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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

<p>PUBLIC ENGINES, INC., a Delaware corporation,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>REPORTSEE, INC., a Delaware corporation,</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">DEFENDANT’S <i>EX PARTE</i> MOTION FOR LEAVE TO FILE OVERLENGTH MEMORANDUM OPPOSING PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION</p> <p>Case No. 2:10-cv-317</p> <p>Judge Tena Campbell</p>
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Pursuant to DUCivR 7-1(e), Defendant ReportSee, Inc. (“ReportSee”), through its undersigned counsel, respectfully moves the Court for an Order granting leave to file an overlength Memorandum Opposing Plaintiff’s Motion for Preliminary Injunction. The proposed

memorandum contains approximately 36 pages of argument, an excess of approximately 11 pages.

ReportSee submits that good cause and exceptional circumstances justify the need for extension of the specified 25-page limitation. Plaintiff Public Engines, Inc. (“Plaintiff”) has filed a 32-page brief asserting that Plaintiff is likely to succeed on the merits of all six of its claims in this case, including a claim under federal law that also provides for criminal penalties. The issues raised by Plaintiff are complicated, and the criminal issues warrant a lengthier discussion of Plaintiff’s alleged likelihood of success on the merits. In addition, Plaintiff’s claims raise serious First Amendment concerns, the discussion of which adds additional length to the memorandum. Finally, Plaintiff’s motion essentially seeks by preliminary injunction all of the relief to which it would be entitled at the conclusion of the trial in this matter. The broad scope and severity of Plaintiff’s requested relief justify the additional length of ReportSee’s brief.

Accordingly, ReportSee respectfully requests that leave be granted. A proposed form of Order granting this motion is attached hereto.

DATED this 13th day of May 2010.

/s/ David C. Reymann
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CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of May 2010, I filed the foregoing **DEFENDANT'S**
EX PARTE MOTION FOR LEAVE TO FILE OVERLENGTH MEMORANDUM
OPPOSING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION via the
CM/ECF system, which electronically served the following counsel of record:

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