

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Righthaven LLC,

Plaintiff,

v.

Dana Eiser,

Defendant.

Civil Action No. 2:10-CV-3075-RMG

**DEFENDANT'S ANSWERS
TO LOCAL CIVIL RULE
26.01 INTERROGATORIES**

Defendant Dana Eiser provides the following responses to the Local Civil Rule 26.01 Interrogatories.

LOCAL RULE 26.01 INTERROGATORIES

INTERROGATORY 26.01(A)

State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

RESPONSE

None.

INTERROGATORY 26.01(B)

As to each claim, state whether it should be tried jury or nonjury and why.

RESPONSE

Plaintiff has requested a jury trial. To the extent facts remain in dispute, Defendant does not object to Plaintiff's jury trial demand. Defendant intends to amend

her Answer and Counterclaim to assert further counterclaims and possibly third party claims for which a jury trial demand will be made in whole or in part.

INTERROGATORY 26.01(C)

State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

RESPONSE

Defendant is a natural person.

INTERROGATORY 26.01(D)

State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

RESPONSE

Defendant does not challenge the appropriateness of the division.

INTERROGATORY 26.01(E)

Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal?

RESPONSE

No.

INTERROGATORY 26.01(F)

If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

RESPONSE

“Dana Eiser” is Defendant’s accurate name.

INTERROGATORY 26.01(G)

If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

RESPONSE

Defendant’s contention is that no party is liable to the Plaintiff arising from the claims in the Complaint. Defendant contends that Plaintiff and possibly others will be liable to Defendant. One basis of such liability presently appears in the Answer and Counterclaim, which is incorporated herein by reference. Defendant intends to assert an Amended Answer and Counterclaim, possibly including a Third-Party Complaint, further describing the facts and circumstances by which Plaintiff and possibly other entities will be liable to Defendant. Defendant intends such amended pleading(s) to be incorporated herein by reference upon filing.

s/J. Todd Kincannon

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February 15, 2011

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