

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

ESN, LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 5:08-cv-20-DF
)	
CISCO SYSTEMS, INC., and)	JURY TRIAL DEMANDED
CISCO-LINKSYS, LLC,)	
)	
Defendants.)	

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE BRIEFS IN EXCESS OF
THE PAGE LIMITATIONS SET FORTH IN LOCAL RULE CV-7**

Defendants Cisco-Systems, Inc. and Cisco-Linksys, LLC (collectively "Cisco") respectfully move for leave of Court to file a reply brief in support of their Motion to Dismiss and a sur-reply brief in opposition to Plaintiff's Motion to Disqualify Counsel. According to Local Rule CV-7 reply briefs for dispositive motions are limited to ten pages and sur-reply briefs for non-dispositive motions are limited to five pages. A copy of Cisco's reply and sur-reply briefs are being filed simultaneously herewith.

Cisco has used its best efforts to limit the number of pages in its briefs. However, the significance of the additional facts uncovered during the course of discovery during the briefing of these Motions, which included multiple depositions of relevant witnesses and the production of numerous relevant documents, required substantial explanation and discussion. Further, ESN moved for and was granted a six page extension on its reply in support of its Motion to Disqualify. Cisco requests additional pages to address ESN's extensive reply. Accordingly,

Cisco seeks an additional five pages on its reply in support of its Motion to Dismiss, and an additional page on its sur-reply in opposition to Plaintiff's Motion to Disqualify Counsel.

For the reasons stated herein, Cisco respectfully requests that the Court grant Cisco's Unopposed Motion For Leave to File Briefs in Excess of the Page Limitations Set Forth in Local Rule CV-7.

DATED: September 18, 2009

Respectfully submitted,

By /s/ Kevin A. Smith

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CERTIFICATE OF SERVICE

I hereby certify that on the date this proof of service is signed below, I served the foregoing:

DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE BRIEFS IN EXCESS OF THE PAGE LIMITATIONS SET FORTH IN LOCAL RULE CV-7

by email and via the Court's Electronic Filing System to

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