

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ARIK RUDICH,

Petitioner,

v.

METRO GOLDWYN MAYER STUDIO,  
INC., SONY/ATV MUSIC PUBLISHING LLC  
and CINRAM INC.,

Respondents.  
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ORDER

08-cv-389-bbc

Petitioner Arik Rudich, a resident of Tel Aviv, Israel, has filed this civil action charging respondents with copyright infringement. He asks for leave to proceed in forma pauperis and has supported his request with an affidavit of indigency. From petitioner's affidavit, it appears that he does not qualify financially to proceed without prepaying the fees and costs associated with filing this lawsuit.

The standard for determining whether petitioner qualifies for indigent status is the following:

- From petitioner's annual gross income, the court subtracts \$2,820 for each dependent excluding the petitioner.

- If the balance is less than \$11,500, the petitioner may proceed without any prepayment of fees and costs.
- If the balance is greater than \$11,500 but less than \$15,000, the petitioner must prepay half the fees and costs.
- If the balance is greater than \$15,000, the petitioner must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, petitioner has four dependents. His monthly income is \$500 and his wife's monthly income is \$1,800. Under Wisconsin's marital property laws, petitioner's wife's income is considered to petitioner's as well. Thus, petitioner has a monthly income totaling \$2,300, which makes his annual income \$27,600. Petitioner's balance comes to \$16,320, after subtracting \$2,820 for each dependent,. Therefore, because his annual income is greater than \$15,000, he does not qualify for indigent status. If petitioner wishes to proceed with this action, he will have to pay the \$350 filing fee.

## ORDER

IT IS ORDERED that petitioner's request for leave to proceed in forma pauperis in this action is DENIED because petitioner does not qualify for indigent status.

Further, IT IS ORDERED that petitioner may have until August 13, 2008, in which to pay the \$350 fee for filing his lawsuit. If, by August 13, 2008, petitioner fails to respond

to this order, I will assume that he no longer wishes to prosecute this action and the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 14th day of July, 2008.

BY THE COURT:

*Barbara B. Crabb*

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BARBARA B. CRABB  
District Judge