

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

FILED  
DISTRICT COURT  
INDIANAPOLIS DIVISION  
05 JUN 30 AM 8:46  
LAURIE A. BRIGGS  
CLERK

Daniel Wallace,

Plaintiff,

v.

Civil Complaint No. 1:05-cv-0678-SEB-VSS

INTERNATIONAL BUSINESS MACHINES CORPORATION;

RED HAT INC.;

NOVELL, INC.,

Defendants.

**PLAINTIFF'S MOTION FOR SUMMARY JUDGEMENT**

Pursuant to Local Rule 56.1 and Rule 56(a) of the F.R.Civ.P. Plaintiff Daniel Wallace respectfully requests the Court grant summary judgment in favor of him in the above captioned cause on the ground there exists no genuine issue as to any material fact and that Plaintiff Daniel Wallace is entitled to judgment as a matter of law.

In support of this Motion, Plaintiff Daniel Wallace relies upon the facts and law set forth in his PLAINTIFF'S MEMORANDUM ON MOTION FOR SUMMARY JUDGMENT [H.I.], his exhibits, the pleadings and other documents on file with the Court, and all matters of which the Court may take judicial notice.

WHEREFORE, Plaintiff Daniel Wallace respectfully requests this Court

grant summary judgment for him and enter an order for injunctive relief against the Defendants INTERNATIONAL BUSINESS MACHINES CORPORATION, RED HAT INC. and NOVELL INC.

Dated this 30<sup>th</sup> day of June, 2005

A handwritten signature in cursive script, appearing to read "Daniel Wallace", is written over a horizontal line.

Daniel Wallace, *pro se*

P.O. Box 572

New Palestine, IN.

317-861-6415


**Certificate of Service**

A copy of the document(s) concerning this matter were sent by first-class U.S. mail, postage prepaid, to counsel of record:

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Dated this 30<sup>th</sup> day of June, 2005

  
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Daniel Wallace