

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFF

ROBERT H. BRAVER

DEFENDANT

NEWPORT INTERNET MARKETING CORPORATION AND ROBERT ALAN SOLOWAY

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Cleveland (EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Michael R. McKee P.O. Box 1351 Norman, OK 73072

Michael D. McClintock McAfee & Taft A PC 405/235-9621 Telephone 10th Floor, Two Leadership Square 211 N. Robinson Avenue Oklahoma City, OK 73102

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff, 2 U.S. Government (Indicate Citizenship of Parties in Item III), 3 Federal Question (U.S. Government Not a Party), 4 Diversity

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

Table with columns for Plaintiffs (PTF) and Defendants (DEF) citizenship: Citizens of This State, Citizens of Another State, Citizens or Subject of a Foreign Country, Incorporated or Principal Place of Business in This State, Incorporated and Principal Place of Business in Another State, Foreign Nation.

IV. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

Large table with categories: CONTRACT, REAL PROPERTY, PERSONAL INJURY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE, LABOR, SOCIAL SECURITY, FEDERAL TAX SUITS, BANKRUPTCY, OTHER STATUTES.

V. ORIGIN (PLACE AN X IN ONE BOX ONLY) 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (Specify), 6 Multidistrict Litigation, 7 Appeal to District Judge, Judge from Magistrate Judgment

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

15 Okla. State §776 - Electronic Mail Message Statute

VII. REQUESTED IN COMPLAINT CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND In Excess of: \$ JURY DEMAND: YES NO

VIII. RELATED CASE(S) (See instructions)

IF ANY JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

February 22, 2005

Michael D. McClintock McAfee & Taft, Attorneys for Plaintiff

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE