

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

FRANK D. SMITH, JR.,

Plaintiff,

v.

Case No.: 4:02-CV-280

CORNELL UNIVERSITY;

NATIONAL SCIENCE

FOUNDATION;

LOS ALAMOS NATIONAL

LABORATORY;

UNIVERSITY OF CALIFORNIA;

UNITED STATES DEPARTMENT

OF ENERGY;

and

PAUL GINSPARG, Professor of

Physics and Computer Science,

Cornell University, Individually and

in his Official Capacity;

SIMEON WARNER, Research

Associate, Computer Science

Department, Cornell University,

Individually and in his Official

Capacity;

SARAH THOMAS, University

Librarian, Cornell University,

Individually and in her Official

Capacity;

and

JEAN POLAND, Associate

Librarian, Cornell University,

Individually and in her Official	:
Capacity;	:
	:
and	:
	:
RICHARD LUCE, Administrative	:
Director, Los Alamos National	:
Laboratory, Individually;	:
JOHN C. BROWNE, Director, Los	:
Alamos National Laboratory,	:
Individually;	:
and	:
ROBERT L. VAN NESS, University	:
of California Assistant Vice President	:
for Laboratory Administration,	:
Individually;	:
	:
Defendants.	:

**RESPONSE OF PLAINTIFF FRANK D. SMITH, JR., TO MOTIONS  
TO DISMISS OF DEFENDANTS CORNELL UNIVERSITY, PAUL  
GINSPARG, SIMEON WARNER, SARAH THOMAS, AND JEAN  
POLAND; AND OF DEFENDANTS THE REGENTS OF THE  
UNIVERSITY OF CALIFORNIA D/B/A LOS ALAMOS NATIONAL  
LABORATORY , RICHARD LUCE, JOHN C. BROWNE, AND  
ROBERT VAN NESS**

Plaintiff Frank D. Smith, Jr., by and through counsel, hereby  
responds to Motions to Dismiss of Defendants Cornell University  
("Cornell"), Paul Ginsparg, Simeon Warner, Sarah Thomas, and Jean  
Poland (collectively, "Cornell Defendants") and of Defendants The Regents

of the University of California d/b/a Los Alamos National Laboratory (“The Regents”), Richard Luce, John C. Browne and Robert Van Ness (collectively, “the individual UC Defendants”) by opposing said motions and respectfully requesting that said motions be denied.

Pursuant to Local Rule 7.1, Plaintiff also submits herewith a memorandum of law in support of his opposition to said motions.

Respectfully submitted this \_\_\_\_ day of \_\_\_\_\_, 2003.

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