

EASTERN DISTRICT OF ARKANSAS

NOV 03 2004

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

JAMES W. MCCOY, CLERK
TITLE

MICHAEL GALSTER,

PLAINTIFF

VS.

CASE NO.: 4:03CV01013 GTE

KELLY DUDA,

DEFENDANT


MOTION FOR RELEASE OF LITIGATION MATERIALS

Comes now the Defendant Kelley Duda, by and through his attorney Robert R. Cortinez II, and for his Motion for Release of All Materials Held by Defendant's Previous Attorney would state:

1. That the previous Order of this court Kelley Duda's, the Defendant herein, previous attorneys were ordered to safeguard and keep all "Factor 8" source tapes, transcripts, and materials provided by the Defendant, Kelley Duda until further order of this court.
2. That Defendant hereby moves the court to allow said property currently held by Steve Smith, former attorney for the Defendant, Kelley Duda, to AV Arkansas for safekeeping and for inspection purposes.
3. That Defendant will instruct AV Arkansas to catalog and inventory all materials.
4. That Defendant's current counsel has conferred with attorney Steve Smith and attorney Smith states that he has all safeguarded property and will transfer over to Defendant upon court order.
5. That representatives from AV Arkansas are willing to store such property until resolution of this claim.

6. Defendant has attempted to contact Plaintiff's attorney, Joseph Woodson Jr., and at the time of the filing of this Motion has been unable to contact said attorney for purposes of this motion.

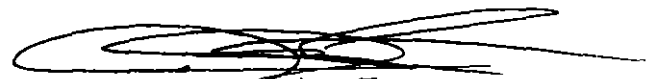
WHEREFORE, Defendant prays that his Motion be granted and for all other just and proper relief.

By: 
Robert R. Cortinez II
Attorney for Defendant
P.O. Box 217
Little Rock, AR 72203
501-372-6000

CERTIFICATE OF SERVICE

I, Robert R. Cortinez II, do hereby state that on this 14th day of November, 2004, a copy of the foregoing pleading was furnished, via US Mail, postage prepaid, upon the following:

Mr. Joseph Walker Woodson, Jr.
Whetstone Law Firm
Regions Center
400 West Capitol, Suite 2990
Little Rock, AR 72201


Robert R. Cortinez II