

**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,

v.

PUBLIC.RESOURCE.ORG,

Defendant.

Case No. 1:14-CV-00857-TSC-DAR

**DEFENDANT-COUNTERCLAIMANT
PUBLIC.RESOURCE.ORG, INC.'S
UNOPPOSED MOTION FOR LEAVE
TO FILE CORRECTED DOCUMENTS**

Action Filed: May 23, 2014

Defendant-Counterclaimant Public.Resource.Org, Inc. (“Public Resource”) moves, with Plaintiffs’ consent, for leave to file corrected versions of three documents that were originally submitted with Public Resource’s Motion for Summary Judgment:

- (1) the Memorandum of Points and Authorities In Support of Defendant-Counterclaimant Public.Resource.Org’s Motion for Summary Judgment and Opposition to Plaintiffs’ Motion for Summary Judgment and Permanent Injunction (ECF Nos. 68-2 (under seal) and 69-1 (redacted)),
- (2) the Statement of Material Facts In Support of Defendant-Counterclaimant Public.Resource.Org, Inc.’s Motion for Summary Judgment and Opposition to Plaintiffs’ Motion for Summary Judgment and Permanent Injunction (ECF Nos. 68-3 (under seal) and 69-2 (redacted)), and
- (3) Defendant-Counterclaimant Public.Resource.Org, Inc.’s Statement of Disputed Facts In Opposition to Plaintiffs’ Motion for Summary Judgment and Permanent Injunction (ECF Nos. 68-4 (under seal) and 69-3 (redacted)).

POINTS AND AUTHORITIES IN SUPPORT OF MOTION

In support of this motion, Public Resource states as follows:

1. On January 21, 2016, Public Resource filed its Motion for Summary Judgment

and Opposition to Plaintiffs' Motion for Summary Judgment, including both under seal (ECF No. 68) and public redacted versions (ECF No. 69). Among the documents filed were the Memorandum of Points and Authorities In Support of Defendant-Counterclaimant Public.Resource.Org's Motion for Summary Judgment and Opposition to Plaintiffs' Motion for Summary Judgment and Permanent Injunction (ECF Nos. 68-2 and 69-1), the Statement of Material Facts In Support of Defendant-Counterclaimant Public.Resource.Org, Inc.'s Motion for Summary Judgment and Opposition to Plaintiffs' Motion for Summary Judgment and Permanent Injunction (ECF Nos. 68-3 and 69-2), and Defendant-Counterclaimant Public.Resource.Org, Inc.'s Statement of Disputed Facts In Opposition to Plaintiffs' Motion for Summary Judgment and Permanent Injunction (ECF Nos. 68-4 and 69-3).

2. Recently, Public Resource discovered instances within these three documents of numbering discrepancies in the citations to Public Resource's Statement of Material Facts ("SMF") or Index of Consolidated Exhibits ("ICE"), causing the citation to point to the incorrect paragraph or exhibit.

3. To assist this Court's adjudication of the parties' cross-motions for summary judgment, Public Resource submits with this motion corrected versions of these documents, as well as a table listing the corrections that were made. The public-redacted versions of the proposed corrected documents are included as Exhibits 1, 2, and 3, the table listing the corrections is attached as Exhibit 4, and the un-redacted versions of the proposed corrected documents are filed separately with a motion to file under seal. The only changes to the corrected versions of the documents are corrections to the citations to the SMF or ICE; no substantive changes have been made to the submitted documents.

4. Plaintiffs' counsel confirmed that Plaintiffs do not oppose this corrective filing.

WHEREFORE, Public Resource requests that the Court enter an Order granting it leave to file the attached corrected documents.

Dated: March 15, 2016

Respectfully submitted,

/s/ Matthew Becker

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