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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

ENTERTAINMENT SOFTWARE ASSOCIATION, VIDEO SOFTWARE DEALERS ASSOCIATION, and MICHIGAN RETAILERS ASSOCIATION,

No. 05-73634

Plaintiffs,

HON. GEORGE CARAM STEEH MAGISTRATE JUDGE PEPE

v

JENNIFER GRANHOLM, in her official capacity as Governor of the State of Michigan; MICHAEL A. COX, in his official capacity as Attorney General for the State of Michigan, et al, and KYM L. WORTHY, in her official capacity as Wayne County Prosecuting Attorney,

Defendants.

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Denise C. Barton (P41535) Jason R. Evans (P61567) Ann Sherman (P67762) Attorneys for Defendants Michigan Department of Attorney General Public Employment, Elections & Tort Div. P.O. Box 30736 Lansing MI 48909 (517) 373-6434

DEFENDANTS' EX PARTE MOTION FOR LEAVE TO FILE EXHIBITS IN THE TRADITIONAL MANNER

NOW COME Defendants and pursuant to the Electronic Filing Policies and Procedures,

seeks leave of this Court to file exhibits in the traditional manner.

The exhibits to Defendants' Response to Plaintiffs' Motion for Summary Judgment cannot be authentically converted to electronic form for the following reasons: One is VHS tape and the other is a CD-ROM.

For the foregoing reasons, the undersigned respectfully requests that this Court grant the leave sought in this motion.

Respectfully submitted,

MICHAEL A. COX Attorney General

s/Denise C. Barton P.O. Box 30736 Lansing, MI 48909 Primary E-Mail: Bartond@michigan.gov (P41535)

Filed 01/18/2006

Dated: January 18, 2006

CERTIFICATE OF SERVICE

I hereby certify that on January 18, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing of the following: Defendants' Ex Parte Motion for Leave to File Exhibits in the Traditional Manner.

> s/Denise C. Barton (P41535) Dept of Attorney General Public Employment, Elections & Tort Defense Div. P.O. Box 30736 Lansing, MI 48909-8236 (517) 373-6434 Email: bartond@michigan.gov