

Appendix C

Federal and State Cases Which Used *Wikipedia* as a Dictionary

(listed in chronological order)

Bryant v. Oakpointe Villa Nursing Centre, 471 Mich. 411, 684 N.W.2d 864 (Mich. 2004) July 30, 2004 – malpractice – “positional asphyxia”

Bourgeois v. Peters, 387 F.3d 1303 (11th Cir. 2004) Georgia Oct. 15, 2004 – Fourth Amendment “Homeland Security Advisory System”

Amco Ukrservice & Prompriladamco v. American Meter Co., Not Reported in F.Supp.2d, 2005 WL 1541029 (E.D.Pa. 2005) Pennsylvania June 29, 2005 – First Amendment “Sea of Okhotsk”

People v. Hightower, Not Reported in Cal.Rptr.3d, 2005 WL 2045465 (Cal.App. 1 Dist. 2005) California Aug. 24, 2005 – criminal “FUBU”

Hillensbeck v. U.S., 68 Fed.Cl. 62 (Fed.Cl. 2005) Aug. 31, 2005 – claims “candystriper”

Quilled Creations, LLC v. Scrapcuts, LLC, Not Reported in F.Supp.2d, 2005 WL 2136916 (W.D.N.Y. 2005) New York Sept. 2, 2005 – patent “quilling”

Do It Best Corp v. Passport Software, Inc., Not Reported in F.Supp.2d, 2005 WL 2234651 (N.D.Ill. 2005) Illinois Sept. 12, 2005 – software “splashscreen”

Williams Electronics Games, Inc. v. Garrity, Not Reported in F.Supp.2d, 2005 WL 2284280 (N.D.Ill. 2005) Illinois Sept. 15, 2005 – patent “mortal kombat”

Allegheny Defense Project, Inc. v. U.S. Forest Service, 423 F.3d 215 (3rd Cir. 2005) Pennsylvania Sept. 15, 2005 – environmental “understory”

Neeley v. West Orange-Cove Consol. Independent, 176 S.W.3d 746 (Tex. 2005) Texas Nov. 22, 2005 – schools “efficient”

M.K. Plastics Corp. v. Rossi, 838 N.E.2d 1068 (Ind.App. 2005) Indiana Dec. 12, 2005 – trade secrets “AutoCAD”

U.S. v. Coker, 433 F.3d 39 (1st Cir. 2005) Maine Dec. 28, 2005 – criminal “sunroof”

Hillensbeck v. U.S., 69 Fed.Cl. 369 (Fed.Cl. 2006) Florida Jan. 31, 2006 – claims “candystriper”

Booth v. King, Not Reported in F.Supp.2d, 2006 WL 287853 (E.D. Pa. 2006) Pennsylvania Feb 3, 2006 – prisoner “kufi”

U.S. v. Garcia, Not Reported in F.Supp.2d, 2006 WL 298704 (W.D.Wis. 2006) Wisconsin Feb 3, 2006 – prisoner “GPS”

Merinar v. Grannis, Not Reported in F.Supp.2d, 2006 WL 436289 (N.D. Cal. 2006) California Feb 21, 2006 – prisoner “Tinel's sign”

Sitkin v. R-One Alloys, Inc., Not Reported in A.2d, 2006 WL 625273 (R.I.Super. 2006) Rhode Island March 13, 2006 – contract “Troy ounce”

Ernes v. Northeast Ohio Eye Surgeons, Inc., Not Reported in N.E.2d, 2006 WL 766567 (Ohio App. 11 Dist. 2006) Ohio March 24, 2006 - malpractice

Raymond v. Ameritech Corp., 442 F.3d 600 (7th Cir. 2006) Illinois March 29, 2006 – employment “SBC Communications”

Ash v. Reilly, 433 F.Supp.2d 37 (D.D.C. 2006) D.C. May 5, 2006 – prisoner “machete”

In re Ingram Barge Co., 435 F.Supp.2d 524 (E.D.La. 2006) Louisiana May 25, 2006 – malpractice “leveeL

