

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM ROGER DEAN,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	13-CV-4479
	:	
JAMES CAMERON, TWENTIETH	:	Furman, J.
CENTURY FOX FILM CORPORATION,	:	
TWENTIETH CENTURY FOX HOME	:	
ENTERTAINMENT and LIGHTSTORM	:	
ENTERTAINMENT,	:	
	:	
Defendants.	:	
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NOTICE OF MOTION TO DISMISS PLAINTIFF’S AMENDED COMPLAINT

PLEASE TAKE NOTICE that, upon the Defendants’ Memorandum of Law dated November 14, 2013, the Declaration of Jonathan Zavin dated November 14, 2013 and exhibits thereto, all prior proceedings herein, and all matters of which the Court may take judicial notice, Defendants James Cameron, Twentieth Century Fox Film Corporation, Twentieth Century Fox Home Entertainment and Lightstorm Entertainment, Inc. (collectively, “Defendants”) will move this Court, before the Hon. Jesse M. Furman, at the United States Courthouse located at 40 Foley Square, New York, NY 10007, for an Order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing Plaintiff William Roger Dean’s (“Plaintiff”) Amended Complaint with prejudice, in its entirety, including the Amended Complaint’s claims of copyright infringement with respect to each of the following works:

- i. The 1st of April;
- ii. Floating Islands;
- iii. Stairway to Heaven;

- iv. Arches Mist;
- v. Red Dragon Landscape;
- vi. Aftermath;
- vii. The Guardians;
- viii. Ascension City;
- ix. Pathways (Yessongs);
- x. Floating Jungle sketch and painting;
- xi. Morning Dragon;
- xii. Magician's Birthday;
- xiii. Festival logos from Northeastern Art Rock Festival and appearing in the book
Dragon's Dream at page 77; and
- xiv. Yes Dragonfly Logo;

together with such other and further relief as the Court may deem just and proper.

Dated: New York, New York
November 14, 2013

LOEB & LOEB LLP

By: /s/ Jonathan Zavin .
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Attorneys for Defendants