

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

NERDS ON CALL, INC. (INDIANA),

Plaintiff,

vs.

NERDS ON CALL, INC. (CALIFORNIA)  
and RYAN ELDRIDGE,

Defendants.

Case No.: 1:07-cv-0535-DFH-TAB

**MOTION FOR RECONSIDERATION OR CERTIFICATION FOR  
INTERLOCUTORY APPEAL**

Defendants Nerds on Call, Inc., and Ryan Eldridge (collectively “Nerds/California”) respectfully request that the Court reconsider its ruling denying Nerds/California’s motion to dismiss. Should the Court choose not to reconsider its ruling, or should it conclude the ruling was correct, Nerds/California requests that the Court certify its ruling for interlocutory appeal.

The inherent power of courts, the common law, and Rule 54(b) of the Federal Rules of Civil Procedure all permit courts to review and revise their interlocutory orders prior to the entry of final judgment. Nerds/California humbly contends that the Court has fundamentally misunderstood and misapplied the controlling law regarding *Calder* "effects test" specific jurisdiction.

Respectfully submitted,

DATED: June 24, 2007

BULLIVANT HOUSER BAILEY PC

By: /s/ DANIEL N. BALLARD

Daniel N. Ballard

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