

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

I/P ENGINE, INC.

Plaintiff,

v.

AOL, INC., *et al.*,

Defendants.

Civil Action No. 2:11-cv-512

GOOGLE INC.'S MOTION TO COMPEL PLAINTIFF TO PRODUCE DOCUMENTS

Defendant Google Inc. ("Google"), by counsel, respectfully moves this Court for an order compelling Plaintiff I/P Engine, Inc. ("Plaintiff") to produce the relevant, responsive, non-privileged documents it has improperly withheld: (1) all documents provided by Innovate/Protect, Inc. to potential investors that concern the patents-in-suit and this litigation; (2) the consulting agreement between Dickstein Shapiro LLP ("Dickstein Shapiro") and Donald Kosak; (3) all documents of Andrew K. Lang responsive to Google's requests for production (and, to the extent that any such documents have not been maintained or no longer exist, to provide an explanation for their destruction); and (4) all documents related to Dickstein Shapiro's pre-litigation involvement in offers to sell the patents-in-suit, negotiations related to the patents-in-suit, and the actual sale of the patents-in-suit from Lycos, Inc. to Plaintiff. The grounds and authorities in support of this motion are set forth in the accompanying Brief in Support of Google's Motion, the Declaration of Jennifer Ghaussy in Support of Google's Motion, and the associated Exhibits. A proposed order is attached as **Exhibit 1**.

DATED: August 14, 2012

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CERTIFICATE OF CONSULTATION

In accordance with Local Rule 37(e), I certify that counsel conferred in good faith to resolve this dispute prior to the filing of the present motion. Counsel's meet-and-confer efforts are set forth above, and included telephonic meet and confers on July 19 and August 2, 2012.

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CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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