

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

VULCAN GOLF, LLC, JOHN B.	:	
SANFILIPPO & SON, INC.,	:	
BLITZ REALTY GROUP, INC.,	:	
and VINCENT E. "BO" JACKSON,	:	Case No. 07 CV 3371
Individually and on Behalf of All	:	
Others Similarly Situated,	:	Judge Manning
	:	
Plaintiffs,	:	Magistrate Judge Brown
	:	
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.	:	

**DEENDANTS' AGREED JOINT MOTION FOR LEAVE TO FILE BRIEF IN EXCESS
OF PAGE LIMITATION**

Defendants Google, Inc., Oversee.net, Sedo LLC, Dotster, Inc., aka RevenueDirect.com, and Internet Reit, Inc. d/b/a Ireit, Inc. (collectively "Defendants"), by their attorneys, jointly move this Honorable Court for leave to file a Memorandum in Support of their Consolidated Motion to Dismiss Plaintiffs' Third Amended Complaint, as contemplated in the Court's April 14, 2008 Order, that does not exceed thirty-five (35) pages. Plaintiffs have agreed to this motion. In support of the motion, Defendants state:

1. Plaintiffs filed their initial Complaint on June 15, 2007, asserting claims for RICO violations, trademark infringement, cybersquatting, and related state law claims. After Defendants individually moved to dismiss the Complaint, Plaintiffs were given leave to file an amended complaint. Their First Amended Complaint ("FAC") added claims for vicarious trademark infringement and civil conspiracy. Defendants filed a Consolidated Motion to Dismiss the RICO counts, the Illinois Consumer Fraud and Deceptive Trade Practices Act ("ICFDTPA") count, the declaratory judgment count, the unjust enrichment count, and the count for civil conspiracy. Individual defendants also moved separately to dismiss the other counts.

2. On March 20, 2008, the Court issued a Memorandum & Order granting Defendants' Motion to Dismiss the RICO counts, the count for trademark infringement as to Plaintiff Jackson, the dilution of trademark count as to Plaintiff Blitz, the ICFDTPA count, the declaratory judgment count, the count for intentional interference with current economic advantage, and the counts for unjust enrichment and civil conspiracy, with leave to replead.

3. On April 14, 2008, Plaintiffs sought leave to file a Second Amended Complaint that included the same declaratory judgment count that had been dismissed. The Court ordered Plaintiffs to file a Third Amended Complaint without the declaratory judgment count. Plaintiffs filed their Third Amended Complaint ("TAC") on April 18. The TAC re-alleges the same counts as the FAC, minus the counts for violation of the ICFDTPA and declaratory judgment, and with an additional RICO count under 18 U.S.C. § 1962(a). All told, the TAC consists of 478 allegations spanning 110 pages and alleging thirteen (13) counts against the five Defendants.

4. After Defendants indicated that they would move to dismiss repleaded claims in the TAC, the Court ordered on April 14, 2008 that Defendants "shall make every effort to file a consolidated motion to dismiss." Defendants are prepared to file a Consolidated Motion to Dismiss and a supporting memorandum of law on May 2, 2008 pursuant to the Court's order.

5. Due to the length of the Complaint, the number of Defendants represented in a Consolidated Motion, and the complexity of the legal issues involved as demonstrated in the prior round of briefing, Defendants respectfully request that they be given leave to exceed the fifteen (15) page limit set forth in Local Rule 7.1 so that they may file a memorandum of law of no more than thirty-five (35) pages.

6. Plaintiffs' counsel has agreed to this request.

WHEREFORE, Defendants respectfully request that this Court allow them leave to file a memorandum of no more than thirty-five (35) pages to support their Consolidated Motion to Dismiss the Third Amended Complaint.

Respectfully submitted,

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Dated: April 28, 2008

CERTIFICATE OF SERVICE

The undersigned certifies that on April 28, 2008, a true and correct copy of the foregoing **Defendants' Agreed Joint Motion For Leave To File Brief In Excess Of Page Limitation** was electronically filed with the Clerk of the Court for the Northern District of Illinois using the CM/ECF system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

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