

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

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

**SPRINT’S MOTION TO EXCLUDE THE OPINIONS OF VONAGE’S EXPERT JOEL  
M. HALPERN**

Pursuant to Federal Rule of Evidence 702 and the Supreme Court’s decision in *Daubert v. Merrell Dow Pharmaceuticals, Inc.* and its progeny, Plaintiff Sprint Communications Company L.P. (“Sprint”) respectfully moves to exclude the testimony, opinions, and reports of Defendants’ designated non-infringement expert, Joel M. Halpern. For the reasons set forth in the Brief in Support, Mr. Halpern lacks the educational qualifications and work experience that every expert in this litigation—including Mr. Halpern himself—has opined are necessary to provide expert testimony on the issues in this case. The Court should exercise its authority as a gatekeeper to exclude Mr. Halpern’s irrelevant and unqualified testimony, opinions, and reports.

Respectfully submitted,

Dated: May 15, 2007

/s/ Adam P. Seitz

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 15th day of May, 2007, a true and accurate copy of the above and foregoing **SPRINT'S MOTION TO EXCLUDE THE OPINIONS OF VONAGE'S EXPERT JOEL M. HALPERN** was e-filed with the Court, which sent notice to the following:

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