

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

KLEIN & HEUCHAN, INC.,
 Plaintiff and Counter-Defendant,
 v.
 COSTAR REALTY INFORMATION,
 INC. and COSTAR GROUP, INC.,
 Defendants and Counter-Plaintiffs.

Civ. Act. No. 8:08-cv-01227-JSM-EAJ

**COSTAR’S AGREED MOTION FOR LEAVE TO USE LAPTOP COMPUTERS
AND CELLULAR TELEPHONES AT TRIAL**

CoStar Group, Inc. and CoStar Realty Information, Inc. (collectively, “CoStar”) respectfully move pursuant to Local Rule 4.11(b) for an Order permitting the use of two (2) laptop computers, two associated wireless cards, and three internet enabled cellular telephones, during the trial of this matter currently scheduled to begin on Monday, March 1, 2010.

This matter involves a dispute over downloading copyrighted content from a protected website. Counsel seeks to have available in the courtroom computer and internet equipment in order to address substantive issues that may arise during the course of the trial. The computer equipment may also assist counsel to locate specific deposition testimony or documents in the event such searches are necessary. Counsel for CoStar does not expect that use of the equipment will be distracting to the Court, but rather will assist counsel and the Court by limiting potential delays caused by locating testimony or documents through conventional methods.

The serial numbers for the laptop computers are: Sony Vaio 3105867 and HP CNU9211TWG. The serial numbers for the internet enabled cellular telephones are: Blackberry #217080032C, Blackberry #07604066031 and Blackberry #30CC1152.

WHEREFORE, CoStar respectfully requests that this Court enter an Order permitting the use of two (2) laptop computers, two (2) wireless cards and three (3) internet enabled cellular telephones into the Court from March 1, 2010 until the conclusion of the trial, but no later than March 14, 2010.

LOCAL RULE 3.01(g) CERTIFICATION

Counsel for CoStar has conferred with counsel for Klein & Heuchan regarding the substance of this motion and they do not oppose the relief requested herein.

Respectfully submitted,

s/ Lara J. Tibbals _____

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 22, 2010, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

s/Lara J. Tibbals _____

Attorney