

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN EDUCATIONAL RESEARCH ASSOCIATION, INC., AMERICAN PSYCHOLOGICAL ASSOCIATION, INC., and NATIONAL COUNCIL ON MEASUREMENT IN EDUCATION, INC.,)	
Plaintiffs,)	Civil Action No. 1:14-cv-00857-TSC-DAR
v.)	NOTICE OF PLAINTIFFS' INTENT TO FILE OPPOSITION TO THE MOTIONS EMBEDDED WITHIN DEFENDANT-COUNTERCLAIMANT PUBLIC.RESOURCE.ORG'S OBJECTIONS TO PLAINTIFFS' SUPPLEMENTAL EVIDENCE [ECF No. 98-3 (Sealed)] [ECF No. 99-4 (Redacted)]
PUBLIC.RESOURCE.ORG, INC.,)	
Defendant.)	

Plaintiffs, American Educational Research Association, Inc. (“AERA”), American Psychological Association, Inc. (“APA”), and National Council on Measurement in Education, Inc. (“NCME”) (collectively, “Plaintiffs”), through undersigned counsel, file the instant Notice of Plaintiffs’ Intent to File an Opposition to the Motions Embedded Within Defendant-Counterclaimant Public.Resource.Org’s Objections to Plaintiffs’ Supplemental Evidence (ECF No. 98-3).

On March 3, 2016, Defendant-Counterclaimant Public.Resource.Org, Inc. (“Defendant”) filed, among other things, a document titled “Defendant-Counterclaimant Public.Resource.Org’s Objections to Plaintiffs’ Supplemental Evidence” [ECF No. 98-3 (Sealed), ECF No. 99-4 (Redacted)] (the “Objections”). That filing included a brief motion to “strike Plaintiffs’ Response to Public Resource’s Statement of Disputed Facts (ECF No. 89-2)” (*see* Objections at p. 1) as well as a more substantive motion to “strike Plaintiffs’ use of the report of S.E. Phillips for the assertions for which it is cited in their combined Opposition and Reply Motion (ECF No. 89, pp. 34, 36-37) and Statement of Disputed Facts (ECF No. 89-1, p. 56)” (*see* Objections at p.

5). Plaintiffs intend to, and will, file an opposition to these “motions” within the time prescribed by LCvR 7(b) and Fed. R. Civ. P. 6(d). Accordingly, Plaintiffs will file an opposition to these “motions” on or before March 21, 2016.

Respectfully submitted,

QUARLES & BRADY LLP

Dated: March 8, 2016

By: /s/ Jonathan Hudis
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Research Association, Inc., American
Psychological Association, Inc., and
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Education, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2016 the foregoing NOTICE OF PLAINTIFFS' INTENT TO FILE OPPOSITION TO THE MOTIONS EMBEDDED WITHIN DEFENDANT-COUNTERCLAIMANT PUBLIC.RESOURCE.ORG'S OBJECTIONS TO PLAINTIFFS' SUPPLEMENTAL EVIDENCE [ECF No. 98-3 (Sealed)] [ECF NO. 99-4 (Redacted)] was filed with the Court using the CM/ECF system. Participants in this case who are registered CM/ECF users will be served by the CM/ECF system. This document also was served via e-mail to:

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