

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

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

**VONAGE HOLDINGS CORP. AND VONAGE AMERICA, INC.’S OBJECTIONS TO  
AND MOTION FOR REVIEW OF ORDERS OF MAY 14, 2007 AND MAY 16, 2007  
PURSUANT TO FED. R. CIV. P. 72**

Defendants Vonage Holdings Corp. and Vonage America, Inc. (collectively “Vonage”), by their attorneys, hereby object to, and move this Court to review and for an Order overruling the Court’s Orders of May 14 and 16, 2007 (Doc. # 192 and 202, collectively, the “Orders”), pursuant to Federal Rule of Civil Procedure 72.

By way of the Orders, the Court denied Vonage’s Motion for Leave to Amend its Answers and Affirmative Defenses based on agreements between Sprint and Cisco Systems, Inc. (the “License Documents”) produced by Sprint at and following the close of discovery, and struck Vonage’s references to, and barred Vonage from relying, on these latently-produced documents in support of their contentions in the Pretrial Order. Based on Sprint’s latent, piecemeal and continuing production of the License Documents, Vonage’s diligence in seeking these documents and making its motion to amend, the lack of any prejudice to Sprint from Vonage’s proposed amendments, and because Federal law provides that the License Documents

may prove even Vonage's originally-pled defenses, Vonage respectfully submits that both the Orders are clearly erroneous and contrary to law.

In support of its motion, Vonage relies on the points of fact and law in the accompanying memorandum, which it incorporates herein by reference.

Respectfully submitted,

May 29, 2007

/s/ Patrick J. Kaine

Don R. Lolli KS Dist. #70236  
Patrick J. Kaine KS #15594  
Dysart Taylor Lay Cotter & McMonigle P.C.  
4420 Madison Avenue  
Kansas City, Missouri 64111  
816-931-2700  
pkaine@DysartTaylor.com  
dlolli@DysartTaylor.com

Patrick D. McPherson  
Barry Golob  
Donald R. McPhail  
Duane Morris LLP  
1667 K Street N.W.  
Washington, DC 20006-1608  
202-776-7800  
pdmcpherson@duanemorris.com  
bgolob@duanemorris.com  
drmcpail@duanemorris.com

*Attorneys for Defendants/Counterclaim  
Plaintiffs Vonage America, Inc. and Vonage  
Holdings Corp.*

**CERTIFICATE OF SERVICE**

I hereby certify on May 29, 2007, that a copy of Vonage Holdings Corp. and Vonage America, Inc.'s Objections to and Motion for Review of Orders of May 14, 2007 and May 16, 2007 Pursuant to Fed. R. Civ. P. 72, and supporting papers, was filed electronically on this date, with a notice of case activity to be generated and sent electronically by the Clerk of Court to:

B. Trent Webb  
Adam P. Seitz  
Erick A. Buresh  
Shook, Hardy & Bacon LLP  
2555 Grand Boulevard  
Kansas City, MO 64108-2613  
bwebb@shb.com  
aseitz@shb.com  
eburesh@shb.com

*Attorneys for Plaintiff  
Sprint Communications Company L.P.*

/s/ Donald R. McPhail