

**U.S. District Court
Southern District of Illinois (East St. Louis)
CIVIL DOCKET FOR CASE #: 3:13-cv-00207-DRH-SCW**

Prenda Law, Inc. v. Godfread et al
Assigned to: Chief Judge David R. Herndon
Referred to: Magistrate Judge Stephen C. Williams
Case in other court: St. Clair County Circuit Court, 13-L-75
Cause: 28:1441 Petition for Removal Libel,Assault,Slander

Date Filed: 03/01/2013
Date Terminated: 06/06/2013
Jury Demand: None
Nature of Suit: 320 Assault Libel &Slander
Jurisdiction: Diversity

Plaintiff

Prenda Law, Inc.

represented by **Paul A. Duffy**
Prenda Law, Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
312-880-9160
Email: paduffy@wefightpiracy.com
ATTORNEY TO BE NOTICED

V.

Defendant

Paul Godfread

represented by **Erin K. Russell**
The Russell Firm
233 South Wacker Drive
84th Floor
Chicago, IL 60606
312-994-2424
Fax: 212-706-7966
Email: erin@russellfirmchicago.com
ATTORNEY TO BE NOTICED

Jason E Sweet
Booth Sweet LLP
32R Essex Street
Cambridge, MA 02139
617-250-8602
Fax: 617-250-8883
Email: jsweet@boothsweet.com
ATTORNEY TO BE NOTICED

Defendant

Alan Cooper

represented by **Erin K. Russell**
(See above for address)
ATTORNEY TO BE NOTICED

Jason E Sweet
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

John Does 1–10

Defendant

John Doe (DieTrollDie.com)

represented by **Charles Lee Mudd , Jr.**
 Mudd Law Offices
 3114 West Irving Park Road
 Suite 1W
 Chicago, IL 60618
 773–588–5410
 Fax: 773–588–5440
 Email: cmudd@muddlawoffices.com
ATTORNEY TO BE NOTICED

Defendant

John Doe (FightCopyrightTrolls.com)

represented by **Charles Lee Mudd , Jr.**
 (See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Paul Godfread

represented by **Erin K. Russell**
 (See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Alan Cooper

represented by **Erin K. Russell**
 (See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

Prenda Law, Inc.

represented by **Paul A. Duffy**
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/01/2013	<u>1</u>	Case Opened. Filing Fee Due. Documents may now be electronically filed. Case number 13–cv–207–DRH–SCW must be placed on all documents prior to filing them electronically. (Attachments: # <u>1</u> Notice and Consent to Proceed Before Magistrate Judge)(drb) (Entered: 03/01/2013)
03/01/2013	<u>2</u>	NOTICE OF REMOVAL by Alan Cooper, Paul Godfread from Circuit Court for the 20th Judicial Circuit – St. Clair County, case number 12 L 75. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Civil Cover Sheet)(Russell, Erin) (Entered: 03/01/2013)
03/01/2013	<u>1</u>	Filing fee received: \$ 350.00, receipt number 0754–1905843 (drb) (Entered: 03/01/2013)

