

Electronically Filed on March 15, 2011

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
Bid Protest

| | | |
|------------------------------|---|-----------------------|
| GOOGLE, INC, |) | |
| |) | |
| and |) | |
| |) | |
| ONIX NETWORKING CORPORATION, |) | Case No. 10-743C |
| |) | |
| Plaintiffs, |) | Judge Susan G. Braden |
| |) | |
| v. |) | |
| |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Defendant, |) | |
| |) | |
| SOFTCHOICE CORPORATION, |) | |
| |) | |
| Defendant-Intervenor. |) | |
| |) | |

**SOFTCHOICE CORPORATION’S MOTION FOR LEAVE TO RE-FILE PREVIOUSLY
DISMISSED FILINGS**

Softchoice Corporation (“Softchoice”) hereby moves this Court for leave to re-file certain pleadings that Softchoice previously filed in this case, but which were dismissed, without prejudice, when this Court dismissed Softchoice as an intervenor.

On January 3, 2011, the Court issued a memorandum opinion and order in which the Court reconsidered its November 15, 2010 decision to permit Softchoice to intervene, and in denying Softchoice’s intervention, also dismissed, without prejudice, the pleadings that Softchoice filed after its November 15, 2010 motion to intervene. *Google, Inc. v. United States*, 95 Fed. Cl. 661, 675 n. 26 (2011). On January 14, 2011, Softchoice filed a renewed motion to intervene that addressed the issues identified in the Court’s January 3, 2011 order, and the Court

on March 11, 2011, granted Softchoice's renewed motion, permitting Softchoice to re-intervene in this case.

Now that Softchoice has resumed status as a party in this case, Softchoice desires to re-file its previously filed motion to dismiss and cross-motion for judgment on the administrative record, together with the supporting memoranda.

WHEREFORE, Softchoice respectfully requests that this Court grant the foregoing motion and issue an order deeming that Softchoice's November 19, 2010 Motion to Dismiss; December 17, 2010 Reply Memorandum in Support of its Motion to Dismiss; and December 17, 2010 Opposition to Plaintiff's Motion For Judgment On The Administrative Record and Cross-Motion for Judgment on the Administrative Record, are deemed re-filed.¹

¹ If the Court prefers, Softchoice is prepared to physically re-file these pleadings using the Court's electronic filing system.

Respectfully submitted,

s/ Steven J. Rosenbaum

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