

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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SHIVA AYYADURAI, an individual,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 17-cv-10011-FDS
)	
FLOOR64, INC., a California corporation)	
d/b/a TECHDIRT; MICHAEL DAVID)	
MASNICK, an individual; LEIGH)	
BEADON, an individual; and DOES 1-20,)	
)	
Defendants.)	
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**UNOPPOSED MOTION FOR LEAVE TO FILE REPLY
IN SUPPORT OF MOTIONS TO DISMISS AND TO STRIKE**

Pursuant to Local Rule 7.1(b)(3), Defendants Floor64, Inc. (“Floor64”), Michael Masnick (“Masnick”), and Leigh Beadon (“Beadon”) (collectively “Defendants”) respectfully move for leave to file a reply, 16 pages in length, in support of: (1) the Motion to Dismiss of Floor64 and Masnick pursuant to Fed. R. Civ. P. 12(b)(5) and 12(b)(6) (Doc. No. 11), (2) the Special Motion to Strike of Floor64 and Masnick pursuant to the California Anti-SLAPP law (Doc. No. 14), (3) Beadon’s Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) (Doc. No. 27), and (4) Beadon’s Special Motion to Strike pursuant to the California Anti-SLAPP law (Doc. No. 26) (collectively “Defendants’ Motions”). A copy of the proposed reply brief is attached hereto as **Exhibit 1**. Plaintiff does not oppose the relief sought in this motion.

Defendants’ Motions address complex and weighty legal issues pertaining to the First Amendment right to offer opinions on matters of public interest, as well as the application of choice of law principles to special motions to strike pursuant to state anti-SLAPP laws, the scope of the immunity afforded by Section 230 of the Communications Decency Act, 47 U.S.C. § 230,

and the required showing of “actual malice” in a libel case. A reply will be of assistance to the Court in deciding these important legal issues.

The hearing on Defendants’ Motions is scheduled to occur on April 20, 2017. This Court, therefore, will have ample time to review the reply in advance of the hearing.

WHEREFORE, Defendants request leave to file the proposed reply attached hereto as **Exhibit 1**.

FLOOR64, INC., MICHAEL MASNICK, and
LEIGH BEADON,

By their attorneys,

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Dated: April 13, 2017

CERTIFICATE OF SERVICE

I hereby certify that the within document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and by first class mail to any non-registered participants.

/s/ Robert A. Bertsche
Robert A. Bertsche