

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

AF HOLDINGS, LLC	:	
	:	
Plaintiff,	:	
	:	Civil Action No.
v.	:	2:12-cv-00262-WCO
	:	
RAJESH PATEL,	:	
	:	
Defendant.	:	

Defendant’s Notice of Request for Judicial Notice

COMES NOW, Rajesh Patel, by and through counsel, filing this

Defendant’s Notice of Request for Judicial Notice:

Summary

Defendant previously sought judicial notice of multiple court orders in this action. [See e.g. ECF #37 & 38]. On July 25, 2013, the Court took judicial notice of certain facts but also strongly advised Defendant that if he sought further judicial notice of documents to: (1) specifically identify the fact of which he is requesting judicial notice, (2) ensure that the “necessary information” is submitted, and (3) to only request judicial notice of facts that are “not subject to reasonable dispute.” [ECF # 45, page 16]. Pursuant to Fed. R. Evid. 201, Defendant requests that the court take judicial notice of the following “judicial acts” that they represent regarding the authenticity of the purported assignment agreement for “Popular

Demand” and whether issue preclusion applies. *See United States v. Jones*, 29 F.3d 1549, 1553 (11th Cir. 1994):

- *Ingenuity 13 LLC v. John Doe*, CACD, 2:12-cv-8333-ODW, ECF #130 (Wright, J).
- *AF Holdings LLC v. Joe Navasca*, CAND, 12-2396, ECF #116 (Vadas, Magistrate)
 - *Report and Recommendation adopted*, ECF #120 (Chen, J.)
(adding – “the Court notes that it need not rely on any findings by Judge Wright as there is a basis to make the same findings in this case based on the evidence of record in this case.”).
- *AF Holdings, LLC v. Sandipan Chowdhury*, MAD, 1:12-cv-12105, ECF #34 & ECF #43.

Defendant requests judicial notice of the fact that Magistrate Noel in Minnesota found that Plaintiff failed to satisfy its burden that the copyright assignment agreement for “Popular Demand” is authentic but that Judge Erickson stayed its order pending an objection to the Magistrate’s order.

- *AF Holdings, LLC v. John Doe(s)*, DMinn., 12-cv-1445, ECF #67 (Noel) & #73 (Erickson).

Defendant asks the court to take judicial notice of ECF #106-8 *AF Holdings*

LLC v. Joe Navasca, CAND, 12-2396, an affidavit by Plaintiff's counsel to the extent that the statements were made by Plaintiff's counsel. All relevant documents have been attached to this request.

Respectfully submitted January 28, 2014:

/s/ Blair Chintella
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	:	
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Certificate of Service

I hereby certify that on January 28, 2014, I filed the **Notice of Defendant’s Request for Judicial Notice** using the Court’s CM/ECF system, which will e-mail a copy to the following attorneys’ of record:

Jacques Nazaire (for Plaintiff)
Michael Goldman (for non-party Comcast)

Dated January 28, 2014:

Respectfully Submitted:

 /s/ Blair Chintella
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