

Exhibit

6

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA -- ATLANTA DIVISION**

MAID OF THE MIST CORPORATION and)	
MAID OF THE MIST STEAMBOAT)	
COMPANY, LTD., Plaintiffs,)	
)	CIVIL ACTION NO:
v.)	
)	1:09-CV-01543-WSD
ALCATRAZ MEDIA, LLC, ALCATRAZ)	
MEDIA, INC. and WILLIAM M. WINDSOR,)	
Defendants.)	
)	

**REQUEST FOR SPECIFIC APPROVAL TO FILE MOTION FOR
RECONSIDERATION OF ORDER GRANTING MOTION TO COMPEL**

Comes Now, William M. Windsor (“Windsor”) and requests approval to file a Motion for Reconsideration. Windsor shows the Court as follows:

1. The Order dated April 21, 2011 [Doc. 152] grants Plaintiffs’ motion to compel (“ORDER 152”). ORDER 152 contains absolutely false statements by Judge William S. Duffey (P.3¶2, P.3, footnote 1, P.5¶3). P.3¶2 is an outrage; Windsor provided absolute basis. P.3, footnote 1 is perjury by this Court and proof of corruption. P.5¶3 is a total outrage. This Court falsely and maliciously claims “heavily redacted” when 68 pages were provided with 1/3 of one page redacted, consisting solely of social security numbers and account numbers.

2. Windsor has new information to file, and the Court has ignored the FRCP, Local Rules, and case law. This Court has no legal, factual, ethical, or

moral basis to grant this motion to compel. Windsor has extensive case law citations to present. This Court has no legal basis to grant a motion to compel, with apparent plans to award attorneys' fees, when the Windsors had long since agreed to provide the discovery and had provided a response to the discovery before this Court entered ORDER 152. This Court does not have jurisdiction. This Court has failed to provide any legal authority to indicate that this is a valid civil action. This Court has corruptly denied all rights of due process. This Court ignored most of the points in Windsor's response to the motion to compel.

3. This Court has no legal basis to consider a motion to compel when the Plaintiffs motion violated the most important rule. FRCP Rule 37 (a)(1) states VERY CLEARLY:

“The motion **must include a certification** that the movant has in good faith **conferred or attempted to confer** with the person or party failing to make disclosure or discovery **in an effort to obtain it without court action.**”
[emphasis added]

4. It is absolutely clear from the documents before this Court that the Plaintiffs' attorney did not confer or attempt to confer in an effort to obtain the discovery without court action. Windsor has also discovered additional documents that the Court needs to see as these provide additional definitive proof. The documents establish that Windsor agreed to provide the discovery. BEFORE Plaintiffs' attorney filed the Motion to Compel, he admits receiving a letter from

Windsor (at least a week before the motion was filed) stating: **“So that you don’t have to go to the trouble of preparing a motion to compel, I will provide information to you.”** Letters to Mr. Anderson on December 23, 2010; January 2 and 8, 2011; and February 10, 2011 had also sought to present a joint motion to this Court so the issue could be resolved. Plaintiffs’ attorney violated Rule 8 of the Standing Orders of Judge William S. Duffey. Plaintiffs’ motion also violates several terms in NDGa LR37.1. The Rule 37 Certificates filed by Plaintiffs’ counsel, Carl HUGO Anderson are false, misleading, and violate the specific requirements of Rule 37. Anderson never called, emailed, faxed, or wrote to Windsor to discuss filing a motion to compel. From July 2010 to January 2011, Windsor filed various motions for extensions and stays due to medical problems. The documents that prove Windsor’s position are:

On July 6, 2010, Windsor wrote to Anderson about the discovery requests and the impact of a stay. Windsor filed a motion for protective order on July 7, 2010. On July 21, 2010, Windsor filed a motion for recusal. On July 24, 2010, Windsor wrote to Anderson about the discovery requests and the impact of a stay. Anderson wrote on July 26, 2010 stating: “If you would like to schedule a good faith conference to discuss when you will be submitting your responses, please advise in writing by providing the dates and times that you are available.” On August 6 and 11, 2010, Windsor wrote to Anderson about the discovery requests and the impact of a stay. Windsor filed an appeal on September 23, 2010. Windsor filed a motion for stay on October 11, 2010. Barbara Windsor filed a motion for protective order on October 18, 2010 and Windsor filed an Emergency Motion for Conference asking that the subpoenas, stay, and appeal be addressed. On October 28, 2010, Windsor wrote to Anderson about the discovery requests

