

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

SPRINT COMMUNICATIONS COMPANY L.P.,
Plaintiff,
v.
VONAGE HOLDINGS CORP. and
VONAGE AMERICA, INC.,
Defendants.
Case No. 05-2433-JWL

MOTION FOR LEAVE TO FILE SURREPLY IN SUPPORT OF VONAGE HOLDINGS
CORP. AND VONAGE AMERICA, INC.'S OPPOSITION TO SPRINT
COMMUNICATIONS CO. L.P.'S MOTION TO COMPEL PRODUCTION OF
FINANCIAL DOCUMENTS

Defendants Vonage Holdings Corp. and Vonage America, Inc. (collectively, "Vonage")
respectfully moves to file a brief in surreply to Sprint's Motion to Compel Production of
Financial Documents Sprint in its reply in support of its motion. Vonage's proposed submission
is attached as Exhibit "1."

Leave to file a surreply may be granted when a reply in support of a motion "could be
construed to raise new arguments." Zwygart v. Bd. of County Comm'rs, 412 F. Supp. 2d 1193,
1194 (D. Kan. 2006). Sprint's Reply raises new arguments that mischaracterizes certain
evidence, and Vonage has learned of additional information that warrants this further
submission. Vonage's surreply is limited to these purposes.

WHEREFORE, Vonage respectfully requests leave to present and file with this Court the
accompanying surreply addressing the foregoing issues.

Respectfully submitted,

April 27, 2007

/s/ Patrick J. Kaine

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Plaintiffs Vonage America, Inc. and Vonage
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CERTIFICATE OF SERVICE

I hereby certify on April 27, 2007, that a copy of Vonage Holdings Corp. and Vonage America, Inc.'s Surreply in Opposition to Sprint's Motion to Compel Production of Financial Documents was filed electronically, with a notice of case activity to be generated and sent electronically by the Clerk of Court to:

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