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

| JONES DAY, a general partnership, | |
|---|------------------------------|
| Plaintiff, |)) |
| v. |)) |
| BLOCKSHOPPER LLC, d/b/a BLOCKSHOPPER.COM, a Missouri limited liability corporation, | No. 08 C 4572 |
| and | The Honorable John W. Darrah |
| BRIAN TIMPONE, d/b/a BLOCKSHOPPER.COM, an individual, | |
| and |) |
| EDWARD WEINHAUS, d/b/a BLOCKSHOPPER.COM, an individual, | |
| Defendants. |) |

NOTICE OF MOTION

TO: All counsel of record

PLEASE TAKE NOTICE that on Tuesday, October 7, 2008, at 9:00 a.m., the undersigned will appear before the Honorable John W. Darrah in the courtroom usually occupied by him, and present the attached Motion of Electronic Frontier Foundation, Public Citizen, Public Knowledge, and Citizen Media Law Project for Leave to File Brief as *Amici Curiae* Supporting Defendant's Motion to Dismiss Plaintiff's Trademark Claims, a copy of which is hereby served upon you.

/s/ Robert S. Libman
Robert S. Libman

Miner, Barnhill & Galland 14 W. Erie St. Chicago, IL 60610 (312) 751-1170

Paul Alan Levy (motion for *pro hac vice* admission pending) Public Citizen Litigation Group 1600 - 20th St., N.W. Washington, DC 20009 (202) 588-1000 Corynne McSherry Electronic Frontier Foundation 454 Shotwell St. San Francisco, CA 94110-1914 (415) 436-9333

CERTIFICATE OF SERVICE

| Lisa Mecca Davis certifies that she caused a copy of the foregoing Notice to be served upon |
|--|
| all counsel of record, by this Court's electronic-filing system, this 19th day of September, 2008. |

/s/ Lisa Mecca Davis Lisa Mecca Davis