

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
at LEXINGTON

Electronically Filed

iLOR, LLC,

Plaintiff

v.

GOOGLE INC.

Defendant.

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Civil Action No. 5:07-cv-00109-JMH

**PLAINTIFF iLOR, LLC'S MOTION FOR
LEAVE TO FILE SUR-REPLY
MEMORANDUM**

Plaintiff, iLOR, LLC respectfully requests leave to file the attached sur-reply memorandum in response to Google's. Reply in support of its motion to dismiss remaining claims and counterclaims without prejudice, and for entry of final and appealable judgment to address new arguments raised in Google's reply. iLOR respectfully asserts that consideration of the sur-reply memorandum will permit all issues relating to Google's motion to be decided at one time.

Dated: February 7, 2008

Respectfully submitted,

/s/ David E. Schmit

David E. Schmit (Ohio Bar #0021147)

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Attorney for Plaintiff

iLOR, LLC.

CERTIFICATE OF SERVICE

This is to certify that on this 7th day of February, 2008, the foregoing was filed with the clerk of the Court by using the CM/ECF system, and that a true and correct copy of the foregoing will be served upon the following Counsel for Defendant through the Court's CM/ECF system:

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/s/ David E. Schmit