03/03/2013	<u>3</u>	ORDER re <u>2</u> Notice of Removal filed by Alan Cooper, Paul Godfread. Defendants' notice of removal does not adequately demonstrate diversity of citizenship exists among the parties. "In federal law citizenship means domicile, not residence." America's Best Inns, Inc. v. Best Inns of Abilene, L.P., 980 F.2d 1072, 1074 (7th Cir. 1992) (citing Gilbert v. David, 235 U.S. 561 (1915)). "[R]esidence may or may not demonstrate citizenship, which depends on domicile—that is to say, the state in which a person intends to live over the long run. An allegation of 'residence' is therefore deficient." Heinen v. Northrop Grumman Corp., 671 F.3d 669, 670 (7th Cir. 2012). Thus, defendants are directed to properly allege that diversity of citizenship exists among the parties by April 2, 2013 or this case shall be remanded. Signed by Chief Judge David R. Herndon on 3/3/2013. (mtm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 03/03/2013)
03/04/2013	<u>4</u>	Defendants are directed to properly allege that diversity of citizenship exists among the parties by 4/2/2013. (tkm) (Entered: 03/04/2013)
03/11/2013	<u>4</u>	NOTICE OF REMOVAL by Alan Cooper, Paul Godfread (<i>Amended</i>) from Circuit Court for the Twentieth Judicial Circuit, Circuit Court of St. Clair County, Illinois, case number 13 L 75. (Russell, Erin) (Entered: 03/11/2013)
03/21/2013	<u>5</u>	ANSWER to Complaint, COUNTERCLAIM against Prenda Law, Inc. by Paul Godfread, Alan Cooper. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Russell, Erin) (Entered: 03/21/2013)
03/21/2013	<u>6</u>	CJRA TRACK B assigned: Bench Trial set for presumptive trial month of May, 2014 at 9:00 AM in East St. Louis Courthouse before Chief Judge David R. Herndon. (slj) (Entered: 03/21/2013)
03/26/2013	<u>7</u>	MOTION to Dismiss for Improper Venue and MOTION to Transfer Case by Alan Cooper, Paul Godfread. (Russell, Erin). Modified on 3/27/2013 (drb). (Entered: 03/26/2013)
03/26/2013	<u>8</u>	MEMORANDUM in Support re <u>7</u> MOTION to Transfer Case filed by Alan Cooper, Paul Godfread. (Russell, Erin) (Entered: 03/26/2013)
03/27/2013	<u>9</u>	NOTICE of Scheduling and Discovery Conference: Scheduling/Discovery Conference set for 4/17/2013 10:00 AM via Telephone Conference before Magistrate Judge Stephen C. Williams. (amv) (Entered: 03/27/2013)
03/27/2013	<u>10</u>	NOTICE OF ERRORS AND/OR DEFICIENCIES re <u>7</u> Motion to Transfer Case, Motion to Dismiss filed by Alan Cooper, Paul Godfread. This document is a two-part motion and only one motion was selected by filer. Clerk has corrected entry to reflect same and added both motions to docket entry. No action required by filer. (drb) (Entered: 03/27/2013)
04/09/2013	<u>11</u>	ORDER DIRECTING Prenda Law, Inc., to file its Rule 7.1 disclosure statement by April 16, 2013. Signed by Chief Judge David R. Herndon on 4/9/2013. (mtm)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/09/2013)
04/10/2013	<u>11</u>	Set/Reset Deadlines: Rule 7.1 Disclosure Statement due by 4/16/2013. (tkm) (Entered: 04/10/2013)
04/10/2013	<u>12</u>	MOTION to Remand to State Court by Prenda Law, Inc.. Responses due by 5/13/2013 (Attachments: # <u>1</u> Exhibit Amended Complaint Filed in St. Clair County, # <u>2</u> Exhibit Minnesota Secretary of State Filing for Plaintiff, Alpha Law Firm, # <u>3</u> Exhibit Correspondence)(Duffy, Paul) (Entered: 04/10/2013)
04/11/2013	<u>13</u>	MOTION to Dismiss for Failure to State a Claim by Prenda Law, Inc.. Responses due by 5/16/2013 (Duffy, Paul) (Entered: 04/11/2013)

