

**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 FRANK  
R. KOPERDA REGARDING OBVIOUSNESS AND ENABLEMENT**

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 invalidity expert, Frank R. Koperda, regarding obviousness and enablement. For the reasons set forth in the accompanying Brief in Support, the Court should exercise its authority as a gatekeeper to exclude Mr. Koperda’s irrelevant and unreliable testimony, opinions, and reports.

Respectfully submitted,

Dated: August 7, 2007

/s/ Adam P. Seitz

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 7th day of August, 2007, a true and accurate copy of the above and foregoing **SPRINT'S MOTION TO EXCLUDE THE OPINIONS OF VONAGE'S EXPERT FRANK KOPERDA** was e-filed with the Court, which sent notice to the following:

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