Alvarez Perez v. Sanford-Orlando Kennel Club, Inc., 469 F.Supp.2d 1086 (M.D.Fla., 2006) Florida May 25, 2006 – employment “greyhound racing”

Perez v. Frank, 433 F.Supp.2d 955 (W.D.Wis. 2006) Wisconsin May 25, 2006 – prisoner “wudu”

O'Grady v. Superior Court, 139 Cal.App.4th 1423, 44 Cal.Rptr.3d 72 (Cal.App. 6 Dist. 2006) California May 26, 2006 – publishing “firewall”

People v. Robinson, 475 Mich. 1, 715 N.W.2d 44 (Mich. 2006) Michigan May 31, 2006 – criminal – a four-letter vulgarity starting with “f”

Williams v. White Oak Builders, Inc., Not Reported in A.2d, 2006 WL 1668348 (Del.Ch. 2006) June 6, 2006 – contract “sump dump”

Radeljak v. Daimlerchrysler Corp., 475 Mich. 598, 719 N.W.2d 40 (Mich. 2006) Michigan July 19, 2006 – product liability “Ena BegoviDg”

Dodson v. Ford Motor Co., Not Reported in A.2d, 2006 WL 2405868 (R.I.Super. 2006) Rhode Island Aug. 17, 2006 – product liability “metallurgy”

Phillips v. Pembroke Real Estate, Inc., 459 F.3d 128 (1st Cir. 2006) Massachusetts Aug. 22, 2006 – zoning “Berne Convention”

Property-Owners Ins. Co. v. Ted's Tavern, Inc., 853 N.E.2d 973 (Ind.App. 2006) Indiana Aug, 31, 2006 – insurance “intoxication”

Lawson v. Mitsubishi Motor Sales of America, Inc., 938 So.2d 35 (La. 2006) Louisiana Sept, 6, 2006 – product liability “short circuit”

Sacirbey v. Guccione, Not Reported in F.Supp.2d, 2006 WL 2585561 (S.D.N.Y. 2006) New York Sept. 7, 2006 – extradition “Bosnia-Herzegovina”

Smith v. Crose, Slip Copy, 2006 WL 2591075 (D.N.J. 2006) New Jersey Sept. 8, 2006 – prisoner “methadone”

Simpleville Music v. Mizell, 451 F.Supp.2d 1293 (M.D.Ala. 2006) Alabama Sept. 14, 2006 – copyright “bumper music”

Metro-Goldwyn-Mayer Studios, Inc v. Grokster, Ltd., 454 F.Supp.2d 966 (C.D. Cal. 2006) California Sept. 27, 2006 – copyright “Top 40”

Com. v. Meeks, Not Reported in N.E.2d, 2006 WL 2819423 (Mass.Super. 2006) Massachusetts Sept. 28, 2006 – criminal “pistol slide”

Musarra v. Digital Dish, Inc., 454 F.Supp.2d 692 (S.D. Ohio 2006) Ohio Sept. 28, 2006 – telecommunication “throughput business”

Montalvo v. Barnhart, 457 F.Supp.2d 150 (W.D.N.Y. 2006) New York Oct 6, 2006 – Social Security “decomposition”

Freeman v. Frimpong, Slip Copy, 2006 WL 4061837 (M.D.Pa. 2006) Pennsylvania Oct. 11, 2006 – prisoner “auditory brainstem response”

Mutual Pharmaceutical Co. v. Ivax Pharmaceuticals, Inc., 459 F.Supp.2d 925 (C.D. Cal. 2006) California Oct. 17, 2006 – false advertising “quinine”

Watson v. State, 204 S.W.3d 404 (Tex.Crim.App. 2006) Texas Oct. 18, 2006 – criminal “faro card game”

State v. Alvarez, 147 P.3d 425 (Utah 2006) Utah Oct. 20, 2006 – criminal “Jesus Malverde”

Johnson v. Blue Cross and Blue Shield of Alabama, Inc., 457 F.Supp.2d 1288 (N.D. Ala. 2006) Alabama Oct. 23, 2006 – ERISA “double blind”