04/16/2013	<u>14</u>	MOTION to Appear Pro Hac Vice by Attorney Jason E Sweet \$100 fee paid, receipt number 0754-1946360 by on behalf of Alan Cooper, Paul Godfread. (Sweet, Jason) (Entered: 04/16/2013)
04/16/2013	<u>15</u>	MOTION to Dismiss <i>pursuant to MN Anti-SLAPP statute</i> by Alan Cooper, Paul Godfread. Responses due by 5/20/2013 (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K)(Sweet, Jason) (Entered: 04/16/2013)
04/16/2013	<u>16</u>	NOTICE of Appearance by Charles Lee Mudd, Jr on behalf of John Doe (DieTrollDie.com), John Doe (FightCopyrightTrolls.com) (Mudd, Charles) (Entered: 04/16/2013)
04/17/2013	<u>17</u>	ORDER granting <u>14</u> Motion to Appear Pro Hac Vice as to Attorney Jason E. Sweet on behalf of Paul Godfread and Alan Cooper on 4/17/13. (drb) (Entered: 04/17/2013)
04/17/2013	<u>18</u>	Corporate Disclosure Statement by Prenda Law, Inc.. (Duffy, Paul) (Entered: 04/17/2013)
04/17/2013	<u>19</u>	Minute Entry for proceedings held before Magistrate Judge Stephen C. Williams: Scheduling and Discovery Hearing not held on 4/17/2013. Plaintiff fails to appear. Erin Russell for Defendants Godfread & Cooper. Charles Mudd for two John Does. Parties have not met and conferred re: proposed scheduling order. Court notifies the parties that any request for a stay in discovery must be done by formal motion. Case reset for telephone scheduling conference on 4/25/13 at 11:00 a.m. (Court Reporter n/a.) (amv) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/17/2013)
04/17/2013	<u>20</u>	NOTICE of Scheduling and Discovery Conference: Scheduling/Discovery Conference set for 4/25/2013 11:00 AM via Telephone Conference before Magistrate Judge Stephen C. Williams. The parties shall submit a joint report as soon as possible. Instructions for placing the conference call are as follows: Call toll free 888-684-8852 ; when prompted enter Access Code 6049846 ; and when prompted enter Security Code 9467 . (amv) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/17/2013)
04/24/2013	<u>21</u>	MOTION to Stay <i>Discovery Pending Resolution of Defendants' Motions to Dismiss</i> by Alan Cooper, Paul Godfread. (Russell, Erin) (Entered: 04/24/2013)
04/24/2013	<u>I</u>	Due to the recently filed Motion to Stay, the Court continues the Scheduling/Discovery Conference set for 4/25/13 to 5/15/2013 at 3:00 PM via Telephone Conference before Magistrate Judge Stephen C. Williams. Instructions for placing the conference call are as follows: Call toll free 888-684-8852 ; when prompted enter Access Code 6049846 ; and when prompted enter Security Code 9467 . The parties shall submit a joint report, if not previously submitted no later than 5/8/13. (amv) (Entered: 04/24/2013)
04/25/2013	<u>22</u>	ORDER granting <u>21</u> Motion to Stay. After consultation with the District Judge, discovery is stayed pending the resolution of Defendants' Motion to Dismiss pursuant to the Minnesota Anti-SLAPP Act and Defendants' Motion to Transfer or Dismiss for Improper Venue. Signed by Magistrate Judge Stephen C. Williams on 04/25/2013. (jcp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/25/2013)
04/29/2013	<u>23</u>	NOTICE OF CANCELLATION of Hearing: This case has been stayed pending the resolution of the motion to dismiss. The scheduling and discovery conference set 5/15/13 at 3:00 pm before Magistrate Judge Williams is cancelled to be reset upon the stay being lifted. The parties shall notify the Court when the stay is lifted. (amv)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/29/2013)
05/10/2013	<u>24</u>	RESPONSE in Opposition re <u>12</u> MOTION to Remand to State Court filed by Alan Cooper, Paul Godfread. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u>

Exhibit Exhibit D, #5 Exhibit Exhibit E, #6 Exhibit Exhibit F, #7 Exhibit Exhibit G, #8 Exhibit Exhibit H, #9 Exhibit Exhibit I)(Russell, Erin) (Entered: 05/10/2013)

05/10/2013	<u>25</u>	RESPONSE in Opposition re <u>13</u> MOTION to Dismiss for Failure to State a Claim filed by Alan Cooper, Paul Godfread. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Sweet, Jason) (Entered: 05/10/2013)
05/20/2013	<u>26</u>	MEMORANDUM in Opposition re <u>15</u> MOTION to Dismiss <i>pursuant to MN Anti-SLAPP statute</i> filed by Prenda Law, Inc.. (Duffy, Paul) (Entered: 05/20/2013)
05/28/2013	<u>27</u>	REPLY to Response to Motion re <u>15</u> MOTION to Dismiss <i>pursuant to MN Anti-SLAPP statute</i> filed by Alan Cooper, Paul Godfread. (Sweet, Jason) (Entered: 05/28/2013)
05/30/2013	<u>28</u>	NOTICE OF ERRORS AND/OR DEFICIENCIES re <u>27</u> Reply to Response to Motion filed by Alan Cooper, Paul Godfread. See attached document for specifics. This notice is for informational purposes only. (cjo) (Entered: 05/30/2013)
06/06/2013	<u>29</u>	ORDER TRANSFERRING CASE TO OTHER DISTRICT: Case transferred to Northern District of Illinois, Eastern Division, granting <u>7</u> MOTION to Transfer Case MOTION to Dismiss filed by Alan Cooper, Paul Godfread, and denying <u>12</u> MOTION to Remand to State Court filed by Prenda Law, Inc. Signed by Chief Judge David R. Herndon on 6/6/2013. (mtm) (Entered: 06/06/2013)