

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

KLEIN & HEUCHAN, INC.,

Plaintiff and Counter-Defendant,

v.

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

COSTAR REALTY INFORMATION, INC.

And COSTAR GROUP, INC.,

Defendants and Counter-Plaintiffs.

KLEIN & HEUCHAN'S AGREED MOTION FOR LEAVE TO USE
LAPTOP COMPUTERS AND CELLULAR TELEPHONES AT TRIAL

COMES NOW Plaintiff and Counter-Defendant, Klein & Heuchan, Inc. ("K&H"), by and through their undersigned attorney of record and does respectfully move pursuant to Local Rule 4.11(b) for an Order permitting the use of one laptop computer, one associated wireless cards, one i-Phone and one Blackberry internet enabled cellular telephones, during the trial of this matter currently scheduled to begin on Monday March 1, 2010.

Counsel seeks to have available in the courtroom computer and internet equipment to assist counsel to locate specific deposition testimony or documents in the event such searches are necessary. Counsel for K&H does not expect that the use of the equipment will be distracting to the Court, but rather, will assist counsel and the Court by limiting the potential delays caused by locating testimony or documents through conventional methods.

The serial numbers for the laptop computer is as follows:

1. Dell, Service Tag No. 1CY10G1

The serial number for the wireless card is as follows:

1. Verizon Wireless Broadband Access Card

FCC ID: PP4PX-500

ID No.: 00801421667

The serial numbers for the internet enabled cellular telephones are as follows:

1. i-Phone, serial #88933EF23NS
2. Blackberry, serial # 07608961868

WHEREFORE, K&H respectfully requests that this court enter an Order permitting the use of one (1) laptop computer, one (1) associated wireless card, and two (2) 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 K&H has conferred with counsel for CoStar regarding the substance of this motion and they do not oppose the relief requested herein.

Respectfully submitted,

s/ Jeffrey W. Gibson
Jeffrey W. Gibson
Florida Bar No. 0568074
jg@macfar.com
Macfarlane Ferguson & McMullen
201 N. Franklin Street, Suite 2000
PO Box 1531
Tampa, FL 33602
Phone: 813-273-4200
Fax: 813-273-4396
Attorneys for Plaintiff,
Klein & Heuchan, Inc.

CERTIFICATE OF SERVICE

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

s/ Jeffrey W. Gibson _____
Attorney for Plaintiff,
Klein & Heucahn, Inc.