

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
JONATHAN MONSARRAT,)	
)	
<i>Plaintiff,</i>)	
)	CIVIL ACTION NO. 17-cv-10356-PBS
v.)	
)	
BRIAN ZAIGER dba)	
ENCYCLOPEDIADRAMATICA.SE,)	
)	
)	
<i>Defendant.</i>)	
_____)	

**PLAINTIFF’S NOTICE OF ERRATA re: PLAINTIFF’S STATEMENT
PURSUANT TO LOCAL RULE 16.1(D)**

Plaintiff Jonathan Monsarrat submits this Notice of Errata concerning an error in his Local Rule 16.1(D) Statement (ECF# 33) filed earlier today. Specifically, on page 4, Section II. A, the first sentence of the fourth paragraph mistakenly identifies the plaintiff Monsarrat as the defendant Zaiger. The sentence with the misidentification highlighted in yellow bold states:

So too resolution of **Monsarrat**’s ability to meet his burden of production on his counterclaim (including his counsel’s contentions about application of *Lenz v. Universal Music Publishing Inc.*, 815 F. 3d 1145 (9th Cir. 2016)), his fair use defense (including counsel’s contentions about application of *Righthaven, LLC v. Hoehn*, 792 F. Supp. 2d 1138 (D. Nevada 2011) aff’d in part and vacated in part, 716 F. 3d 1166 (9th Cir.)) and his affirmative defenses, while perhaps not crucial to a successful mediation, Monsarrat contends, can be promptly briefed and determined in relatively short order.

The corrected first line with the correction highlighted is:

So too resolution of **Zaiger**’s ability to meet his burden of production on his

Respectfully submitted this 11th day of July, 2017.

JONATHAN MONSARRAT,
Plaintiff,

By his attorney,

ss/Richard A. Goren

Richard A. Goren, Esq. BBO #203700

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on July 11, 2017.

ss/Richard A. Goren