

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ELLORA’S CAVE PUBLISHING, INC., et al)	CASE NO.: 5:14-CV-2331
)	
Plaintiffs,)	JUDGE JOHN R. ADAMS
)	
vs.)	
)	
DEAR AUTHOR MEDIA NETWORK, LLC et al.)	<u>INITIAL DISCLOSURES OF</u>
)	<u>PLAINTIFFS</u>
Defendants.)	
)	

Plaintiffs, Ellora’s Cave Publishing, Inc. and Jasmine-Jade Enterprises, LLC, provide the following disclosures required by Fed. R. Civ. P. 26(a)(1):

I. Individuals likely to have discoverable information:

Based on information known to Plaintiffs at this time, the following individuals are likely to have discoverable information that may be used to support their claims:

1. Patty Marks

Patty Marks is the CEO of Ellora’s Cave and has knowledge regarding the statements made in the blog published by Defendants. She also has knowledge of the payment schedule of authors, editors, and cover artists affiliated with Ellora’s Cave.

2. Tina Engler

Tina Engler is the Founder of Ellora's Cave and has knowledge regarding some of the claims made in the defamatory article.

3. Courtney Thomas

Courtney Thomas is the Chief Financial Officer of Ellora's Cave and has information regarding payment schedules of authors, editors, and cover artists affiliated with Ellora's Cave.

4. Jennifer Gerrish-Lampe

Ms. Gerrish-Lampe has knowledge of the preparation and publication of the article that forms the basis of this litigation, the methods by which she researched the article prior to publication, and the reliability of her sources.

5. Raylene Gorlinsky

Raylene Gorlinsky is the Publisher of Ellora's Cave and has knowledge pertaining to the payment schedules of authors, editors, and cover artists affiliated with Ellora's Cave.

Plaintiffs expressly reserve the right to amend and/or supplement these responses with the names and addresses of additional witnesses, whose identities Plaintiffs may discover as the case proceeds to trial.

II. Documents:

The followings categories of documents are, or may be used, to support its claims against Defendants:

1. Correspondence received from sources regarding work and pay conditions at Ellora's Cave;
2. Documents contradicting Ms. Gerrish-Lampe's article.
3. Documents related to royalty statements and payments made to authors, editors, and cover artists affiliated with Ellora's Cave.

Plaintiffs expressly reserve the right to amend and/or supplement the foregoing disclosure of documents with other categories of documents and data in Plaintiffs' possession or that may be revealed during the course of discovery.

III. Calculation of Claimed Damages:

Plaintiffs have lost sales estimated at \$50,000.00. In addition, Plaintiffs have incalculable losses in authors who did not sign with Ellora's Cave due to the defamatory comments in the Defendant's blog. Plaintiffs reserve the right to amend and/or supplement the claimed damages at a later date.

IV. Names of all Potential Witnesses and Individuals who have Previously Provided Statements:

1. Briana Lambert, former author with Ellora's Cave
2. Dee Scheffler, former author with Ellora's Cave
3. Roslyn Holcomb, former author with Ellora's Cave
4. Julie Naughton, former editor with Ellora's Cave
5. Mary Harris, former editor with Ellora's Cave

V. Names and Expert Witnesses at Trial:

Plaintiffs reserve the right to identify expert witnesses as the discovery in this case continues.

Respectfully submitted,

NIEKAMP, WEISENSELL, MUTERSBAUGH, &
MASTRANTONIO, LLP

/s/ Steven W. Mastrantonio

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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of January, 2015 a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Steven W. Mastrantonio

Steven W. Mastrantonio

Counsel for Plaintiffs