In re Winn-Dixie Stores, Inc., 356 B.R. 239 (Bkrtcy.M.D.Fla. 2006) Florida Nov. 16, 2006 – bankruptcy “LIBOR”

Franklin v. Rees, Slip Copy, 2006 WL 3524138 (W.D.Ky. 2006) Kentucky Dec. 5, 2006 – prisoner “Sikhism”

H&S Development Corp. v. New Jersey, Not Reported in A.2d, 2006 WL 3598427 (N.J.Super.A.D. 2006) New Jersey Dec. 7, 2006 – zoning “go-kart racing”

Krav Maga Ass'n of America, Inc. v. Yanilov, 464 F.Supp.2d 981 (C.D. Cal. 2006) California Dec. 12, 2006 – trademark “Krav Maga”

Wright v. Barnhart, Not Reported in F.Supp.2d, 2006 WL 4049579 (D. Conn. 2006) Connecticut Dec. 14, 2006 – Social Security “xyphoid”

U.S. v. Radomski, 473 F.3d 728 (7th Cir. 2007) Illinois Jan. 9, 2007 – criminal “Andrew Golota”

IMX, Inc. v. Lending Tree, LLC, 469 F.Supp.2d 194 (D.Del. 2007) Delaware Jan. 10, 2007 – patent “real-time”

Pittman v. Barnhart, Slip Copy, 2007 WL 470269 (D. Conn. 2007) Connecticut Jan. 18, 2007 – Social Security “Apraxia”

Breitfeller v. Playboy Entertainment Group, Inc., Slip Copy, 2007 WL 192245 (M.D. Fla. 2007) Florida Jan. 23, 2007 – child abuse “booty music”

State v. O'Neal, 159 Wash.2d 500, 150 P.3d 1121 (Wash. 2007) Washington Jan. 25, 2007 – criminal “AR-15”

Breitfeller v. Playboy Entertainment Group, Inc., Slip Copy, 2007 WL 294233 (M.D.Fla. 2007) Florida Jan. 29, 2007 – child abuse “booty music”

Ferguson v. Stonebridge Life Ins. Co., Not Reported in N.W.2d, 2007 WL 286793 (Mich.App. 2007) Michigan Feb. 1, 2007 – insurance “recreational vehicle”

Cincinnati Ins. Co. v. Davis, 860 N.E.2d 915 (Ind.App. 2007) Indiana Feb. 2, 2007 – insurance “saddle valve”

Breitfeller v. Playboy Entertainment Group, Inc., Slip Copy, 2007 WL 445177 (M.D.Fla. 2007) Florida Feb. 6, 2007 – child abuse “booty music”

Steinbuch v. Cutler, Slip Copy, 2007 WL 486626 (E.D.Ark. 2007) Arkansas Feb. 7, 2007 – privacy “imprint”

Carbert Music, Inc. v. Great, Slip Copy, 2007 WL 430428 (S.D.N.Y. 2007) New York Feb. 8, 2007 – copyright “performance rights organization”

Ordinola v. Hackman, 478 F.3d 588 (4th Cir., 2007) Virginia Feb. 22, 2007 – insurance “calcium oxide”

Cotz v. Mastroeni, 476 F.Supp.2d 332 (S.D.N.Y. 2007) New York Feb. 23, 2007 – libel “Montebello, New York”

Fisher v. Virginia Dept. of Corrections, Slip Copy, 2007 WL 628344 (W.D. Va. 2007) Virginia Feb. 23, 2007 – prisoner “Asatru”

Stemple v. Astrue, 475 F.Supp.2d 527 (D.Md. 2007) Maryland Feb. 26, 2007 – Social Security “Gabapentin”

Ferguson v. C.I.R., T.C. Summ.Op. 2007-30, 2007 WL 610059 (U.S.Tax Ct. 2007) Feb.28, 2007 – tax “video poker”

Doe v. Liberatore, 478 F.Supp.2d 742 (M.D. Pa. 2007) Pennsylvania March 19, 2007 – child abuse “child grooming”

