

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

LIMITNONE, LLC, a Delaware Limited
Liability Company,

Plaintiff,

v.

GOOGLE INC., a Delaware Corporation,

Defendant.

Case No. 08-cv-04178

Honorable Blanche M. Manning

**PLAINTIFF'S SUPPLEMENT TO MOTION FOR LEAVE TO FILE MOTION TO
REMAND**

Plaintiff LimitNone, LLC, by and through its attorneys, Kelley Drye & Warren LLP, respectfully states as follows in supplement to its Motion for Leave to File Motion to Remand, in compliance with the Court's standing orders regarding the same:

1. On July 29, 2008, Plaintiff LimitNone, LLC ("LimitNone") filed its Motion for Leave to File Motion to Remand (Docket No. 12) and noticed the motion for presentment on August 5, 2008 (Docket No. 13).¹
2. Also on July 29, 2008, in compliance with the Court's standing orders regarding Motions to Remand, LimitNone sent correspondence to Defendant Google Inc. ("Google") further explaining the bases for its Motion to Remand and citing authorities for the same. Thereafter, the parties scheduled a conference regarding this matter to be held on July 31, 2008 at 6:00 p.m. (CST).

¹ Defendant has also noticed several motions for presentment on August 5, 2008, including its Motion to Dismiss for Improper Venue (Docket No. 19), Motion for Restricting Order (Docket No. 22), and Motion to Stay Discovery Pending Resolution of the Parties' Dispositive Motions (Docket No. 25).

3. On July 31, 2008, Google sent LimitNone two separate items of correspondence regarding the proposed Motion to Remand, each of which contained Google's purported authorities for opposing the remand and supporting the propriety of Google's removal.

4. The parties also conducted a half hour telephone conference on July 31, 2008, regarding the proposed Motion to Remand. During that conference, LimitNone provided Google with additional authorities supporting its position on remand of this case.

5. After discussing the parties' responsive authorities and arguments on either side, the parties remain firm in their opposing positions and are at an impasse with regard to LimitNone's proposed Motion to Remand. It was understood at the conclusion of the conference call that LimitNone would proceed with its Motion for Leave to file Motion to Remand.

6. Accordingly, with this submission, LimitNone is notifying the Court that the required correspondence, exchange of authorities and the required meeting have occurred with regard to the Motion for Leave to File the Motion to Remand currently noticed for August 5, 2008, that LimitNone desires to proceed with the Motion to Remand, and that Google is aware of LimitNone's intention in this regard.

Dated: August 1, 2008

/s/ Caroline C. Plater

One of the Attorneys for Plaintiff,
LIMITNONE, LLC

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby deposes and states that she caused the foregoing *Plaintiff's Supplement to Motion for Leave to File Motion to Remand; Notice of Filing* to be electronically filed with the Clerk of the Court on August 1, 2008, using the ECF system, and served on all parties via the ECF system, pursuant to LR 5.9, as to Filing Users and in accord with LR 5.5 as to any party who is not a Filing User or represented by a Filing User.

s/ Caroline C. Plater
Caroline C. Plater