

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NETJUMPER SOFTWARE, L.L.C.,

Plaintiff,

v.

Case number 04-70366

Honorable Julian Abele Cook, Jr.

GOOGLE, INC.,

Defendant.

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ORDER

On February 2, 2004, the Plaintiff, NetJumper Software, L.L.C. (“NetJumper”), initiated this cause of action, contending that the Defendant, Google, Inc. (“Google”), had infringed upon its patent. On August 17, 2005, Google, after denying NetJumper’s substantive allegations, filed a motion for summary judgment pursuant to Fed. R. Civ. P. 56(c).

Approximately six weeks later (September 26, 2005), NetJumper filed its own motion, seeking leave to file a brief that would exceed the maximum twenty page limitation that was established by the Court in E.D. Mich. LR 7.1(c)(3)(A).

In its motion for leave, NetJumper argues that it cannot adequately address all of the issues in the Defendants’ motion for summary judgment within this obligatory twenty page limitation because (1) the issues in this matter are “extremely complex” and (2) its response “involves a detailed analysis as to the issues raised by Google’s motion concerning non-infringement and invalidity of NetJumper’s ‘172 patent.”

Following its review of the record, the Court concludes that NetJumper has set forth a sufficient basis upon which to support its request to file a response brief that, in its judgment, would

consist of approximately 37 pages.

Accordingly, NetJumper's request to file a brief in excess of the limitation, which has been established by the Local Rules of this Court, is granted.

IT IS SO ORDERED.

DATED: October 19, 2005

s/ Julian Abele Cook, Jr.  
JULIAN ABELE COOK, JR.  
United States District Judge

Certificate of Service

I hereby certify that on October 19, 2005, I electronically filed the foregoing with the Clerk of the Court using the ECF system, and I further certify that I mailed a copy to the non-ECF participant(s).

s/ Kay Alford  
Courtroom Deputy Clerk