

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

THE WEATHER UNDERGROUND, INC.,
a Michigan corporation,

Plaintiff,

vs.

Case No. 2:09-CV-10756
Hon. Marianne O. Battani

NAVIGATION CATALYST SYSTEMS, INC.,
a Delaware corporation; CONNEXUS CORP.,
a Delaware corporation; FIRSTLOOK, INC.,
a Delaware corporation; and EPIC MEDIA
GROUP, INC., a Delaware corporation,

Defendants.

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**CONNEXUS, FIRSTLOOK, AND NCS'S EVIDENTIARY OBJECTIONS AND
RESPONSE TO PLAINTIFF'S MOTION FOR A JURY INSTRUCTION ON
SPOILIATION OF EVIDENCE**

MEMORANDUM OF POINTS AND AUTHORITIES

Defendants Connexus Corporation, Firstlook, Inc., and Navigation Catalyst Systems, Inc. oppose Plaintiff's Motion for a Jury Instruction on Spoliation of Evidence for the reasons set forth in Defendants' Motion in *Limine* No. 4 which is fully incorporated herein by reference.

Dated: February 24, 2012

Respectfully Submitted,

/s/William A. Delgado

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CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2012, I electronically filed the foregoing paper with the Court using the ECF system which will send notification of such filing to the following:

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