by North Jersey Media Group Inc. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(msa) (Entered: 09/17/2013)
09/13/2013		SUMMONS ISSUED as to Sarah Palin, SarahPac. (msa) (Entered: 09/17/2013)
09/13/2013		Case Designated ECF. (msa) (Entered: 09/17/2013)
09/13/2013		Magistrate Judge Debra C. Freeman is so designated. (msa) (Entered: 09/17/2013)
09/17/2013		Mailed notice to Register of Copyrights to report the filing of this action. (msa) (Entered: 09/17/2013)
10/07/2013	<u>2</u>	AMENDED COMPLAINT AND JURY DEMAND amending <u>1</u> R Complaint against Sarah Palin, SarahPac, and John Does Nos. 1-5 with JURY DEMAND. Document filed by North Jersey Media Group Inc. Related document: <u>1</u> R Complaint filed by North Jersey Media Group Inc. (tn) (Additional attachment(s) added on 10/8/2013: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit) (sdi). (Entered: 10/07/2013)
11/05/2013	<u>3</u>	NOTICE OF APPEARANCE by Ronald David Coleman on behalf of Sarah Palin, SarahPac. (Coleman, Ronald) (Entered: 11/05/2013)
11/19/2013	<u>4</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION for John J. Tiemessen to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-9097965. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Sarah Palin, SarahPac. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Supplement Certificate of Good Standing, Alaska Bar

		Assoc.)(Coleman, Ronald) Modified on 11/20/2013 (wb). (Entered: 11/19/2013)
11/20/2013		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice regarding Document No. <u>4</u> MOTION for John J. Tiemessen to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-9097965. Motion and supporting papers to be reviewed by Clerk's Office staff.. The filing is deficient for the following reason(s): Missing Certificate of Good Standing. Certificate must be issued from the Supreme Court of Alaska not the Bar Association with a Clerk of Court Signature. Re-file the document as a Corrected Motion to Appear Pro Hac Vice and attach a valid Certificate of Good Standing, issued within the past 30 days. (wb) (Entered: 11/20/2013)
12/02/2013	<u>5</u>	AMENDED MOTION for John J. Tiemessen to Appear Pro Hac Vice (<i>Corrected</i>). Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Sarah Palin, SarahPac. (Attachments: # <u>1</u> Exhibit Certificate of Good Standing - Supreme Court of Alaska, # <u>2</u> Text of Proposed Order)(Coleman, Ronald) (Entered: 12/02/2013)
12/02/2013		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>5</u> AMENDED MOTION for John J. Tiemessen to Appear Pro Hac Vice (<i>Corrected</i>). Motion and supporting papers to be reviewed by Clerk's Office staff.AMENDED MOTION for John J. Tiemessen to Appear Pro Hac Vice (<i>Corrected</i>). Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 12/02/2013)
12/12/2013	<u>6</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Sarah Palin, SarahPac.(Coleman, Ronald) (Entered: 12/12/2013)
12/12/2013	<u>7</u>	MOTION to Dismiss. Document filed by Sarah Palin, SarahPac. Return Date set for 1/3/2014 at 10:00 AM.(Coleman, Ronald) (Entered: 12/12/2013)
12/12/2013	<u>8</u>	MEMORANDUM OF LAW in Support re: <u>7</u> MOTION to Dismiss.. Document filed by Sarah Palin, SarahPac. (Coleman, Ronald) (Entered: 12/12/2013)
12/26/2013	<u>9</u>	MEMORANDUM OF LAW in Opposition re: <u>7</u> MOTION to Dismiss.. Document filed by North Jersey Media Group Inc.. (Weiss, Richard) (Entered: 12/26/2013)
