

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

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

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE BRIEF 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 brief in opposition to ESN's "Motion ot Impose Sanctions on Cisco for Discovery Misconduct" in excess of the page limit provided by Local rule CV-7. According to Local Rule CV-7 opposition briefs for non-dispositive motions are limited to fifteen pages. Cisco has used its best efforts to limit the number of pages in its brief. However, ESN moved for and was granted a five page extension on its brief in support of its Motion. Cisco, therefore, requests an additional five pages to address ESN's extensive Motion.

For the reasons stated herein, Cisco respectfully requests that the Court grant Cisco's Unopposed Motion For Leave to File Brief in Excess of the Page Limitations Set Forth in Local Rule CV-7. ESN does not oppose this Motion.

DATED: October 27, 2009

Respectfully submitted,

By /s/ Kevin A. Smith

POTTER MINTON  
A Professional Corporation

MICHAEL JONES  
Tex. Bar No. 10929400  
mikejones@potterminton.com  
110 N. College, Suite 500 (75702)  
P.O. Box 359  
Tyler, Texas 75710  
Telephone: (903) 597-8311  
Facsimile: (903) 593-0846

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

CHARLES K. VERHOEVEN  
LEAD COUNSEL  
Cal. Bar No. 170151  
charlesverhoeven@quinnemanuel.com  
KEVIN A. SMITH  
Cal. Bar No. 250814  
kevinsmith@quinnemanuel.com  
MATTHEW D. CANNON  
Cal. Bar No. 252666  
matthewcannon@quinnemanuel.com  
50 California St., 22nd Floor  
San Francisco, California 94111  
Telephone: (415) 875-6600  
Facsimile: (415) 875-6700

VICTORIA F. MAROULIS  
Cal. Bar No. 202603  
victoriamaroulis@quinnemanuel.com  
SAYURI K. SHARPER  
Cal. Bar No. 232331  
sayurisharper@quinnemanuel.com  
555 Twin Dolphin Dr., Suite 560  
Redwood Shores, California 94065  
Telephone: (650) 801-5000  
Facsimile: (650) 801-5100

Attorneys for Defendants  
Cisco Systems, Inc. and Cisco-Linksys, LLC

## 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 BRIEF IN EXCESS OF THE PAGE LIMITATIONS SET FORTH IN LOCAL RULE CV-7

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

George P. McAndrews  
gmcandrews@mcandrews-ip.com  
Thomas J. Wimbiscus  
twimbiscus@mcandrews-ip.com  
Peter J. McAndrews  
pmcandrews@mcandrews-ip.com  
Gerald C. Willis  
jwillis@mcandrews-ip.com  
Paul W. McAndrews  
pwmcandrews@mcandrews-ip.com  
Matthew N. Allison  
mallison@mcandrews-ip.com  
Heather Bjella  
hbjella@mcandrews-ip.com  
Holly Mack  
hmack@mcandrews-ip.com  
McAndrews, Held & Malloy  
500 West Madison, Suite 3400  
Chicago, IL 60661  
Telephone 312(775-8000  
Fax (312) 775-8100

Eric M. Albritton  
ema@emafirm.com  
Albritton Law Firm  
P.O. Box 2649  
Longview, Texas 75606  
Telephone (903) 757-8449  
Fax (903) 757-2323

T. John Ward  
jw@jwfirm.com  
Ward & Smith Law Firm  
111 West Tyler Street  
Longview, Texas 75601  
Telephone (903) 757-6400  
Fax (903) 757-2323

Date: October 27, 2009

/s/ Kevin A. Smith