

C O V E R

S H E E T

FAX

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Subject: Anthony Dimeo, III v. Tucker Max
Civ. No. 06-1544

Date: May 26, 2006

Pages: 23, including this cover sheet.

COMMENTS:

Please see the following.

From the chambers of...

Judge Stewart Dalzell
United States District Court
Rm. 10613 U.S. Courthouse, 601 Market St.
Philadelphia, PA 19106

(215) 597-9773
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I. Factual and Procedural Background

On December 31, 2005, Renamity, Anthony DiMeo's publicity firm, organized what turned out to be the New Year's Eve party from hell.² See, e.g., Michael Klein, Real Noisemaking Begins After New Year's Party Fracas, Phila. Inquirer, Jan. 5, 2006, at E3 (hereinafter "Real Noisemaking"); The Art of the Deal: An Artist's Paintings Are Stolen and Damaged at a New Year's Party Gone Terribly Wrong, Phila. Weekly, Jan. 11, 2006, at 18; Michael Klein, The Party's Very Much Over: Promoter Is Suing, Phila. Inquirer, Jan. 19, 2006, at E3 (hereinafter "Promoter Is Suing"). Renamity first contracted with Athmane Kabir, owner of Le Jardin, a restaurant located in the Philadelphia Art Alliance gallery, to host 325 guests on New Year's Eve for a four-hour party with food and an open bar. Real Noisemaking, at E3. Twice as many people appeared. Id. When alcohol and food ran out well before midnight, attendees -- who had paid \$100 each -- became disenchanted:

The staid, sprawling landmark on Rittenhouse Square never saw such a ruckus. Patrons seeking food burst through doors leading into a dining room of Kabir's Le Jardin restaurant. Two mixed-media works on loan by Antonio Puri were stolen from museum walls. Sconces were torn. Someone tried to haul off the donations box. Kabir, fearing injuries, called police about 10:30 p.m.

² These facts place the postings at issue in proper context. On DiMeo's Web site, he describes Renamity as "specializing in . . . VIP launch events and special event production." See Anthony DiMeo III Web site at <http://www.anthonydimeo.com> (last visited May 26, 2006).

