

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

SPRINT COMMUNICATIONS COMPANY L.P.,)

Plaintiff,)

v.)

THEGLOBE.COM, INC.,)

VOICEGLO HOLDINGS, INC.,)

VONAGE HOLDINGS CORP., and)

VONAGE AMERICA, INC.)

Defendants.)

Case No. 2:05-CV-02433-JWL-DJW

**SPRINT’S MOTION TO MODIFY JUDGMENT
TO INCLUDE PREJUDGMENT INTEREST**

Pursuant to Rule 59(e) of the Federal Rules of Civil Procedure, Sprint Communications Company L.P. (“Sprint”) moves to modify the judgment of this Court entered on September 25, 2007, to include prejudgment interest. Sprint respectfully requests that, pursuant to 35 U.S.C. § 284, the Court add prejudgment interest to the judgment in the amount of \$6,931,843.

This amount of interest is justified for the following reasons:

1. The interest was calculated based on the average Prime Interest Rate during the damages period, compounded annually, which is a widely accepted basis for calculating prejudgment interest.

2. The average Prime Interest Rate, compounded annually, is necessary to fully compensate Sprint in this case. This rate conservatively reflects the high degree of risk associated with the Defendants’ business. Risk-free investment rates or simple interest do not reflect the time value of money to either Sprint or the Defendants in this case.

3. The average Prime Interest Rate during the damages period provides a conservative approximation, which is less susceptible to periodic fluctuation than other available interest rates.

Sprint files contemporaneously with this motion a motion for extension of time to file its Brief in Support of this motion. Sprint's brief in support of this motion will more fully set forth Sprint's calculation of prejudgment interest and the reasons this award is appropriate in this case.

WHEREFORE, Sprint respectfully requests that this Court grant this Motion and enter an award of prejudgment interest in the amount of \$6,931,843.

October 10, 2007

Respectfully submitted,

/s/ Adam P. Seitz

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L.P.

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of October, 2007, a true and accurate copy of the above and foregoing **SPRINT'S MOTION TO MODIFY JUDGMENT TO INCLUDE PREJUDGMENT INTEREST** was e-filed with the Court, which sent notice to the following:

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