

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

CDW LLC,)
CDW DIRECT LLC,)
BERBEE INFORMATION NETWORKS)
CORPORATION,)
)
Plaintiffs,)
)
vs.)
)
NETECH CORPORATION,)
)
Defendant.)


No. 1:10-cv-00530-SEB-DML

ORDER

This matter is before the Court on Defendant NETech Corporation’s Motion for Leave to File a Surreply [Dkt. No. 345]. NETech requests that the Court allow it to respond to arguments made for the first time in Plaintiffs’ Reply in Support of CDW’s Rule 72 Appeal of the Magistrate Judge’s Order to Exclude Portions of Mr. Hosfield’s Expert Testimony. Plaintiffs oppose NETech’s request because they contend that “NETech’s argument does not advance its legal argument” and that “NETech’s proposed surreply erroneously conflates the standard of review with the propriety of considering new evidence.” Both of these arguments relate to the merits of the argument contained in NETech’s surreply, as opposed to NETech’s entitlement to make that argument. Therefore, NETech’s Motion is GRANTED and the surreply will be deemed file as of the date of this order.

IT IS SO ORDERED.

Date: 09/30/2013


 SARAH EVANS BARKER, JUDGE
 United States District Court
 Southern District of Indiana

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