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

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) Civil Action No. 09-cv-2572
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Judge Harry D. Leinenweber
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) Magistrate Judge Jeffrey Cole
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P. ANDREW FLEMING AND NOVACK AND MACEY LLP'S MOTION FOR LEAVE TO FILE OVERSIZE BRIEF IN OPPOSITION TO GOOGLE INC.'S MOTION FOR ATTORNEY'S FEES AND SANCTIONS

- P. Andrew Fleming and Novack and Macey LLP (the "Firm") move the Court pursuant to Local Rule 7.1 for leave to file an oversize brief in opposition to Google Inc.'s ("Google") Motion for Attorney's Fees and Sanctions (the "Motion"). In support, Mr. Fleming and the Firm state as follows.
- 1. The Motion seeks attorney's fees and sanctions against Mr. Fleming and the Firm under 28 U.S.C. § 1927.
 - 2. With leave of Court, Google filed a 23-page brief in support of the Motion.
- 3. Google's brief is broad in scope, alleging dozens of acts of purportedly improper conduct. At the same time, it is devoid of detail, rarely offering more than a sentence or two in support of an allegation. Yet, the facts that are omitted are important, and they confirm that Google's request for sanctions against Mr. Fleming and the Firm has no merit.
- 4. In order to fully address the issues raised by the Motion and all of the necessary facts, Mr. Fleming and the Firm respectfully request leave to file a 26-page response brief.
 - 5. Google has no objection to the relief sought herein.

6. This motion is not being filed for any improper purpose and, if granted, will not result in prejudice to any party.

WHEREFORE, P. Andrew Fleming and Novack and Macey LLP respectfully request that the Court enter an Order granting them leave to file a 26-page brief in opposition to Google's Motion for Attorney's Fees and Sanctions, and granting any such other and further relief as the Court deems just.

Respectfully submitted,

P. ANDREW FLEMING and NOVACK AND MACEY LLP

By: /s/ Eric N. Macey
One of Their Attorneys

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CERTIFICATE OF SERVICE

Eric N. Macey, an attorney, certifies that he caused copies of the foregoing P. Andrew Fleming and Novack and Macey LLP's Motion for Leave to File Oversized Brief in Opposition to Google Inc.'s Motion for Attorney's Fees and Sanctions to be served by electronically filing the document with the Clerk of Court using the ECF system this 19th day of May 2011.

/s/	Eric N.	Mace	Y	