

FILED 08 SEP '14 11:43 USDC-ORE

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

GLAS-WELD SYSTEMS, INC., an Oregon
Corporation

Plaintiff

vs.

Michael P. Boyle, dba Surface Dynamix, and
Christopher M. Boyle

Defendant

Case No. 6:12-cv-02273-AA

**Defendant Christopher M. Boyle's
Reply to Plaintiff's Motion for Default
Judgment**

The motion set forth by the plaintiff is riddled with inaccuracies and outright lies, along with running contrary to multiple statements made by the plaintiffs about the timeliness and efficacy of motions in these proceedings.

Stating with the LR7-1(a) Certification to satisfy local rules, the plaintiffs made no good faith efforts to confer with me, Defendant Christopher Boyle; the plaintiffs are of the obvious impression that Michael Boyle and myself are aligned and that Michael Boyle speaks for me. The plaintiffs quickly filed this motion after receiving a response from Michael Boyle without waiting any reasonable time

for a reply from Me, Christopher Boyle. Obviously as this motion is unfounded, my response would have been to object, however that doesn't allow the plaintiffs the opportunity to forgo the rules set forth by this court, and go beyond ethical boundaries and lie to this court about their actions and the actions of the defendants. This alone should be grounds for the Court to deny the plaintiffs motion-at-issue and impose some form of sanctions.

The plaintiffs base this entire motion on presumed contemptuous behavior by the defendants however the plaintiffs mislead the court with regard to the actions of the defendants. Both defendants provided the plaintiffs with revised answers per the Courts orders. The plaintiffs did respond to Michael Boyle stating answers where deficient; however the plaintiffs have continually states that they have no obligation to elaborate on their belief that any answers have been deficient. This is the primary reason why the plaintiffs failed to provide a single exhibit in their current motion-at-issue. Any exhibit that the plaintiff provided would show the Court their complete and utter lack of cooperation with the defendants to resolve any issue they might have. I, defendant Christopher Boyle asked the plaintiff to clarify which questions they wanted elaboration on, specificity because the I am aware that the numbers for each request don't match with each defendant and I didn't want to provide them with further information they didn't need or want. (See Exhibit #1). This request was completely ignored by the plaintiff, as such it is my, belief that the plaintiffs have all the information needed yet they want to continue to harass both defendants in an effort to further affect Michael Boyle's business. Especially as the plaintiff's are well aware of through their discovery requests that the total sales of all the alleged infringing products totals less that \$7,500.00, likely close to the amount the plaintiff's attorneys billed to file this one motion.

Furthermore the timeliness of this motion would serve to preempt any ruling on claims construction by the Court, this would greatly serve the Plaintiffs as they seem to be well aware of the

weaknesses of their case. With the Court having been briefed on claim construction it would only seem logical to follow the schedule and proceed with determining the actual facts of this case.

/s/ Christopher Boyle, Pro se
9-2-14

CERTIFICATE OF SERVICE

I certify that I served a true and correct copy of the foregoing **Reply to Defendants motion for default judgment** on the plaintiffs attorneys **9-2-14** by:

- mail with postage prepaid, deposited in the US mail,
- hand delivery,
- facsimile transmission,
- overnight delivery,
- electronic notification or email.

Defendant Pro-Per Christopher M. Boyle

A handwritten signature in black ink, appearing to read 'CMB', is written over the typed name of Christopher M. Boyle.

Exhibit #1

----- Original Message -----

Subject: question about production

Date: Wed, 02 Jul 2014 23:10:51 -0700

From: Chris Boyle <chrismboyle@gmail.com>

To: James A. Gale, Esq.
<jgale@FeldmanGale.com>

Mr. gale, I understand that Michael Boyles RFP's are numbered differently from mine and I would like to provide you with the specific responses you need. If you could clarify for me which of my RFP's align with Michael Boyle's 12 & 18 as per the judges orders, I will promptly get that info to you.

Chris