

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

MALIBU MEDIA, LLC	:	Case No.: 1:12-cv-01117-WTL-MJD
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
MICHAEL HARRISON,	:	
	:	
Defendant.	:	

DEFENDANT’S NOTICE OF CORRECTION OF DOCKET #246

Defendant Michael Harrison (“Harrison”), by counsel, files herein his Notice of Correction of Defendant’s Response In Opposition To Plaintiff’s Motion *In Limine* To Preclude Delvan Neville From Testifying At Trial Or On Summary Judgment (“Response in Opposition”) [Dkt. 246], and states as follows:

1. The first sentence of the first paragraph on page 4 of Harrison’s Response in Opposition reads:

Neville conducted “soaks” of mass-doe lawsuit related hashes and soaks specific to Malibu/IPP International U.G. (“IPP”) hashes relevant to this lawsuit. CM/ECF at 4.

2. Harrison inadvertently omitted the remainder of the first sentence of the first paragraph on page 4 from his filing, which should have read:

Neville conducted “soaks” of mass-doe lawsuit related hashes and soaks specific to Malibu/IPP International U.G. (“IPP”) hashes relevant to this lawsuit *for the Electronic Frontier Foundation (“EFF”) as part of a seminar the EFF held for federal judges on Bit Torrent Swarms.*

3. The entirety of Harrison's Response in Opposition inclusive of the foregoing correction is attached hereto as Exhibit A.

4. Counsel for Harrison made Counsel for Plaintiff Malibu Media, LLC ("Malibu") aware of the inadvertent omission by email on October 8, 2014. Exhibit B. Harrison's Counsel sought Counsel for Malibu's informal agreement that a Notice of Correction was the procedurally correct filing to remedy the omission, rather than a Motion for Leave to Amend Harrison's Response in Opposition. Malibu's counsel stated, "I guess it depends on what you want to add. Send me the correction and I will consult with my client and get back to you." Ex. B. Harrison's Counsel, having received no response, emailed Counsel for Malibu again on October 10, 2014 requesting that Malibu's Counsel advise regarding the notice of correction issue. Exhibit C. As of the time of this filing, Harrison's Counsel has yet to receive a response from Counsel for Malibu.

Respectfully Submitted,

/s/ Gabriel J. Quearry

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Attorney for Defendant

Michael Harrison

CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2014, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to the parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Gabriel J. Quearry

Gabriel J. Quearry