

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

MIKE HARRIS and JEFF DUNSTAN,
Individually and on behalf of a class of
similarly Situated individuals,

Plaintiff,

v.

COMSCORE, INC., a Delaware corporation,

Defendant.

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) Case No. 1:11-5807
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) Hon. James F. Holderman
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**COMSCORE’S MOTION FOR LEAVE TO FILE BRIEF
IN EXCESS OF PAGE LIMIT INSTANTER**

Defendant comScore, Inc. (“comScore”) respectfully requests leave to file a brief in excess of fifteen (15) pages in support of its Motion to Dismiss Under Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure.

1. On August 23, 2011, Plaintiffs filed their Class Action Complaint (“Complaint”) (Docket No. 1). The Complaint makes numerous and lengthy allegations under federal and state law involving complex issues concerning comScore’s technology. The Complaint totals 124 paragraphs over 26 pages, and asserts claims under three different federal statutes, the Illinois Consumer Fraud and Deceptive Practices Act, and also includes a claim for unjust enrichment.

2. comScore’s Motion to Dismiss addresses numerous pleading deficiencies in Plaintiffs’ Complaint. Specifically, comScore argues that the Complaint should be dismissed because Plaintiffs consented to the conduct of which they complain; they lack standing to bring their claims; and have failed to state claims under the Computer Fraud and Abuse Act, the Stored Communications Act, the Illinois Consumer Fraud and Deceptive Practices Act, and for unjust enrichment. An in depth analysis of the legal and factual issues raised by Plaintiffs’ Complaint

is needed to address these arguments, and therefore comScore requires more than 15 pages to adequately support its motion.

3. On November 1, 2011, comScore conferred with Plaintiffs' counsel and requested that the parties stipulate to the submission of a brief in excess of the page limit and to a briefing schedule, but Plaintiffs declined.

4. Given the length of the Complaint, the number of causes of action it alleges, and the numerous issues it raises, comScore requires more than fifteen pages to adequately respond to Plaintiffs' allegations in its Motion to Dismiss. Accordingly, comScore respectfully requests leave to file a brief in excess of 15 pages *instanter*, attached hereto as Exhibit A, which does not exceed 25 pages.

Dated: November 4, 2011

Respectfully submitted,

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Certificate of Service

I hereby certify that on November 4, 2011, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notifications of such filings to the following:

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