

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

TIMEBASE PTY LTD.,

Plaintiff,

vs.

THE THOMSON CORPORATION,  
WEST PUBLISHING CORPORATION,  
and WEST SERVICES, INC.,

Defendants.

**Civil No. 07-1687 (JNE/JJG)**

**DEFENDANTS' MOTION TO  
EXCLUDE TESTIMONY OF  
DR. OPHIR FRIEDER**

Defendants The Thomson Corporation, West Publishing Corporation, and West Services, Inc. (collectively, "Defendants") hereby move the Court pursuant to Federal Rule of Evidence 702 for an order excluding the opinion and testimony of Dr. Ophir Frieder, Plaintiff's technical expert, on direct or indirect infringement of United States Patent Nos. 6,233,592 and 7,293,228, or, in the alternative, pursuant to Federal Rules of Civil Procedure 26(a)(2)(B) and 37(c) for an order precluding Dr. Ophir Frieder from testifying that Defendants' accused products or methods embody any limitation of any asserted patent claim.

Defendants' motion is based upon the Notice of Motion and Motion, the Brief in Support of Defendants' Motion, and on the file, declarations, exhibits, record, and proceedings herein.

Respectfully submitted,

Dated: June 30, 2011

*s/Calvin L. Litsey*

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