

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LESLIE S. KLINGER, an individual,)	
)	
Plaintiff,)	
)	Case No.: 1:13-cv-01226
v.)	
)	Judge: The Hon. Ruben Castillo
CONAN DOYLE ESTATE, LTD, a business)	
entity organized under the laws of the United)	Magistrate Judge: The Hon. Sheila
Kingdom,)	Finnegan
)	
Defendant.)	
)	
)	
)	

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT PURSUANT TO FRCP 56

Plaintiff LESLIE S. KLINGER (“Plaintiff”), by and through his attorneys, Scott M. Gilbert and Kourtney A. Mulcahy of Hinshaw & Culbertson LLP, states the following as its Motion for Summary Judgment, made pursuant to Federal Rule of Civil Procedure 56:

1. Plaintiff Leslie S. Klinger filed a Complaint for Declaratory Judgment on February 14, 2013. (Dkt. 1). The Complaint sought a judicial determination and order declaring that the copyright had expired on certain works and story elements related to Sherlock Holmes, therefore placing them within the public domain.

2. The Defendant accepted service of process, but failed to file any form of responsive pleading.

3. On June 25, 2013, the Court entered a default order against the Defendant and granted the Plaintiff leave to file a motion for summary judgment or a motion for default. (Dkt. 10).

4. There are no genuine issues of material fact at issue that would prevent this Court from granting summary judgment to the Plaintiff. Judgment as a matter of law is therefore appropriate.

5. Plaintiff is filing a Statement of Material Facts and a Memorandum of Law in support of this motion pursuant to Rule 56.1, both of which are incorporated herein by reference.

WHEREFORE, the Plaintiff Leslie S. Klinger, respectfully requests judgment in its favor and against the Defendant, and that this Honorable Court enter an order granting any and all relief sought in relation to his claim. The Plaintiff further requests that this Court grant to him his attorney's fees and costs and any other relief as deemed fit and just.

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Respectfully Submitted,
Leslie S. Klinger

By: /s/Scott M. Gilbert
One of Defendant's Attorneys

CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2013, I electronically filed the attached **PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT** with the Clerk of the Court using the CM/ECF system, and sent by U.S. Mail such filing(s) to the following:

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/s/Scott M. Gilbert
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