12/26/2013	<u>10</u>	DECLARATION of Jennifer A. Borg in Opposition re: <u>7</u> MOTION to Dismiss.. Document filed by North Jersey Media Group Inc.. (Weiss, Richard) (Entered: 12/26/2013)
12/26/2013	<u>11</u>	DECLARATION of Thomas E. Franklin in Opposition re: <u>7</u> MOTION to Dismiss.. Document filed by North Jersey Media Group Inc.. (Weiss, Richard) (Entered: 12/26/2013)
01/05/2014	<u>12</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - REPLY to Response to Motion re: <u>7</u> MOTION to Dismiss. <i>Reply Memorandum</i> . Document filed by Sarah Palin, SarahPac. (Coleman, Ronald) Modified on 1/7/2014 (db). (Entered: 01/05/2014)
01/07/2014		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT

		DOCKET ENTRY ERROR. Note to Attorney Ronald David Coleman to RE-FILE Document 12 Reply to Response to Motion. ERROR(S): No signature or s/. (db) (Entered: 01/07/2014)
01/07/2014	13	REPLY MEMORANDUM OF LAW in Support re: 7 MOTION to Dismiss.. Document filed by Sarah Palin, SarahPac. (Coleman, Ronald) (Entered: 01/07/2014)
01/17/2014	14	ORDER terminating 7 Motion to Dismiss. Defendants move, alternatively, to dismiss or to transfer this case to another district where it could have been brought. This case is transferred to the U.S. District Court for the District of New Jersey. Plaintiff is a New Jersey corporation, publishing local newspapers in New Jersey. Defendants are a citizen of Alaska and a federally registered political action committee ("PAC") whose principal place of business is in northern Virginia. Plaintiffs allege copyright infringement of a copyrighted photograph and a violation of the Lanham Act. There is no indication of any substantial activities in this state or district. The most convenient forum is where plaintiff claims injury, New Jersey. If defendants violated the law, they did so nationally and one sit us is as convenient as another. The district of Alaska, preferred by defendants, is not a convenient forum nor is the district of Virginia. Hence this case will be transferred to the district of New Jersey. See D.H Blair & Co., Inc. et al v. Gottdiener, 462 F.3d 95, 106-07 (2d Cir. 2006). The judge to whom this case is assigned can then determine the substantive sufficiency of defendant's motion. The clerk shall mark the motion (Doc. No. 7) terminated, bundle the file, and transfer it to the Clerk of the Court in the District of New Jersey, Northern Division. (Signed by Judge Alvin K. Hellerstein on 1/17/2014) (mro) (Entered: 01/17/2014)
01/17/2014		CASE TRANSFERRED OUT ELECTRONICALLY from the U.S.D.C. Southern District of New York to the United States District Court - District of New Jersey, Northern Division. (mro) Modified on 1/24/2014 (mro). (Entered: 01/24/2014)
01/27/2014	15	Certified Copy of Transfer Order and docket received, Case transferred in from District of New York Southern; Case Number 1:13-cv-06494. Original file certified copy of transfer order and docket sheet received. (Entered: 01/27/2014)
01/28/2014		Judge Claire C. Cecchi and Magistrate Judge Mark Falk added. (eu,) (Entered: 01/28/2014)
01/28/2014	16	Clerk's Letter: Attorney William Dunnegan is not admitted to the Federal Bar of New Jersey. Notice has been mailed to the attorney's address. (eu,) (Entered: 01/28/2014)
01/31/2014	17	NOTICE of Appearance by JENNIFER A. BORG on behalf of NORTH JERSEY MEDIA GROUP INC. (Attachments: # 1 Certificate of Service) (BORG, JENNIFER) (Entered: 01/31/2014)
