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

MIKE HARRIS and JEFF DUNSTAN,
individually and on behalf of a class of
similarly situated individuals,

        Plaintiffs,

        v.

COMSCORE, INC., a Delaware corporation,

        Defendant.

Case No. 11-cv-05807

Hon. James F. Holderman

Magistrate Judge Young B. Kim

PLAINTIFFS' MOTION TO WITHDRAW AND CORRECT THEIR MEMORANDUM OF LAW IN SUPPORT OF THEIR MOTION FOR PARTIAL SUMMARY JUDGMENT

Plaintiffs Mike Harris and Jeff Dunstan, individually and on behalf of the Class and Subclass they represent (collectively "Plaintiffs"), hereby move the Court for an Order allowing them to withdraw their Memorandum of Law in Support of their Motion for Partial Summary Judgment, filed provisionally under seal (Dkt. No. 324), and, in its place, file their Corrected Memorandum of Law in Support of their Motion for Partial Summary Judgment (Dkt. No. 333). In support of the instant motion, Plaintiffs state as follows:

1.   On February 20, 2014, Plaintiffs filed their Motion for Partial Summary Judgment. (Dkt. No. 321.)

2.   On February 21, 2014, Plaintiffs filed their Memorandum of Law in Support of their Motion for Partial Summary Judgment (the "Memorandum") both publicly (with redactions) and provisionally under seal (without redactions). (Dkt. Nos. 323–24.)

3.   Because the Memorandum referenced (i) material that has been marked as confidential by Defendant comScore, Inc. ("comScore") pursuant to the Protective Order entered in this case (Dkt. No. 72), and (ii) material that includes personally identifiable information of

known minors, Plaintiffs sought to file their Memorandum, among other documents, partially under seal through their Motion to File Documents Under Seal (Dkt. No. 331).

4. After reviewing the documents filed with the Court, however, Plaintiffs' counsel discovered that a formatting error caused the partial deletion of a footnote appearing on the first page of the provisionally sealed (unredacted) version of the Memorandum. (Dkt. No. 324 at 1, n. 1.) Plaintiffs subsequently filed their provisionally sealed (unredacted) Corrected Memorandum of Law in Support of Plaintiffs' Motion for Partial Summary Judgment to correct this error and to include the entirety of the footnote. (Dkt. No. 333.)

5. No other changes were made to the substance of the Memorandum other than to effectuate the change described in ¶ 4 above in the Corrected version.

6. No changes will be made to the publicly filed (redacted) version of the Memorandum (Dkt. No. 323).

WHEREFORE, Plaintiffs Mike Harris and Jeff Dunstan respectfully move the Court for an Order:

(i) Permitting Plaintiffs to withdraw their unredacted Memorandum of Law in Support of their Motion for Partial Summary Judgment, filed provisionally under seal at Dkt. No. 324;

(ii) Granting them leave to file partially under seal their unredacted Corrected Memorandum of Law in Support of their Motion for Partial Summary Judgment (Dkt. No. 333) pursuant to Plaintiffs' Motion to File Documents Under Seal (Dkt. No. 331); and

(iii) Granting such other and further relief as this Court deems necessary and proper.

Dated: February 24, 2014

Respectfully submitted,

MIKE HARRIS and JEFF DUNSTAN,
individually and on behalf of all others similarly
situated,

By: s/ Benjamin S. Thomassen
      One of Plaintiffs' Attorneys

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Attorneys for Plaintiffs, the Class, and the Subclass

CERTIFICATE OF SERVICE

I, Benjamin S. Thomassen, an attorney, hereby certify that on February 24, 2014, I served the above and foregoing ***Plaintiffs' Motion to Withdraw and Correct their Memorandum of Law in Support of their Motion for Partial Summary Judgment*** by causing true and accurate copies of such paper to be transmitted to all counsel of record via the Court's CM/ECF electronic filing system.

s/ Benjamin S. Thomassen