

**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 MOTION
FOR LEAVE TO FILE *INSTANTER* A BRIEF IN EXCESS OF 15 PAGES**

Fish & Richardson P.C. (“Fish & Richardson”) respectfully requests leave of this Court to file *instanter* a combined reply memorandum in support of Fish & Richardson’s separate Rule 12(c) motions against Illinois Computer Research, LLC (“ICR”) and Scott Harris, which exceeds the fifteen-page limit of Local Rule 7.1. In support of this motion, Fish & Richardson states:

1. ICR’s Amended Complaint alleges, among other things, that Fish & Richardson tortiously interfered with ICR’s prospective economic advantage. (ICR Am. Compl. ¶¶ 22-25.) On November 21, 2007, Fish & Richardson moved to dismiss that claim pursuant to Federal Rule of Civil Procedure 12(c).

2. Mr. Harris’s Counterclaim alleges three counts against Fish & Richardson, including tortious interference and defamation. (Harris Counterclaim ¶¶ 43-52.) On November 21, 2007, Fish & Richardson moved to dismiss those claims pursuant to Federal Rule of Civil Procedure 12(c).

3. On January 7, 2008, the Court granted ICR and Mr. Harris leave to file a combined response brief in excess of fifteen pages. (Dkt. No. 86.) ICR's and Mr. Harris's response brief is twenty-one pages.

4. To reduce the volume of briefing, and to eliminate duplicative arguments, Fish & Richardson has prepared a single combined reply brief in support of its separate motions against Mr. Harris and ICR. However, to reply adequately to ICR's and Mr. Harris's brief, Fish & Richardson's memorandum exceeds the fifteen-page limit set by this Court's rules. Fish & Richardson's memorandum, when set in 12-point type and double spaced is nineteen pages long. For readability, Fish & Richardson has refrained from using 1.5 line spacing, as permitted by the local rules, which would have the effect of shortening the brief.

5. Fish & Richardson's Combined Reply Memorandum In Support Of Its Rule 12(c) Motions Against ICR and Harris is attached as Exhibit 1. Fish & Richardson respectfully requests that the Court deem Fish & Richardson's Combined Reply filed as of this date.

6. Fish & Richardson has asked counsel for ICR and Mr. Harris whether counsel will object to this motion, but has not yet received a response. Fish & Richardson will advise the Court whether there will be an objection before the presentment of the motion.

WHEREFORE, Fish & Richardson respectfully requests that its Motion For Leave To File *Instantly* A Brief In Excess of Fifteen Pages be granted and that the Court deem Fish & Richardson's Combined Reply Memorandum In Support Of Its Rule 12(c) Motions Against ICR and Harris filed as of this date.

January 22, 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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