



UNITED STATES | ENGLAND | CHINA

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October 8, 2010

The Honorable Joan N. Ericksen
United States District Court Judge
United States District Court, District of Minnesota
300 South Fourth Street, Suite 12W
Minneapolis, MN 55415

Re: *TimeBase Pty Ltd. v. The Thomson Corp. et al.*,
Civ. No. 07-1678 (JNE/JJG)

Dear Judge Ericksen:

Defendants write in response to TimeBase's Motion for Leave to File Its Supplemental Claim Construction Brief, which was filed on October 6, 2010.

As an initial matter, defendants note that TimeBase's motion is improper. The motion includes a copy of the memorandum for which TimeBase is seeking permission to file, which is in violation of Local Rule 7.1(g). See *Hartford Fire v. Clark*, No. 03-cv-3190, 2010 WL 428803, at *1 (D. Minn. Jan. 29, 2010) ("no local rule permits a party to file a supplemental brief without first getting the Court's permission") (slip opinion) (copy enclosed).

In addition, the arguments made in TimeBase's supplemental brief simply repeat arguments made by TimeBase in its earlier briefs or by Mr. Hosteny at oral argument. Defendants believe that the existing claim construction record before the Court is complete and that no further argument is necessary unless the Court believes further briefing would be helpful.

Very truly yours,

A handwritten signature in black ink, appearing to read "Calvin L. Litsey".

Calvin L. Litsey

The Honorable Joan N. Ericksen

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Enclosure

cc: Joseph Hosteny (w/encs.)

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