

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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

Case No. 04-70366-CV
Hon. Julian Abele Cook
Magistrate Judge R. Steven Whalen

Plaintiff,

vs.

GOOGLE INC.,
a Delaware corporation,

Defendant.

SOMMERS SCHWARTZ, P.C.
Andrew Kochanowski (P55117)
Nabeel N. Hamameh (P60981)
Attorneys For Plaintiff
2000 Town Center, 9th Floor
Southfield, MI 48075
(248) 355-0300

DICKINSON WRIGHT, PLLC
Kathleen A. Lang (P34695)
L. Pahl Zinn (P57516)
Attorneys For Defendant
500 Woodward Ave., Ste. 4000
Detroit, MI 48226
(313) 223-3500

BANIAK, PINE & GANNON
Michael Baniak
Co-Counsel For Plaintiff
150 N. Wacker Drive, Suite 1200
Chicago, IL 60606
(312) 673-0360

FISH & RICHARDSON P.C.
Howard G. Pollack
Attorneys For Defendant
500 Arguello Street, Ste. 500
Redwood City, CA 94063
(650) 839-5070

FISH & RICHARDSON P.C.
Frank E. Scherkenbach
225 Franklin Street, Ste. 3100
Boston, MA 02110-2804
(617) 542-5070

**EX-PARTE MOTION AND BRIEF IN SUPPORT OF MOTION FOR
ORDER TO ALLOW ELECTRONIC EQUIPMENT INTO THE
COURTROOM OF THE HONORABLE JULIAN ABELE COOK**

Plaintiff Netjumper Software, L.L.C. (“Netjumper”), by and through its attorneys, Sommers Schwartz, P.C. hereby moves this Honorable Court for permission to bring one laptop computer, one projector, one projector screen and one object display unit in to the courtroom of the Honorable Julian Abele Cook on December 14, 2005 pursuant to E.D. Mich. LR 8331(e). In support of its Ex-Parte Motion, NetJumper states as follows:

1. Due to the complexity and nature of the issues presented in Google’s Motion for Summary Judgment of Non-Infringement and Invalidity of the ‘172 Patent, as well as NetJumper’s opposition to this motion, Plaintiff would like to present this Honorable Court with visual aides during its oral argument to assist the Court in its understanding of the issues and arguments raised by the parties.

2. These visual aides will include Power Point presentations that will be projected on to a screen through the use of a laptop computer and a projector; and, drawings and other diagrams that will be projected on to a screen through the use of an object display unit. The visual aides may include diagrams, charts, excerpts from briefs, exhibits from the evidentiary record, and other items that may assist the Court in understanding the issues.

3. In order for the electronic equipment to be used at the hearing, it will be necessary for this Honorable Court to issue an Order permitting entry by counsel into the courthouse so that the federal marshals, who protect the security of the courthouse, will allow the electronic equipment to be brought into the courtroom of the Honorable Julian Abele Cook on December 14, 2005.

4. Defendant Google has already filed an ex parte motion to allow them to bring into the courtroom various electronic equipment for purposes of providing the Court with visual aides, and the Court has granted such motion in an Order dated November 9, 2005.

LAW OFFICES
SOMMERS SCHWARTZ, P.C.
2000 TOWN CENTER • SUITE 900 • SOUTHFIELD, MICHIGAN 48075 • (248) 355-0300

WHEREFORE, NetJumper respectfully prays that this Honorable Court enter the attached Order to allow electronic equipment in to the courtroom of Judge Julian Abele Cook on December 14, 2005.

Respectfully submitted,

/s/ Nabeel N. Hamameh (P60981)
SOMMERS SCHWARTZ, P.C.
Attorneys for Plaintiff
2000 Town Center Drive, Suite 900
Southfield, MI 48075
(248) 355-0300
nhamameh@sommerspc.com

DATED: November 22, 2005

PROOF OF SERVICE

I certify that on November 22, 2005, I electronically filed the forgoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Kathleen A. Lang; klang@dickinsonwright.com
L. Pahl Zinn; pzinn@dickinsonwright.com
Michael H. Baniak; baniak@bpglaw.com

and I hereby certify that I have mailed by United States Postal Service First Class Mail the paper to the following non-ECF participants:

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

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

s/Nabeel N. Hamameh (P60981)
Sommers Schwartz, PC
2000 Town Center, Suite 900
Southfield, MI 48075
(248) 355-0300
nhamameh@sommerspc.com

LAW OFFICES
SOMMERS SCHWARTZ, P.C.
2000 TOWN CENTER • SUITE 900 • SOUTHFIELD, MICHIGAN 48075 • (248) 355-0300

LAW OFFICES
SOMMERS SCHWARTZ, P.C.
2000 TOWN CENTER • SUITE 900 • SOUTHFIELD, MICHIGAN 48075 • (248) 355-0300