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IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

VALENCIA M. MCCLATCHEY,)	
Plaintiff,)	
)	Civil Action No. 05-145J
v.)	
)	
THE ASSOCIATED PRESS,)	
)	
Defendant.)	
)	

MOTION IN LIMINE TO EXCLUDE CERTAIN DOCUMENTS AND TESTIMONY REGARDING AOL

Defendant The Associated Press ("AP") through its undersigned counsel, for the reasons set forth in the accompanying memorandum, respectfully moves this Court in limine for an Order excluding documents and testimony concerning AOL.

Dated: May 4, 2007 Respectfully submitted, LEVINE SULLIVAN KOCH & SCHULZ, L.L.P.

By: /s/Robert Penchina

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Gayle C. Sproul (I.D. No. 38833)

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Attorneys for The Associated Press

MOTION IN LIMINE CERTIFICATE

I HEREBY CERTIFY that despite the reasonable and good faith efforts of the parties to this action to reach agreement concerning the issues raised by this motion *in limine*, the parties were unable to reach such an agreement.

/s/ Robert Penchina
Robert Penchina

CERTIFICATE OF SERVICE

I, Michael Berry, hereby certify that on this 4th day of May, 2007, I caused to be served a true and correct copy of the foregoing Motion in Limine, as well as the Memorandum in support thereof and accompanying Proposed Order, via the Court's ECF system, upon the following counsel of record:

> Paul K. Vickrey Douglas M. Hall Kara L. Szpondowski Niro, Scavone, Haller & Niro 181 West Madison, Suite 4600 Chicago, Illinois 60602-4515

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> /s/ Michael Berry Michael Berry