

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 MOTION FOR LEAVE OF COURT TO FILE REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AND EXHIBITS CONVENTIONALLY UNDER SEAL AND TO WITHDRAW DOCUMENT NO. 237 AND MEMORANDUM IN SUPPORT

COME NOW, Defendants Vonage Holdings Corp. and Vonage America, Inc. (collectively “Vonage”), by their attorneys, and hereby move for leave of Court to file their Reply in Support of Motion for Summary Judgment and Exhibits conventionally under seal and to withdraw Doc. 237.

In support of their Motion, Vonage states that a Stipulated Protective Order was entered by United States Magistrate David J. Waxse on March 6, 2006, governing the disclosure of confidential information by the parties.

As did Vonage’s brief in support of its Motion for Summary Judgment (Doc. 206), and Sprint’s brief in opposition thereto (Doc. 217), each of which were filed under seal, Vonage’s Reply in Support of Summary Judgment and Exhibits (Doc. 237) contain confidential information which must be filed under seal pursuant to the Protective Order. Vonage

inadvertently filed its reply (Doc. 237) in the public docket via the Court's ECF system, and makes this motion to amend this serious oversight.

Vonage makes this Motion as soon as practicable after it realized that Doc. 237 may contain confidential information. Vonage requests leave to correct the record and to comply with the spirit of the Protective Order, for the benefit of all parties, and consistent with the parties' practices to date, particularly with respect to Vonage's Motion for summary judgment and papers relating thereto.

Accordingly, Vonage seeks leave of Court to file their Reply in Support of their Motion for Summary Judgment and Exhibits conventionally under seal and to withdraw the previously filed Doc. 237.

WHEREFORE, Defendants Vonage Holdings Corp. and Vonage America, Inc. request leave of Court to file their Reply in Support of Summary Judgment and Exhibits conventionally under seal and to withdraw Doc. 237, and for such other and further relief as the Court deems proper. Vonage respectfully requests expedited consideration of this motion at the Court's earliest convenience.

Respectfully submitted,

July 10, 2007

/s/ Don R. Lolli
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
drmcphail@duanemorris.com

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

CERTIFICATE OF SERVICE

I hereby certify on July 10, 2007, that a copy of Vonage Holdings Corp. and Vonage America, Inc.'s Motion for Leave of Court to File Reply in Support of Motion for Summary Judgment and Exhibits Conventionally Under Seal and to Withdraw Document No. 237 was filed electronically, 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/ Don R. Lolli