Lindquist v. Gonzales, Slip Copy, 2007 WL 865885 (M.D.Fla. 2007) Florida March 21, 2007 – criminal “John Favara”

People v. Tran, Not Reported in Cal.Rptr.3d, 2007 WL 854003 (Cal.App. 4 Dist. 2007) California March 22, 2007 – criminal “Borge”

In re Cygnus Telecommunications Technology, LLC, 481 F.Supp.2d 1029 (N.D. Cal. 2007) California March 29, 2007 – patent “telephone exchange”

People v. Hawlish, Not Reported in Cal.Rptr.3d, 2007 WL 915149 (Cal.App. 4 Dist. 2007) California March 27, 2007 – criminal “tweaking behavior”

Bowers v. Foto-Wear, Inc., Not Reported in F.Supp.2d, 2007 WL 906417 (M.D.Pa 2007) Pennsylvania March 22, 2007 – employment “original equipment manufacturer”

Butler v. Adoption Media, LLC, 486 F.Supp.2d 1022 (N.D.Cal. 2007) California March 30, 2007 – discrimination “Web server”

Criswell v. McFadden, Slip Copy, 2007 WL 1034942 (D.Del. 2007) Delaware April 5, 2007 – malpractice “dystrophy”

Exxon Mobil Corp. and Affiliated Companies v. C.I.R., 484 F.3d 731 (5th Cir. 2007) Texas April 10, 2007 – tax “accrual”

Buck v. Stankovic, 485 F.Supp.2d 576 (M.D.Pa. 2007) Pennsylvania May 1, 2007 – Equal Protection “green card”

Roberts v. Green Ridge Nursing Home, Slip Copy, 2007 WL 1314871 (M.D.Pa. 2007) Pennsylvania May 4, 2007 – malpractice “digitalis”

Crespo v. Laws-Smith, Slip Copy, 2007 WL 1469050 (E.D.Pa. 2007) Pennsylvania May 18, 2007 – prisoner “MDRA”

EMI Entertainment World, Inc. v. Priddis Music, Inc., 505 F.Supp.2d 1217 (D. Utah 2007) Utah May 21, 2007 – copyright “karaoke”

Tilton v. Playboy Entertainment Group, Inc., 510 F.Supp.2d 932 (M.D.Fla. 2007) Florida May 24, 2007 – child abuse “booty music”

Bowling v. Hasbro, Inc., 490 F.Supp.2d 262 (D.R.I. 2007) Rhode Island May 30, 2007 – patent “dragon shard”

In re Omeprazole Patent Litigation, 490 F.Supp.2d 381 (S.D.N.Y. 2007) New York . May 31, 2007 – patent “Alkaline earth metal”

Laasmar v. Phelps Dodge Corp. Life, Accidental Death, Slip Copy, 2007 WL 1613255 (D.Colo. 2007) Colorado June 1, 2007 – insurance “car accident”

Wilton Industries, Inc. v. U.S., 493 F.Supp.2d 1294 (CIT 2007) June 11, 2007 – tariff “Christmas cracker”

Marchal v. Craig, 868 N.E.2d 928 (Table) (Ind.App. 2007) Indiana June 22, 2007 – family “redshirt”

Taylor v. Stine, Slip Copy, 2007 WL 1875657 (E.D.Ky. 2007) Kentucky June 28, 2007 – prisoner “Sysiphus”

Sedrakyan v. Gonzales, 237 Fed.Appx. 76 (6th Cir 2007) Ohio June 29, 2007 – asylum “Yerevan”

Sylwestrowicz v. State, 868 N.E.2d 1221 (Table)(Ind.App. 2007) July 2, 2007 – criminal “nunchucks”

Sprinkle v. Schilling, Slip Copy, 2007 WL 2048924 (W.D.Va. 2007) Virginia July 11, 2007 – prisoner “Lortab”

Catlin v. DuPage County Major Crimes Task Force, Slip Copy, 2007 WL 2028336 (N.D.Ill. 2007) Illinois July 12, 2007 – civil rights “crotch rocket”

