

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:10-CV-439-FDW-DCK**

LENDINGTREE, LLC,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
ZILLOW, INC.,)	
)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on “Plaintiff LendingTree, LLC’s Motion To Compel Updated ‘New Request Count’ Data From Defendant Zillow, Inc. And Motion For Expedited Briefing (Document No. 461) filed January 23, 2014. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion, the record, and applicable authority, the undersigned will grant the motion, in part.

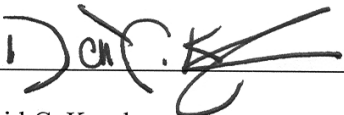
Under the circumstances, the Court will require Defendant Zillow, Inc. (“Zillow”) to file an expedited response. Zillow’s response should, *inter alia*, address LendingTree, LLC’s pending motion pursuant to Fed.R.Civ.P. 26(e), Fed.R.Civ.P. 37(a) and (c)(1), and the “Claim Construction Scheduling Order” (Document No. 75, p.3), as well as any other persuasive authority that might provide guidance here. The Court is particularly interested in the whether the timing of the pending motion, and the timeliness of the parties’ supplementations to date, support Plaintiff’s “...Motion To Compel...” (Document No. 461).

IT IS, THEREFORE, ORDERED that “Plaintiff LendingTree, LLC’s Motion To Compel Updated ‘New Request Count’ Data From Defendant Zillow, Inc. And Motion For

Expedited Briefing (Document No. 461) is **GRANTED, in part**. Defendant Zillow, Inc. shall file a response on or before **12:00 p.m., January 29, 2014**.

SO ORDERED.

Signed: January 24, 2014



David C. Keesler
United States Magistrate Judge

