

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

ROSETTA STONE LTD.,)
)
Plaintiff,)
)
vs.)
)
GOOGLE INC.,)
)
Defendant.)
)

Case No. 1:09-cv-00736 (GBL/TCB)

**JOINT MOTION TO SUBMIT ELECTRONIC COPIES OF
TRIAL EXHIBITS AND MEMORANDUM IN SUPPORT**

Plaintiff Rosetta Stone Ltd. (“Rosetta Stone”) and Defendant Google Inc. (“Google”) hereby jointly move the Court for permission to submit trial exhibits to the Clerk in electronic form. In support of this Motion, the parties submit the following:

1. Pursuant to Local Civil Rule 79, unless otherwise ordered by the Court, the parties are required to deliver to the Clerk an original and two copies of their trial exhibits, placed in binders and properly tabbed, numbered and indexed. Local Civil Rule 79 further requires the parties to exchange a hard copy of their trial exhibits, placed in binders and properly tabbed, numbered and indexed.
2. The trial exhibits in this case are voluminous and likely will comprise in excess of fifty binders if they are prepared in hard copy in accordance with Local Civil Rule 79.
3. Many of the trial exhibits, moreover, are lengthy Excel spreadsheets and other documents that are not readily converted to hard copy and likely will be utilized at trial in their native format.

4. The parties therefore propose submitting to the Clerk and exchanging a DVD (or DVDs) containing electronic copies of their trial exhibits. The exhibits shall be properly numbered and the DVD(s) shall contain an index so that the trial exhibits can be readily accessed.

The parties agree to waive oral argument on this Motion.

Rosetta Stone and Google therefore respectfully request that the Court grant their Joint Motion and enter the attached order.


Respectfully submitted,

April 26, 2010
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CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2010, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing (NEF) to the following:

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Respectfully submitted,

April 26, 2010

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