

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

RED BEND LTD., and
RED BEND SOFTWARE INC.,

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

Civil Action No. 09-cv-11813-DPW

**CERTIFICATION STATEMENT FOR
PLAINTIFFS' MOTION TO COMPEL
GOOGLE'S PRODUCTION OF
DOCUMENTS**

Certificate Pursuant to Rules 7.1 and 37.1

I hereby certify that counsel for Plaintiffs complied with the provisions of Local Rules 7.1 and 37.1 and attempted in good faith to confer with counsel for Defendant in an attempt to resolve or narrow the issues presented by Red Bend's Motion to Compel Google's Production of Documents (Dkt. No. 99) before Red Bend's Motion was filed on July 26, 2010. Specifically, counsel for the parties met and conferred on or about at least June 14th, July 1st and July 13th and were unable to reach agreement on the proper scope of Google's document production in response to Red Bend's Request for Production Nos. 1, 15, 20, 21, 24, 53, 54 and 60 (related to Delta Update techniques) and Nos. 44, 46, 52, 54, 59 and 60 (related to damages). This certification was inadvertently omitted from Red Bend's Motion to Compel.

By: /s/ Jennifer C. Tempesta

Jennifer C. Tempesta

Dated: August 16, 2010

Respectfully submitted,

By: /s/ Jennifer C. Tempesta

Daniel Cloherty (BBO# 565772)
Dwyer & Collora, LLP
600 Atlantic Avenue - 12th Floor
Boston, MA 02210-2211
Telephone: (617) 371-1000
Facsimile: (617) 371-1037

Robert C. Scheinfeld (admitted PHV)
Eliot D. Williams (admitted PHV)
Jennifer C. Tempesta (admitted PHV)

Baker Botts, L.L.P.
30 Rockefeller Plaza
44th Floor
New York, New York 10012-4498
Telephone: (212) 408-2500
Facsimile: (212) 408-2501

Attorneys for Plaintiffs Red Bend Ltd. and Red Bend Software Inc.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 16, 2010.

By: /s/ Jennifer C. Tempesta

Jennifer C. Tempesta