

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JUDY KOPFF, et al.,

Plaintiffs,

v.

ROBERT BATTAGLIA, et al.,

Defendants.

Civil Action No. 05-798 (JDB)

ORDER

Upon consideration of the motions pending in this civil action and the entire record herein, and for the reasons stated in the memorandum opinion issued on this date, it is this 29th day of March, 2006, hereby

ORDERED that the claims against defendants Jeffrey Dupree, Frank Frappier, Joseph A. Garson, Kevin Katz, Erwin Dass, Doug Keller, Matt Clemente, Chris Ricca, Global Communications Consulting Corp., and Florida Reservations, Inc., are **DISMISSED** without prejudice for want of prosecution, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure; it is further

ORDERED that [6] defendant Ahmed Sadiq's motion to dismiss is **GRANTED**; it is further

ORDERED that [7] plaintiffs' motion to strike [10] defendant Garry Anzaroot's motion to dismiss is **DENIED**; it is further

ORDERED that [10] defendant Anzaroot's motion to dismiss is **GRANTED**; it is further

ORDERED that [13] defendant Michael Franklin's motion to dismiss is **GRANTED**; it is further

ORDERED that the claims against defendants Sadiq, Anzaroot, and Franklin are **DISMISSED** without prejudice for want of personal jurisdiction; it is further

ORDERED that [3] defendant Robert Battaglia's motion to dismiss is **GRANTED IN PART** and **DENIED IN PART**; and it is further

ORDERED that the claims against defendant Battaglia are **DISMISSED** insofar as they request damages or injunctive relief under the Telephone Consumer Protection Act for the alleged transmission of facsimile messages in violation of sender identification regulations or request damages or injunctive relief for alleged violations of the District of Columbia Consumer Protection and Procedures Act; and it is further

ORDERED that the initial scheduling conference in this matter is set for May 2, 2006, at 9:00 a.m. in Courtroom 8. Counsel who attend the scheduling conference must be sufficiently familiar with the case to answer any questions that arise. Parties are welcome to attend. Counsel shall confer in accordance with Rule 16.3(a) of the Local Civil Rules and Rule 26(f) of the Federal Rules of Civil Procedure and shall submit their Joint Rule 16.3 Report addressing the topics listed in Local Civil Rule 16.3(c) no later than fourteen days following their conference, see L. Civ. R.16.3(d), and in no event less than three business days before the initial scheduling conference. Written communication with the Court is to be by motion, opposition, and reply, rather than letter. See L. Civ. R. 5.1(b). The parties are directed to the requirements of Local

Civil Rule 7.1(c) regarding the submission of proposed orders with all motions and oppositions and to the requirements of Local Civil Rule 7.1(m) regarding the duty to confer on all nondispositive motions (including those for enlargements of time).

/s/ John D. Bates
JOHN D. BATES
United States District Judge

Copies to:

Michael C. Worsham
1916 Cosner Road
Forest Hill, MD 21050
Email: michael@worshamlaw.com

Counsel for plaintiffs

David Zachary Kaufman
KAUFMAN LAW, P.C.
11350 Randall Hill Road, Suite 650
Fairfax, VA 22030
Email: david@dzklaw.com

Counsel for defendant Battaglia

Price Owen Gielen
NEUBERGER, QUINN, GIELEN, RUBIN & GIBBER
One South Street
Baltimore, MD 21202
Email: pog@nqgrg.com

Counsel for defendant Franklin

Garry Anzaroot
8925 Grummore Circle
Baltimore, MD 21208

Defendant

Ahmed Sadiq
1409 South Jasmine Avenue
Ontario, CA 91762-5301

Defendant