

09-1071

2009 MAY 22 A 10: 22

FILED
US COURT OF APPEALS
FOR THE FIRST CIRCUIT

United States Court of Appeals
for the
First Circuit

BENJAMIN LIGERI

Plaintiff-Appellant,

- v. -

YOUTUBE, LLC; GOOGLE INC

Defendants-Appellees.

On Appeal from the United States District Court for the District of Massachusetts

**DEFENDANTS-APPELLEES' MOTION FOR LEAVE TO FILE
APPENDIX**

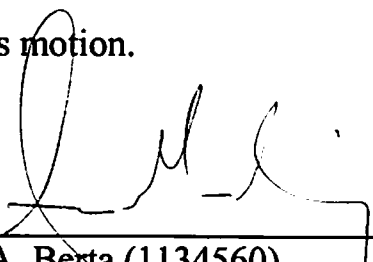
MICHAEL BERTA
 ANNE MARIE NICPON
 WILSON SONSINI GOODRICH & ROSATI, PC
 One Market
 Spear Tower, Ste. 3300
 San Francisco, CA 94105
 Tel: 415-947-2000
 Fax: 415-947-2099

Attorneys for Defendants-Appellees

Pursuant to Fed. R. App. P. 27, Defendants-Appellees, YouTube, LLC and Google Inc. hereby move for leave to file Appellees' Appendix, which is separately bound from this motion. Appellant Benjamin Ligeri filed his appeal *in forma pauperis*, and therefore was excused from filing an appendix with his opening papers. Local Rule 30.0(c). Nonetheless, for the Court's convenience, Appellees have prepared an appendix containing the following documents: the district court docket report; relevant docket entries and pleadings; the transcript from the December 30, 2008 hearing, which is the subject of this appeal; the district court's order; and the notice of appeal. *See* Fed. R. App. P. 30(a)(1). Appellees have served copies of this motion and appendix on Mr. Ligeri.

Therefore, Appellees respectfully request that the Court accept the submission of Appellees' Appendix accompanying this motion.

Dated: May 21, 2009



Michael A. Berta (1134560)
Anne Marie Nicpon (1134686)
WILSON SONSINI GOODRICH & ROSATI, PC
One Market
Spear Tower, Ste. 3300
San Francisco, California 94105
Tel: (415) 947-2000

Attorneys for Defendants-Appellees

CERTIFICATE OF SERVICE

I, Cherie Johnston, hereby certify that on May 21, 2009, I served a copy of Defendants-Appellees' Motion for Leave to File Appendix on the following party by way overnight mail:

Benjamin Ligeri
39 Wheaton Avenue
Rehoboth, MA 02769

Date: May 21, 2009


Cherie Johnston