01/31/2014	18	MOTION for Leave to Appear Pro Hac Vice by NORTH JERSEY MEDIA GROUP INC.. (Attachments: # 1 Certification of Jennifer A. Borg, # 2 Certification of William Dunnegan, # 3 Certification of Richard Weiss, # 4 Text of Proposed Order, # 5 Certificate of Service)(BORG, JENNIFER) (Entered: 01/31/2014)

02/07/2014		Set Deadlines as to 18 MOTION for Leave to Appear Pro Hac Vice . Motion set for 3/3/2014 before Judge Claire C. Cecchi. The motion will be decided on the papers. No appearances required unless notified by the court. (gmd,) (Entered: 02/07/2014)
02/07/2014	19	ORDER granting 18 Motion for Leave to Appear Pro Hac Vice admission of WILLIAM DUNNEGAN and RICHARD WEISS. Signed by Magistrate Judge Mark Falk on 2/6/14. (gmd,) (Entered: 02/07/2014)
02/10/2014	20	NOTICE of Appearance by BRIAN DANIEL FARKAS on behalf of Sarah Palin, SarahPac (FARKAS, BRIAN) (Entered: 02/10/2014)
02/28/2014	21	First MOTION for Leave to Appear Pro Hac Vice <i>for John J. Tiemessen</i> by Sarah Palin, SarahPac. (Attachments: # 1 Affidavit Certification of Applicant, # 2 Statement Notice of Motion, # 3 Text of Proposed Order Proposed Order, # 4 Supplement Certificate of Good Standing)(FARKAS, BRIAN) (Entered: 02/28/2014)
02/28/2014		CLERK'S QUALITY CONTROL MESSAGE - The First Motion for Leave to Appear Pro Hac Vice, D.E.# 21 submitted by Brian Farkas on 2/28/14 did not contain a proper electronic signature (s/). PLEASE RESUBMIT THE DOCUMENT WITH THE PROPER ELECTRONIC SIGNATURE (s/ Attorney's Name.) This submission will remain on the docket unless otherwise ordered by the court. (gmd,) (Entered: 02/28/2014)
02/28/2014	22	Certification on behalf of Sarah Palin, SarahPac Re 21 Motion for Leave to Appear,. (Attachments: # 1 Certification Signed Certification)(FARKAS, BRIAN) (Entered: 02/28/2014)
02/28/2014	23	Certification on behalf of Sarah Palin, SarahPac Re 21 Motion for Leave to Appear,. (FARKAS, BRIAN) (Entered: 02/28/2014)
03/03/2014	24	ORDER granting 21 Motion for Leave to Appear Pro Hac Vice as to John J. Tiemessen, Esq. Signed by Magistrate Judge Mark Falk on 3/3/14. (gmd,) (Entered: 03/03/2014)
03/03/2014		Pro Hac Vice fee: \$ 300, receipt number NEW019410 for William Dunnegan, Esq. and Richard Weiss, Esq. (gmd,) (Entered: 03/04/2014)
03/07/2014	25	Notice of Request by Pro Hac Vice William Dunnegan to receive Notices of Electronic Filings. (Attachments: # 1 Order Admitting William Dunnegan and Richard Weiss Pro Hac Vice, # 2 Receipt for Payment of William Dunnegan and Richard Weiss Pro Hac Vice Fees)(BORG, JENNIFER) (Entered: 03/07/2014)
03/07/2014	26	Notice of Request by Pro Hac Vice Richard Weiss to receive Notices of Electronic Filings. (Attachments: # 1 Order Admitting William Dunnegan and Richard Weiss Pro Hac Vice, # 2 Receipt for Payment of Pro Hac Vice Fees for William Dunnegan and Richard Weiss)(BORG, JENNIFER) (Entered: 03/07/2014)
03/07/2014		Pro Hac Vice fee: \$ 150, receipt number TRE041567 for John J. Tiemessen, Esq (gmd,) (Entered: 03/07/2014)
04/23/2014	27	Notice of Request by Pro Hac Vice John J. Tiemessen to receive Notices of

		Electronic Filings. (Pro Hac Vice fee \$ 150 receipt number 0312-5647337.) (COLEMAN, RONALD) (Entered: 04/23/2014)
05/02/2014	28	TEXT ORDER - Telephone Status Conference set for 5/13/2014 at 3:15 PM before Magistrate Judge Mark Falk. Plaintiff's counsel shall arrange for and initiate the conference call. Ordered by Magistrate Judge Mark Falk on 5/2/14. (LM,) (Entered: 05/02/2014)
