

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

DEC 24 2003

JAMES W. MCCOY, CLERK
By: **PLAINTIFF**
DEP. CLERK

MICHAEL GALSTER

VS.

NO. 4:03-CV-01013

KELLY DUDA

DEFENDANT

PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

Comes now the plaintiff, by and through his attorney Joseph W. Woodson, Jr., and request this Court issue a preliminary injunction and states the following:

1. The Plaintiff has filed an Original Complaint alleging permanent and irreparable harm to the Plaintiff in violation of his rights as an author under 17 U.S.C. §106A.
2. The Defendant has wrongfully and illegally taken possession of the documentary film "Factor Eight" and intends to publicly display this film at the Slam Dance Film Festival in Park City, Utah on or about January 14, 2004.
3. The film "Factor Eight" is a distortion and modification of the plaintiff's work in direct violation of 17 U.S.C. §106A(a)(3)(A).
4. Any public dissemination of this work in its current form, including its scheduled showing on or about January 14, 2004 at the Slam Dance Film Festival in Park City, Utah, would bring prejudicial and irreparable harm to the plaintiff's honor and reputation.

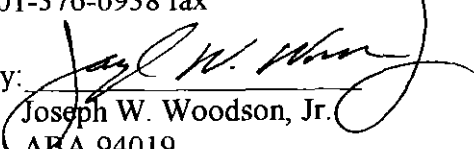
WHEREFORE, PREMISES CONSIDERED, Plaintiff moves this Court to grant an expedited hearing and preliminary injunction against the Defendant to prevent the showing of the documentary film "Factor Eight" at any public forum, including the scheduled showing at the Slam Dance Film Festival in Park City, Utah on or about January 14, 2004, until such time as the parties may have a trial on the merits.

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Respectfully Submitted,

Joseph W. Woodson, Jr.
Attorney at Law, PLLC
400 West Capitol, Suite 2990
Little Rock, Arkansas 72201
501-376-3564
501-376-6938 fax

By:


Joseph W. Woodson, Jr.
ABA 94019

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion and brief were served this 24th day of December, 2003 on the Defendant at 500 East 6th Street, Apartment 6, Little Rock, Arkansas 72202 via first class mail, certified mail return receipt requested, and via authorized process server pursuant to the Rule 4 of the Arkansas Rules of Civil Procedure.


Joseph W. Woodson, Jr.