

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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UMG RECORDINGS, INC., et al,

05cv1095(DGT)(RML)

Plaintiffs,

-against-

MARIE LINDOR,

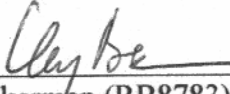
**NOTICE OF MOTION
PURSUANT TO FED. R. CIV. P. 11**

Defendant.
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Upon the annexed declaration of Ray Beckerman, the defendant will move this Court for an order assessing sanctions pursuant to Fed. R. Civ. P. 11, against Holme Roberts & Owen, LLP, Esqs., Robinson & Cole, LLP, Esqs., Timothy M. Reynolds, Esq., Eve G. Burton, Esq., Victor B. Kao, Esq., and upon plaintiffs, based upon their having served a frivolous motion for voluntary dismissal without prejudice and "discovery sanctions", and for such other and further relief as to the Court seems proper.

Dated: New York, New York
October 22, 2008

RAY BECKERMAN, P.C.

By: 
Ray Beckerman (RB8783)
Attorneys for Defendant
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To: Victor B. Kao, Esq.
Robinson & Cole, LLP
28th Floor, 885 Third Avenue
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(Attorneys for Plaintiff)

Timothy M. Reynolds, Esq.
Eve G. Burton, Esq.
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Denver, CO 80203
(303) 861-7000
(Attorneys for Plaintiff)

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DECLARATION

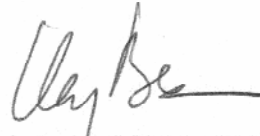
RAY BECKERMAN declares under penalty of perjury:

1. I am the attorney for defendant.
2. On or about September 12, 2008, the respondents served a motion seeking (a) voluntary dismissal without prejudice and (b) "discovery sanctions" (the "Motion").
3. Upon review of the motion it is clear that the motion is frivolous within the meaning of Fed. R. Civ. P. 11, in that (a) it is not based upon any known legal principles, and contradicts the law in many details; (b) the papers are replete with misstatements of fact, amounting to a fraud upon the Court; (c) the papers are replete with slanderous ad hominem attacks having no relevance to any legal issue that is before the Court; and (d) the Motion was made for ulterior motives not within lawful litigation objectives in this case.
4. All of the attorney respondents to the within motion are signatories to the Motion, except for Timothy M. Reynolds, who upon information and belief directly and personally supervised signatory Eve G. Burton in the preparation of the Motion.
5. The undersigned reserves the right to add other possible respondents to this

motion, including an attorney who is located in the District of Columbia who is believed to had a hand in both authorizing and drafting the Motion, but who is not being added or named at this time until it is confirmed that he was involved in said conduct.

WHEREFORE it is respectfully requested that the within motion be in all respects granted.

Dated: Forest Hills, New York
October 22, 2008



RAY BECKERMAN (RB8783)