

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK (SYRACUSE)

JAMES BASS,

Plaintiff,

- against -

SYRACUSE UNIVERSITY,

Defendant.

Case No.: 5:19-CV-566-TJM-ATB

NOTICE OF MOTION
FOR PARTIAL SUMMARY
JUDGMENT IN FAVOR OF
PLAINTIFF

PLEASE TAKE NOTICE that, upon the annexed declarations of James Bass, dated May 29, 2020; Donna Halperin, dated May 29, 2020; and the exhibits attached thereto; the annexed statement pursuant to Local Rule (“L.R.”) 7.1(a)(3) of the United States District Court for the Northern District of New York of material facts as to which there is no genuine issue to be tried; the memorandum of law in support thereof; and the pleadings and prior proceedings herein, Plaintiff James Bass (“Plaintiff”) will move the Court, before the Honorable Senior Judge Thomas J. McAvoy (U.S.D.J.), at the United States District Court, Northern District of New York, 100 S. Clinton St., Syracuse, NY 13261, on June 29, 2020, at a time to be determined by the Court, for an Order granting partial summary judgment pursuant to Rule 56(a) of the Federal Rules of Civil Procedure in Plaintiff’s favor on the issue of liability for copyright infringement (Count I of the Complaint) against Defendant Syracuse University (“Defendant”) and for the summary dismissal as a matter of law of Defendant’s affirmative defenses of failure to state a claim, license, waiver, laches, equitable estoppel and ratification; and for such further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to L.R. 7.1(b), Defendant shall serve its response to this motion by no later than June 12, 2020; and Plaintiff shall serve his reply by no later than June 18, 2020; and

Dated: May 29, 2020
Valley Stream, New York

Respectfully submitted,

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