

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED

NOV - 9 2005

CLERK'S OFFICE
U. S. DISTRICT COURT
EASTERN MICHIGAN

NETJUMPER SOFTWARE, L.L.C.
a Michigan limited liability corporation,

Plaintiff,

v.

GOOGLE INC.,
a California corporation

Defendant.

Civil Action No. 04-70366-CV
Hon. Julian Abele Cook

Magistrate Judge R. Steven Whalen

Andrew Kochanowski
Nabeel M. Hamameh
Sommers Schwartz, PC
2000 Town Center, Suite 900
Southfield, MI 48075

Michael H. Baniak
Baniak Pinc & Gannon
150 North Wacker Drive, Suite 1200
Chicago, IL 60606

Attorneys for NetJumper Software, L.L.C.

Kathleen A. Lang (P34695)
L. Pahl Zinn (P57516)
DICKINSON WRIGHT PLLC
500 Woodward Avenue, Suite 4000
Detroit, MI 48226-3425
(313) 223-3500

Frank E. Scherkenbach
FISH & RICHARDSON P.C.
225 Franklin Street
Boston, MA 02110-2804

Howard G. Pollack
FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063

Attorneys for Google Inc.

**EX PARTE MOTION AND BRIEF IN SUPPORT OF MOTION FOR ORDER
ALLOWING ELECTRONIC EQUIPMENT INTO COURTROOM OF JUDGE JULIAN
ABELE COOK**

NOW COMES Google Inc., by its attorneys, and moves this Court pursuant to E.D. Mich. LR 83.31(e) for permission to bring three laptop computers, one projection screen and one proxima projector into Judge Julian Abele Cook's courtroom for purposes of oral argument on November 17, 2005 at 2:00 p.m. In support of this Ex-Parte Motion, Google states as follows:

1. The Motion for Summary Judgment Of Non-Infringement And Invalidity Of The '172 Patent involves a complicated analyses of both non-infringement and invalidity of the patents-in-suit. The Motion and Brief in Support examine, in necessary detail, not only the prosecution history of the patent but also the accused product and one prior art reference. The Brief, including Google's Reply Brief in support also proposes Google's construction of relevant claim terms either necessary or disputed in connection with the motion.

2. Given the nature and number of issues before this Court, Google requests the opportunity to present the Court with visual aides and exhibits, enlarged on a projection screen. The visual aides and exhibits may include color enlargements of diagrams contained in the patent, color enlargements of graphics contained in the parties' briefs, and presenting summary exhibits highlighted from the evidentiary record.

3. The least intrusive method to present the visual aides and exhibits to the Court is by the use of a computer program controlled by a laptop computer. The laptop computer connects to a small projector that presents the visual aides on a screen for viewing. Google may also bring a backup laptop computer for the presentation.

WHEREFORE, Google respectfully request this Court enter the attached Order allowing electronic equipment into the courtroom of Judge Julian Abele Cook for the summary judgment hearing set for November 17, 2005 at 2:00 p.m.

Respectfully submitted,

By  _____

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L. Pahl-Zinn (P57516)
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225 Franklin Street
Boston, MA 02110-2804

Howard G. Pollack
FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063
Attorneys for Google Inc

Dated: November 7, 2005

DETROIT 28155-1 906405

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UNITED STATES DISTRICT COURT
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SOUTHERN DIVISION

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Attorneys for NetJumper Software, L.L.C.

Howard G. Pollack
FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063

Attorneys for Google Inc.

**ORDER ALLOWING ELECTRONIC EQUIPMENT
INTO COURT ROOM OF HON. JULIAN ABELE COOK**

IT IS HEREBY ORDERED that Defendant Google Inc. may bring the electronic equipment identified below into the court room of Hon. Julian Abele Cook, for a hearing scheduled on November 17, 2005 at 2:00 p.m.:

1. Three (2) laptop computers;

2. One (1) proxima projector; and
3. One (1) projection screen.

Attorneys for Google Inc. shall present a True Copy of this Order to the United States Marshall upon entry to the court house.

District Court Judge

Dated: _November __, 2005

DETROIT 28155-1 906310v1

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EASTERN DISTRICT OF MICHIGAN
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District Court Judge

Dated: November 9, 2005

DETROIT 28155-1 906310v1