

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

JONES DAY, a General Partnership)	Case No. 08CV4572
)	
Plaintiff,)	Judge John Darrah
)	
v.)	
)	
BlockShopper, LLC,)	
d/b/a Blockshopper.com,)	
a Missouri Limited Liability Corporation,)	
)	
and)	
)	
Brian Timpone, d/b/a BlockShopper.com,)	
an individual,)	
)	
and)	
)	
Edward Weinhaus, d/b/a BlockShopper.com,)	
an individual)	
)	
Defendants.)	

AGREED MOTION TO FILE BRIEFS IN EXCESS OF LR 7.1 PAGE LIMIT

BlockShopper, LLC, Brian Timpone and Edward Weinhaus (jointly, the “Defendants”), by their attorneys, Fox, Hefter, Swibel, Levin & Carroll, LLP, move for leave to file a brief in support of their motion to dismiss Plaintiff Jones Day’s Amended Complaint in excess of the LR 7.1 limit of 15 pages. In support of their motion, the Defendants state as follows:

1. On September 19, 2008, Defendants plan to file a motion to dismiss the Verified Complaint filed by Jones Day.
2. Defendants’ motion will seek to dismiss all five counts of the complaint. As a result, the motion has to address federal statutory law, state statutory law and common law. Moreover, the motion is being made on behalf of three different Defendants, which requires additional briefing to explain the rationale for dismissal.

3. Counsel for the Defendants contacted counsel for the Plaintiff and has secured their approval of Defendant's request for leave to file a brief in excess of 15 pages.

4. Plaintiff has asked in exchange that it be permitted an equal amount of pages to respond to Defendants' motion to dismiss. Defendants are likewise agreeable to granting the Plaintiff leave to file a response brief in excess of the local rule page limitation.

5. Given the complexity and numerosity of the legal issues that will be addressed in Defendants' brief in support of its motion to dismiss, Defendants ask the Court to grant them leave to file a brief of up to 25 pages.

6. The parties likewise request that Plaintiff be given 25 pages for its response brief to Defendants' motion to dismiss.

7. This motion is made in good faith and not for the purpose of delay. Defendants bring this motion and have noticed it for hearing prior to the September 19, 2008 due date for Defendants' motion to dismiss under the current scheduling order so that the Court can rule on this issue and parties can file all briefs pursuant to the established schedule.

8. Allowing the parties 25 pages in their briefs in support of and in response to Defendants' motion to dismiss will allow each party to fully present its arguments to the Court so that the Court may more readily understand and consider all of the issues raised by Defendants' motion.

WHEREFORE, Defendants BlockShopper, LLC, Brian Timpone and Edward Weinhaus, respectfully request that the Court grant them leave to file a brief of up to 25 pages in support of their motion to dismiss and similarly allow Plaintiff Jones Day to file a 25 page response brief.

Dated: September 10, 2008

Respectfully submitted,

/s/ Adam A. Hachikian
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