

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

**ILLINOIS COMPUTER RESEARCH,** )  
**LLC,** )  
*Plaintiff and Counterclaim Defendant,* )

v. )

**FISH & RICHARDSON P.C.,** )  
*Defendant, Counterclaimant, Third-* )  
*Party Plaintiff, and Counterclaim* )  
*Defendant,* )

v. )

**SCOTT C. HARRIS,** )  
*Third-Party Defendant and* )  
*Counterclaimant.* )

No. 07 C 5081  
Judge Rebecca R. Pallmeyer  
Magistrate Judge Maria Valdez

**FISH & RICHARDSON’S REPLY IN SUPPORT OF ITS  
RENEWED MOTION TO COMPEL PRODUCTION OF DOCUMENTS**

Fish & Richardson submits this reply in support of its Renewed Motion to Compel Production of Documents.

Fish & Richardson has complied with both the letter and spirit of Local Rule 37.2. Contrary to the assertion in Mr. Harris’s and ICR’s Response to Fish & Richardson’s Motion to Compel (Dkt. Entry 109), and as outlined in detail in Fish & Richardson’s Local Rule 37.2 Statement (Dkt. Entry 107), Fish & Richardson made multiple requests prior to filing the Motion to Compel to counsel for Mr. Harris and ICR, and coupled those requests with at least four invitations to meet and confer. Those requests were rejected and the invitations to meet and confer repeatedly ignored. The parties are clearly at an impasse on the issues outlined in Fish & Richardson’s Motion to Compel.

For example, in response to Fish & Richardson’s request for production of documents regarding the Retention and Fee Agreements (the subject of Fish & Richardson’s initial motion

to compel and now renewed motion to compel), counsel for ICR and Harris flatly stated that “actual fee agreements will not be produced” and Fish & Richardson’s request to meet and confer was ignored. (Ex. F to Renewed Motion, Dkt. Entry 106.)

Fish & Richardson’s takes very seriously its obligations to meet and confer, and appreciates the value of parties conferring to limit as much as possible discovery disputes requiring judicial intervention. Fish & Richardson has conducted itself in this litigation consistent with that understanding, including with the filing of this motion. Mr. Harris’s and ICR’s effort to exploit that willingness to meet and confer by ignoring repeatedly Fish & Richardson’s requests to meet and confer should be disregarded.

Fish & Richardson respectfully requests that the Court grant Fish & Richardson’s Renewed Motion.

Dated: March 3, 2008

Respectfully submitted,

FISH & RICHARDSON P.C.

By: s/ David J. Bradford  
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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was filed with the Court by means of the Court's CM/ECF system, which will send notification of such filing to the following counsel at their email address on file with the Court:

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