05/13/2014		Minute Entry for proceedings held before Magistrate Judge Mark Falk: Telephone Status Conference held on 5/13/2014. (LM,) (Entered: 05/13/2014)
05/13/2014	29	MOTION to Dismiss <i>the Amended Complaint pursuant to FRCP 12(b)(6)</i> by Sarah Palin, SarahPac. Responses due by 6/2/2014 (Attachments: # 1 Brief, # 2 Text of Proposed Order, # 3 Certificate of Service)(COLEMAN, RONALD) (Entered: 05/13/2014)
05/16/2014		Set Deadlines as to 29 MOTION to Dismiss <i>the Amended Complaint pursuant to FRCP 12(b)(6)</i> . Motion set for 6/16/2014 before Judge Claire C. Cecchi. The motion will be decided on the papers. No appearances required unless notified by the court. (gmd,) (Entered: 05/16/2014)
06/02/2014	30	MEMORANDUM in Opposition filed by NORTH JERSEY MEDIA GROUP INC. re 29 MOTION to Dismiss <i>the Amended Complaint pursuant to FRCP 12(b)(6)</i> (Attachments: # 1 Certificate of Service)(BORG, JENNIFER) (Entered: 06/02/2014)
06/10/2014	31	REPLY BRIEF to Opposition to Motion filed by Sarah Palin, SarahPac re 29 MOTION to Dismiss <i>the Amended Complaint pursuant to FRCP 12(b)(6)</i> (FARKAS, BRIAN) (Entered: 06/10/2014)
09/05/2014	32	TEXT ORDER - Telephone Status Conference set for 9/19/14 at 3:15 p.m. before Magistrate Judge Mark Falk. It shall be plaintiff's counsel's responsibility to arrange for and initiate the conference call. Please mark your calendars accordingly. Ordered by Magistrate Judge Mark Falk on 9/5/14. (LM,) (Entered: 09/05/2014)
09/18/2014	33	TEXT ORDER - Telephone Status Conference set for 9/19/14 at 3:15 p.m. will now proceed at 10:30 a.m. before Magistrate Judge Mark Falk. It shall be plaintiff's counsel's responsibility to arrange for and initiate the conference call. Please mark your calendars accordingly. Ordered by Magistrate Judge Mark Falk on 9/18/14. (LM,) (Entered: 09/18/2014)
09/19/2014		Minute Entry for proceedings held before Magistrate Judge Mark Falk: Telephone Status Conference held on 9/19/2014. (LM,) (Entered: 09/24/2014)
12/16/2014	34	ORDER that Defendants' 29 Motion to Dismiss is administratively terminated without prejudice, so that the parties may pursue settlement discussions; that in the event this matter is not resolved through settlement, the motion may be reinstated at the request of Defendants. Signed by Judge Claire C. Cecchi on 12/16/14. (gmd,) (Entered: 12/16/2014)
01/22/2015	35	TEXT ORDER - Telephone Conference set for 1/29/15 at 10:00 a.m. before Magistrate Judge Mark Falk. Plaintiffs counsel shall arrange for and initiate the conference call. Please mark your calendars accordingly. Ordered by Magistrate Judge Mark Falk on 1/22/15.(LM,) (Entered: 01/22/2015)

01/29/2015		Minute Entry for proceedings held before Magistrate Judge Mark Falk: Telephone Conference held on 1/29/2015. (LM,) (Entered: 01/29/2015)
02/11/2015	36 R	Letter from William Dunnegan. (WEISS, RICHARD) (Entered: 02/11/2015)
02/13/2015	37 R	Letter from Defendant's Counsel re 36 R Letter. (COLEMAN, RONALD) (Entered: 02/13/2015)
02/17/2015	38 R	Letter from William Dunnegan re 37 R Letter. (WEISS, RICHARD) (Entered: 02/17/2015)
02/17/2015	39	TEXT ORDER: Telephone Conference set for February 24, 2015 at 3:00 p.m. before Magistrate Judge Mark Falk. Defendant's counsel shall arrange for and initiate the conference call. Please mark your calendars accordingly. Ordered by Magistrate Judge Mark Falk on 2/17/2015.(LM,) (Entered: 02/17/2015)
