

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

AARON GREENSPAN,

Plaintiff,

v.

**RANDOM HOUSE, INC.; MEZCO, INC.;
BENJAMIN MEZRICH; COLUMBIA
PICTURES INDUSTRIES, INC. a/k/a SONY
PICTURES a/k/a COLUMBIA TRISTAR
MOTION PICTURE GROUP,**

Defendants.

Case No.: 1:11-cv-12000-RBC

MOTION FOR LEAVE TO FILE FIRST AMDENDED COMPLAINT

Pursuant to Fed. R. Civ. P. Rule 15, plaintiff Aaron Greenspan respectfully moves for leave to file his First Amended Complaint. Attached hereto as Exhibit A is a copy of Plaintiff's [Proposed] First Amended Complaint. Due to the large number of changes, Plaintiff will additionally make a digital redlined copy of the [Proposed] First Amended Complaint available to both Defendants and the Court. Defendants' counsel have indicated Defendants' respective declinations of assent to this Motion.

Plaintiff's First Amended Complaint seeks to:

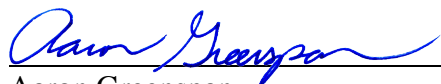
1. Add Tonya Mezrich as a defendant based upon information discovered subsequent to the combined scheduling conference and oral argument hearing held on February 16, 2012;

2. Specify additional new evidence of wrongdoing discovered since the February 16, 2012 hearing;
3. Amend allegations pertaining to copyright infringement;
4. Clarify Plaintiff's argument regarding defamation in the context of the "of and concerning" standard discussed in prior motions and memoranda thereto, by amending language of the allegations and by specifying additional facts;
5. Clarify allegations concerning Defendants' advertorial practices;
6. Clarify allegations concerning Defendants' unfair competition practices;
7. Augment the schedule of errors and omissions in *The Accidental Billionaires*;
8. Include self-authenticating exhibits in support of the facts alleged in the complaint;
9. Narrow claims related to false advertising to exclude Defendant Sony Pictures;
10. Add claims involving Defendants' acts of extortion and violations of the RICO Act.

Plaintiff does not believe that these amendments will in any way disrupt the recently agreed-upon trial schedule, and they should further narrow the scope of discovery, reducing unnecessary burden for both sides.

WHEREFORE, for all of the foregoing reasons, Plaintiff respectfully requests that this Court grant its Motion for Leave to file his First Amended Complaint.

Respectfully submitted this 20th day of February, 2012.



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LOCAL RULE 7.1 CERTIFICATE


Plaintiff Aaron Greenspan hereby certifies that he has conferred with counsel for defendants Random House, Inc., Mezco, Inc., and Benjamin Mezrich, and Columbia Pictures Industries, Inc., regarding the within motion, and that they have indicated that they do not assent to the relief sought in this motion.



Aaron Greenspan

CERTIFICATE OF SERVICE

I, Aaron Greenspan, 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) and paper copies will be sent to those indicated as non-registered participants.

By 

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EXHIBIT A
[Proposed] First Amended Complaint