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VIA FEDERAL EXPRESS

The Honorable Joan N. Ericksen
 United States District Court
 12W U.S. Courthouse
 300 South Fourth Street
 Minneapolis, MN 55415

Re: Timebase v. Thomson, et al - Case No. 07CV1687

Dear Judge Ericksen:

At the oral argument on August 11 regarding the Defendants' motion for summary judgment, the parties and the Court discussed the effect of the Court's claim constructions upon the summary judgment requested by the defendants.

TimeBase has therefore filed its Motion to Clarify The Claim Construction As It Relates to Summary Judgment. The present hearing date for this motion is October 20, 2011.

Because TimeBase's motion addresses issues arising in the oral argument concerning the Defendants' motion for summary judgment, TimeBase respectfully requests an earlier hearing date so that the clarification is addressed before the summary judgment motion is decided.

Thank you for your consideration. Courtesy copies are enclosed.

Sincerely,


 Joseph N. Hosteny

JNH/mk
 Encls.

cc: Michael Cunningham, w/o encls.
 Opposing counsel, w/o encls.