02/26/2015	40 R	ORDER, (In-Person Status and Settlement Conference set for 3/13/2015 10:00 AM before Magistrate Judge Mark Falk.). Signed by Magistrate Judge Mark Falk on 2/26/2015. (ld,) (Entered: 02/26/2015)
03/13/2015		Minute Entry for proceedings held before Magistrate Judge Mark Falk: Settlement Conference held on 3/13/2015. (LM,) (Entered: 04/07/2015)
04/10/2015	41 R	First MOTION to Enforce Judgment by Sarah Palin, SarahPac. (Attachments: # 1 R Text of Proposed Order Proposed Order Enforcing Settlement Agreement, # 2 Certificate of Service Certificate of Service)(COLEMAN, RONALD) (Entered: 04/10/2015)
04/10/2015	42	Certification on behalf of Sarah Palin, SarahPac Re 41 R Motion to Enforce Judgment. (Attachments: # 1 Brief Memorandum of Law Under Seal) (COLEMAN, RONALD) (Entered: 04/10/2015)
04/14/2015		Set/Reset Deadlines as to 41 R First MOTION to Enforce Judgment . Motion set for 5/4/2015 before Judge Claire C. Cecchi. The motion will be decided on the papers. No appearances required unless notified by the court. (ld,) (Entered: 04/14/2015)
04/14/2015	43	NOTICE of Appearance by RICHARD WEISS on behalf of NORTH JERSEY MEDIA GROUP INC. (WEISS, RICHARD) (Entered: 04/14/2015)
04/16/2015		CLERK'S QUALITY CONTROL MESSAGE - Ronald Coleman has designated as confidential materials and restricted access to the Certification w/attachments docket entry #42 filed on 4/10/15. This document does not appear to be the subject of a motion or order. Please submit a certification stating that this document is to be marked Confidential Material or that this document's access was restricted in error. Please be advised, pursuant to Local Civil Rule 5.3, you must file a motion for leave to have a document sealed. (sr,) (Entered: 04/16/2015)
04/20/2015	44	Certification on behalf of Sarah Palin, SarahPac Re QC - Seal - Restricted Document (non-confidential),, 42 Certification. (COLEMAN, RONALD) (Entered: 04/20/2015)
04/20/2015	45	TEXT ORDER: Defendants have attempted to submit a brief and certification relating to a pending motion under seal, supported only by an attorney

		certification. This is insufficient. If Defendants want the documents to remain under seal, they are directed to file a formal motion, that fully complies with Local Civil Rule 5.3 in all respects, on the next applicable return date. If no fully compliant motion to seal is filed, the Court will issue a further order unsealing the documents. In preparing their papers relating to the motion to seal, defendants are advised that briefs and certifications are not generally sealed in their entirety, and that the least restrictive means available, usually redaction, must be employed. Ordered by Magistrate Judge Mark Falk on 4/20/15. (LM,) (Entered: 04/20/2015)
04/20/2015	46 R	BRIEF in Opposition filed by NORTH JERSEY MEDIA GROUP INC. re 41 R First MOTION to Enforce Judgment (WEISS, RICHARD) (Entered: 04/20/2015)
04/20/2015	47 R	CERTIFICATION in Opposition filed by NORTH JERSEY MEDIA GROUP INC. re 41 R First MOTION to Enforce Judgment (Attachments: # 1 R Exhibit A, # 2 R Exhibit B, # 3 R Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J)(WEISS, RICHARD) (Entered: 04/20/2015)
04/21/2015	48	Letter re 45 Order,,, 44 Certification, QC - Seal - Restricted Document (non-confidential),,. (COLEMAN, RONALD) (Entered: 04/21/2015)