

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PA ADVISORS, LLC,
Plaintiff,

v.

GOOGLE INC., et al.,
Defendants.

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Civil Action No. 2:07-cv-480-RRR

JURY TRIAL DEMANDED

PLAINTIFF NXN TECH, LLC'S:

**UNOPPOSED MOTION FOR LEAVE TO EXCEED THE PAGE
LIMITS BY ONE AND ONE-HALF PAGES FOR PLAINTIFF'S RESPONSE TO
DEFENDANTS' MOTION FOR SANCTIONS AND ACCEPT PLAINTIFF'S EXHIBITS
[DKT NO. 379] IN SUPPORT OF RESPONSE [DKT NO. 377] AS TIMELY FILED**

AND

**UNOPPOSED MOTION FOR LEAVE TO CONSIDER TIMELY PLAINTIFF'S
RESPONSE TO DEFENDANT YAHOO! INC.'S MOTION TO STRIKE NEW
INFRINGEMENT OPINION AND THEORIES
IN THE JANUARY 22, SUPPLEMENTAL EXPERT REPORT**

Plaintiff nXn Tech, LLC (f/k/a PA Advisors, LLC) (“nXn”) respectfully files this Motion, in which it seeks the Court’s leave on the following.

1. With regard to Plaintiff’s Response to the Defendants’ Motion for Sanctions filed on January 25, 2010, Plaintiff seeks the following: (i) leave of Court to allow a 16.3 page response to that Motion for Sanctions—meaning the as-filed version, or proposed to be filed version, exceeds by 1.3 pages the limit stated in the Court’s order that the response “should not exceed 15 pages” (Dkt. No. 374); (ii) consider that filing timely in terms of the Court’s noon deadline, issued the previous day, for the Plaintiff’s Response to that motion and attached exhibits. Although the response has a file stamp confirmation of 12 noon—the Court’s deadline—in the interest of meeting the deadline for the response, the exhibits were filed separately, and officially considered filed at 1:08 p.m. Counsel for Defendant Google and counsel for Defendant Yahoo have stated they are unopposed to this relief.

2. With regard to the Response of Plaintiff to Defendant Yahoo! Inc.’s Motion To Strike New Infringement Opinion and Theories in the January 22 Supplemental Report (“Motion to Strike”), Plaintiff requests the Court’s leave to accept the 12:07 p.m. filing as timely in light of the Court’s noon deadline. Counsel for Yahoo has indicated it is unopposed to this relief as well.

Dated: January 28, 2010

Respectfully submitted,

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By: /s/ Elizabeth A. Wiley

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CERTIFICATE OF SERVICE

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served today with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

January 28, 2010

\s\ Elizabeth A. Wiley
Elizabeth A. Wiley