Healthcare Advocates, Inc. v. Harding, Earley, 497 F.Supp.2d 627 (E.D.Pa. 2007) Pennsylvania July 20, 2007 – copyright “screenshot”

Burke v. Webb, Slip Copy, 2007 WL 2156240 (W.D.Va. 2007) Virginia July 24, 2007 – prisoner “commonly used terms in dentistry”

Stevens v. Matanuska-Susitna Borough, Not Reported in P.3d, 2007 WL 2143008 (Alaska App. 2007) Alaska July 25, 2007 – zoning “Chippendales”

Talbert v. Mullins, Slip Copy, 2007 WL 2156608 (W.D.Va. 2007) Virginia July 26, 2007 – prisoner “Five-Percenter”

Pro batter Sports, LLC v. Joyner Technologies, Inc., --- F.Supp.2d ----, 2007 WL 2238394 (N.D.Iowa 2007) Iowa August 1, 2007 – patent “pitching position”

Kerncrest Audubon Soc. v. City of Los Angeles Dept., Not Reported in Cal.Rptr.3d, 2007 WL 2208806 (Cal.App. 5 Dist. 2007) California Aug. 2, 2007 – environmental “bird of prey”

Vista India v. Raaga, LLC, 501 F.Supp.2d 605 (D.N.J. 2007) New Jersey August 7, 2007 – infringement “streaming media”

Denkinger v. State, Not Reported in P.3d, 2007 WL 2285445 (Alaska App. 2007) Alaska Aug. 8, 2007 – criminal “Seine fishing”

Reeves v. United Parcel Services, Slip Copy, 2007 WL 2326891 (D.S.C. 2007) South Carolina Aug. 10, 2007 – employment “narcolepsy”

Riches v. Swartz, Slip Copy, 2007 WL 2319819 (W.D.Va. 2007) Virginia Aug. 13, 2007 – prisoner “phreaking”

Zeiler v. Deitsch, 500 F.3d 157 (2nd Cir. 2007) New York Aug. 23, 2007 – partnership “Jewish law”

Bravo v. State, 963 So.2d 370 (Fla.App. 2 Dist. 2007) Florida Aug.31, 2007 – criminal “takedown”

Blue Ocean Institute v. Gutierrez, 503 F.Supp.2d 366 (D.D.C. 2007) D.C. Sept. 4, 2007 – environmental “bycatch”

McCabe v. Macaulay, --- F.Supp.2d ----, 2007 WL 2572407 (N.D.Iowa 2007) Iowa Sept. 4, 2007 – election “America Coming Together”

Akintimoye v. California Public Employees, Not Reported in Cal.Rptr.3d, 2007 WL 2716910 (Cal.App. 4 Dist. 2007) Sept. 19, 2007 – disability “hypertension”

Unitronics Ltd. v. Gharb, 511 F.Supp.2d 123 (D.D.C. 2007) D.C. Sept. 25, 2007 – patent “cellular network”

Core Const. & Remediation, Inc. v. Village of Spring, Slip Copy, 2007 WL 2844870 (E.D.Pa. 2007) Pennsylvania Sept. 27, 2007 – environmental “Benzopyrene”

Coker v. Dallas County Jail, Slip Copy, 2007 WL 3022575 (N.D.Tex. 2007) Texas Oct. 17, 2007 – prisoner “Proteus mirabilis”

B & E Juices, Inc. v. Energy Brands, Inc., Slip Copy, 2007 WL 3124903 (D.Conn. 2007) Connecticut Oct. 25, 2007 – franchise “stock keeping unit”

Riches v. Karr, Slip Copy, 2007 WL 3224327 (W.D. Ark. 2007) Arkansas Oct. 29, 2007 – civil rights “various infamous people”

Grate v. Huffman, Slip Copy, 2007 WL 3275151 (W.D.Va. 2007) Virginia Nov. 5, 2007 – prisoner “Eid ul-Adha”

Mobilisa, Inc. v. Doe, --- P.3d ----, 2007 WL 4167007 (Ariz.App. Div. 1, 2007) Arizona Nov. 27, 2007 – civil trespass “blog”