and the impact of a stay. On November 4, 2010, Windsor filed a request that the Court confirm through an order that this civil action is stayed due to pending appeals. On November 5, 2010, Barbara filed an appeal. On December 4, 6, and 7, 2010, Windsor wrote to Anderson about the discovery requests and the impact of a stay. Anderson wrote on December 8, 2010 stating: "If you do intend to serve any responses, please advise so that we can establish a response due date without having to ask the Court to intervene. Again, we would prefer to avoid Court intervention." On December 21, 2010, the Windsors filed a request asking that they be granted permission to file motions for protective order and motion to quash subpoenas and discovery requests. On December 23, 2010 and January 2, 2011, Windsor wrote Anderson asking for a joint motion asking Judge Duffey to tell us what to do about his discovery requests. On January 8, 2011, Windsor wrote to Anderson about the discovery requests and the impact of a stay. On January 8, 2011, Windsor sent a letter to Anderson stating that he would comply with the discovery requests if the court issued an order saying there was no stay in effect. On February 10, 2011, Windsor wrote to Anderson about the discovery requests and the impact of a stay. Windsor received an order from this Court on or about February 18, 2011 expressing that the Court would not recognize the stay that Windsor felt was in effect. Windsor immediately wrote to Plaintiffs' Attorney on February 18, 2011 stating that he would provide the requested discovery. Windsor wrote again on February 24 and 25 after no response. On February 25, 2011, Plaintiffs' Attorney filed a motion to compel. It had been 79 days since Windsor last heard from Plaintiffs' Attorney on the matter; there had been at least 9 letters from Windsor that were unanswered.

These facts and case law prove no basis to compel the Windsors.

(In re GTI Capital Holdings, L.L.C., No. AZ-09-1053-JuMkD (9th Cir. 08/20/2009).) (See also *Kelly v. Old Dominion Freight Line, Inc.*, 376 Fed.Appx. 909 (11th Cir. 04/27/2010); *Sunny O. Ekokotu v. Federal Express Corporation*, No. 10-12433 (11th Cir. 01/19/2011).)

5. Plaintiffs may not seek to compel that which the Windsors agreed to provide! All Plaintiffs' Attorney needed to do was respond to any one of the nine

(9) letters that Windsor sent and then confirm the arrangements to obtain the discovery that Windsor agreed to provide. (*Jom, Inc. v. Adell Plastics, Inc.*, 193 F.3d 47 (1st Cir. 10/04/1999).)

The purpose of the rules is obvious. It is a waste of judicial resources to resolve discovery disputes which could be more readily resolved if the parties simply communicated with each other. (*Carter v. Coody*, No. 07-444-RET-SCR (M.D.La. 11/14/2008).) (See *Averett v. Honda*, No. 2:07-cv-1167 (S.D. Ohio 07/09/2009); *Nevada Power v. Monsanto*, 151 F.R.D. 118, 120 (D. Nev. 1993); *Traylor v. Kohl's*, No. 2:09-cv-01073-HDM-LRL (D. Nev. 06/29/2010); *H2ocean, Inc. v. Schmitt*, No. 3:05cv387/RV/EMT (N.D. Fla. 12/22/2006); *Land Ocean Logistics v. Aqua Gulf Corp.*, 181 F.R.D. 229, 235-36 (W.D.N.Y. 1998); *McKinstry v. Ikon Office Solutions*, No. 1:05-CV-3119-CC-AJB (N.D. Ga. 08/10/2006); *Esrick v. Mitchell*, No. 5:08-cv-50-Oc-10GRJ (M.D. Fla. 12/08/2008).) This Court may not properly consider the motion to compel production of documents absent the required certification. (*Mackey v. Bell*, No. 1:04-CV-182 (M.D. Ga. 02/15/2006); *Cannon v. Cherry Hill*, 190 F.R.D. 147 (D. N.J. 1999); *Naviant v. Larry Tucker, Inc.*, 339 F.3d 180, 182 (3d Cir. 2003); *Hilton-Rorar v. State and Federal Comm.*, No. 5:09-CV-01004 (N.D. Ohio 01/07/2010); see also *Morrell v. Allstate*, No. 1:06-CV-2631-RWS (N.D. Ga. 04/14/2008); *Hasbro*, 168 F.R.D. at 102; *Syrjala*, 186 F.R.D. at 255.)

WHEREFORE, I pray that this Court grant this request and that this Court do as follows: grant the request for approval to file a motion for reconsideration; and grant such other relief as the Court deems appropriate.

Submitted, this 3rd day of May, 2011.



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VERIFICATION OF WILLIAM M. WINDSOR

I, William M. Windsor, swear and state that I am authorized to make this verification on behalf of myself and that the facts alleged in the foregoing Request for Specific Approval are true and correct based upon my personal knowledge, except as to the laws and rules discussed, and that as to those matters I believe them to be true.

This 3rd day of May, 2011.



William M. Windsor

CERTIFICATE OF COMPLIANCE

As required by Local Rule 7.1D, N.D. Ga., I hereby certify that this pleading has been prepared in Times New Roman 14-point font, one of the font and point selections approved by this Court in Local Rule 5.1B, N.D. Ga.



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CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing **REQUEST FOR SPECIFIC APPROVAL** by depositing the same with the United States Post Office with sufficient postage and addressed as follows:

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This 3rd day of May, 2011.


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