

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

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

**SPRINT’S MOTION TO STRIKE ARGUMENTS RAISED BY VONAGE FOR THE
FIRST TIME IN ITS SUMMARY JUDGMENT REPLY BRIEF OR, IN THE
ALTERNATIVE, FOR LEAVE TO SURREPLY**

Pursuant to the inherent powers of this Court, Plaintiff Sprint Communications Company L.P. (“Sprint”) hereby moves to strike three new arguments from Vonage’s summary judgment reply brief (Doc. No. 237), which were improperly raised for the first time in Vonage’s reply. Responding to Vonage’s new arguments would require Sprint to introduce substantial additional facts and argument, but the briefing is now closed. For the reasons set forth in the accompanying memorandum, the Court should strike the new arguments from Vonage’s Reply brief.

Respectfully submitted,

Dated: July 12, 2007

/s/ Adam P. Seitz

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July, 2007, a true and accurate copy of the above and foregoing **SPRINT'S MOTION TO STRIKE NEW ARGUMENTS FROM VONAGE'S REPLY BRIEF** was e-filed with the Court, which sent notice to the following:

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