

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

AUBURN UNIVERSITY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 3:09-cv-694-MEF
	)	(WO – Do Not Publish)
INTERNATIONAL BUSINESS	)	
MACHINES, CORPORATION,	)	
	)	
Defendant.	)	

**ORDER**

Upon consideration of Defendant’s Opposed Motion for Leave to File a Surreply (Doc. #389), it is hereby ORDERED that Defendant’s Motion is GRANTED. Defendant shall file its surreply brief on or before **November 2, 2012**, at which point briefing on Plaintiff’s Motion for Entry of Judgment Under Rule 54(b) (Doc. #382) shall be closed absent a showing of good cause.

DONE this the 30<sup>th</sup> day of October, 2012.

\_\_\_\_\_  
/s/ Mark E. Fuller  
UNITED STATES DISTRICT JUDGE