

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VULCAN GOLF, LLC, JOHN B.
SANFILIPPO & SON, INC.,
BLITZ REALTYGROUP, INC.,
and VINCENT E. "BO" JACKSON,
Individually and on Behalf of All
Others Similarly Situated,

Lead Plaintiffs,

v.

GOOGLE INC., OVERSEE.NET,
SEDO LLC, DOTSTER, INC., AKA
REVENUEDIRECT.COM,
INTERNET REIT, INC. d/b/a IREIT, INC.,
and JOHN DOES I-X,

Defendants.

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§ Civil Action No. 07 CV 3371
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§ Honorable Blanche M. Manning
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§ Magistrate Judge Geraldine Soat Brown
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PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE INSTANTER
BRIEF IN EXCESS OF THIRTY-FIVE PAGES

NOW COME Plaintiffs, Vulcan Golf, LLC, John B. Sanfilippo & Son, Inc., Blitz Realty
Group, Inc., and Vincent E. "Bo" Jackson, by and through their attorneys, and as for their
Motion for Leave to File Instanter Brief in Excess of Thirty-Five Pages, state as follows:

- 1. On September 20, 2007, this Court granted Defendants' oral motion for leave to
file a brief in excess of 15 pages. The Court entered an order allowing Defendants to file a brief
"up to 35 pages". The Court's September 20, 2007 Order further provided, "Plaintiff[s] granted
same page limit for its response." (A copy of the Court's September 20, 2007 Order is attached
as Exhibit A.)

2. On October 3, 2007, this Court additionally granted Defendants leave to file "separate briefs addressing individual arguments, not to exceed 20 pages each", in addition to a consolidated brief in support of their Motion to Dismiss of thirty-five (35) pages. At that time, the Court did not address the number of additional pages Plaintiffs would be granted to respond to all of the arguments raised by Defendants in their individual briefs. (A copy of the Court's October 3, 2007 Order is attached hereto as Exhibit B.)

3. On October 18, 2007, Defendants filed a consolidated Motion to Dismiss and a Memorandum in Support of Consolidated Motion to Dismiss. Additionally, Defendants Google, Inc., Oversee.net, Sedo, LLC, and Internet Reit, Inc. each filed an individual memorandum in support of the Motion to Dismiss, addressing in those briefs individual arguments for each Defendant.

4. The total number of pages in all of Defendants' briefs, including both the Memorandum in support of the Consolidated Motion to Dismiss as well as the Individual Memoranda, is ninety-five (95) pages.

5. Plaintiffs intend to file one Consolidated Response addressing both the Defendants' arguments in the Memorandum in Support of Consolidated Motion to Dismiss and each Defendant's individual arguments in their individual Memoranda in Support of Motion to Dismiss.

6. Plaintiffs now move this Honorable Court to allow Plaintiff to file one Consolidated Response in excess of thirty-five (35) pages to Defendants' Motion to Dismiss.

7. Plaintiffs file this Motion in accordance with United States District Court, Northern District of Illinois Local Rule 7.1.

8. Given the total length of Defendants' Memorandum in Support of Consolidated Motion to Dismiss and the four additional memoranda filed by Defendants, Plaintiffs will require additional pages to properly address all arguments asserted by Defendants.

9. Accordingly, Plaintiffs request leave to file a ninety-five (95) page response to Defendants' Motion to Dismiss, which equals the total number of pages (95) used by Defendants.

10. Defendants would not be unfairly prejudiced by the Court granting Plaintiffs leave to file a brief in excess of fifteen (15) pages.

11. Counsel for all Defendants have indicated they do not object to the requested relief.

WHEREFORE, Plaintiffs hereby move this Honorable Court to enter an Order allowing the following relief:

1. Granting leave to Plaintiff to file a Response to Defendants' Motion to Dismiss totaling ninety-five (95) pages, *instanter*;
2. Any other relief as appropriate and just.

Dated: November 5, 2007

Respectfully submitted,

/s/Robert M. Foote

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CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2007, I electronically filed the foregoing document with the clerk of court for the U. S. District Court, Northern District of Illinois, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

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s/Robert M. Foote

EXHIBIT A

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Blanche M. Manning	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	07 C 3371	DATE	9/20/2007
CASE TITLE	Vulcan Golf, LLC vs. Google Inc., et al.		

DOCKET ENTRY TEXT

Status hearing held and continued to 11/29/2007 at 11:00 a.m. Discovery is stayed until the next status. Rule 26(a) disclosures shall be made by 11/5/2007. Defendant to answer or otherwise plead to the amendments by 10/18/2007. Defendants' oral motion for leave to file brief in excess of 15 pages up to 35 pages is granted. Defendants shall file a consolidated motion to dismiss and reply. Plaintiffs' consolidated response to defendants' motion to dismiss to be filed by 11/5/2007. Plaintiff granted same page limit for its response. Defendants' reply to be filed by 11/13/2007.

Docketing to mail notices.

00:05

	Courtroom Deputy Initials:	rs
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EXHIBIT B

UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois –
Eastern Division

Vulcan Golf, LLC, et al.

Plaintiff,

v.

Case No.: 1:07-cv-03371

Honorable Blanche M. Manning

Google Inc., et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Wednesday, October 3, 2007:

MINUTE entry before Judge Blanche M. Manning :Defendants' motions for leave to file separate motions [93] [94] are granted in part and denied in part. The court intended to require the defendants to file a consolidated motion to dismiss to the extent possible and to allow them to file separate supplemental briefs addressing any individual issues. The court regrets any confusion. The defendants seek to file five separate 35–page briefs. Assuming that they use all of these pages, they will file a total of 175 pages which may contain duplicative arguments or factual summaries. The record does not show that this extraordinary number of pages is necessary. Accordingly, the court directs the defendants to file a consolidated brief to the extent possible that contains any common arguments (between all or some of the defendants) as well as a joint summary of relevant facts. Contrary to its statements in open court, they may then file separate briefs addressing individual arguments, not to exceed 20 pages each. If any defendant believes that additional pages are necessary, it must file a motion articulating specific bases for such a request. Mailed notice(rth,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at www.ilnd.uscourts.gov.