

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

SUNTRUST BANK as Trustee of	)	
the Stephens Mitchell Trusts f/b/o Eugene	)	
Muse Mitchell and Joseph Reynolds Mitchell	)	
	)	Civil Action File
Plaintiff,	)	No. 1:01 CV-701-CAP
	)	
v.	)	
	)	
HOUGHTON MIFFLIN COMPANY,	)	
	)	
Defendant.	)	
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**MEMORANDUM IN SUPPORT OF DEFENDANT'S  
MOTION FOR LEAVE TO FILE  
BRIEF IN EXCESS OF TWENTY-FIVE PAGES**

Pursuant to L.R. 7.1(D) N.D. Ga., Defendant Houghton Mifflin Company (hereinafter "Defendant") has moved for leave of Court to file its 37 page long "Response in Opposition to Plaintiff's Motion for a Temporary Restraining Order and Preliminary Injunction" (the "Response") in excess of twenty-five pages.

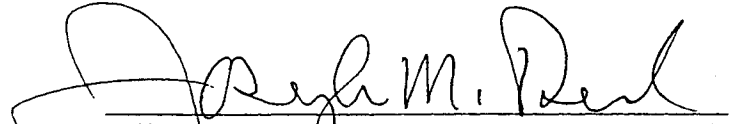
Defendant's Response should be permitted to be filed in excess of twenty-five pages. The Response opposes Plaintiff's attempt to prevent the publication of *The Wind Done Gone* on the basis that it infringes Plaintiff's copyright and trademark rights in *Gone With The Wind*. Because of the detailed comparison of the two works necessary to rebut Plaintiff's contentions, Defendant's Response exceeds the Court's 25 page limit.

Plaintiff also requested leave to file its 36 page-long brief. Defendant does not object to this request.

CONCLUSION

For the foregoing reasons, Defendant requests that its Motion for Leave to File a Brief in Excess of Twenty-Five Pages be granted.

DATED this 28<sup>th</sup> day of March, 2001.



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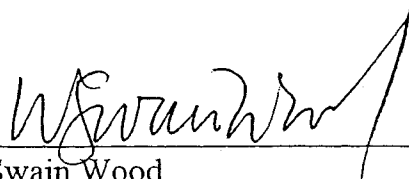
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Plaintiff,	)	No. 1:01 CV-701-CAP
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v.	)	
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HOUGHTON MIFFLIN COMPANY,	)	
	)	
Defendant.	)	
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**CERTIFICATE OF SERVICE**

This is to certify that I have this 28<sup>th</sup> day of March, 2001, caused a true and correct copy of the **MEMORANDUM IN SUPPORT OF DEFENDANT'S MOTION FOR LEAVE TO FILE BRIEF IN EXCESS OF TWENTY-FIVE PAGES** to be hand-delivered, addressed to counsel for Plaintiff as follows:

William B. B. Smith  
Ralph R. Morrison  
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\_\_\_\_\_  
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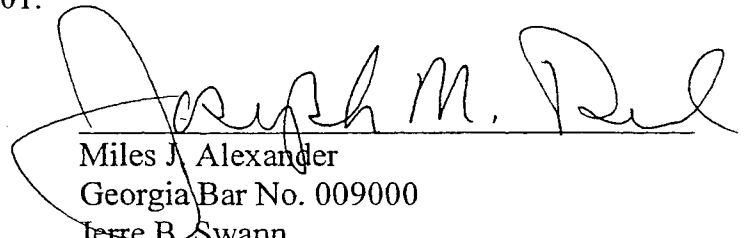
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Civil Action File  
No. 1:01 CV-701-CAP

**DEFENDANT HOUGHTON MIFFLIN CO.’S MOTION FOR  
LEAVE TO FILE BRIEF IN EXCESS OF TWENTY-FIVE PAGES**

Pursuant to L.R. 7.1(D) N.D. Ga., Defendant Houghton Mifflin Company (hereinafter “Defendant”) hereby moves the Court to permit it to file its 37 page long “Response in Opposition to Plaintiff’s Motion for a Temporary Restraining Order and Preliminary Injunction.” The reasons for Defendant’s motion are explained in the attached “Memorandum in Support of Defendant’s Motion for Leave to File Brief in Excess of Twenty-Five Pages,” filed herewith. A proposed order is attached hereto as Exhibit A.

DATED this 28<sup>th</sup> day of March, 2001.

A handwritten signature in black ink, appearing to read "Joseph M. Beck", is written over a horizontal line. The signature is fluid and cursive.

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