

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

**MOTION AND MEMORANDUM IN SUPPORT OF MOTION FOR LEAVE TO FILE
SUPPLEMENTAL BRIEF IN OPPOSITION TO PLAINTIFF'S MOTION FOR
DISCOVERY SANCTIONS**

Defendants respectfully request leave to file a short, Supplemental Brief in Opposition to Plaintiff's Motion for Sanctions and Supporting Declaration, copies of which are attached as **Exhibits 1 and 2**. Since the original briefing of the Motion for Sanctions, several important factual events in discovery have occurred that will help this Court in reaching a just decision on the Motion for Sanctions. These events have blunted any claim of prejudice made by Plaintiff in the Motion for Sanctions. As such, in the interest of completeness and fairness to the parties, the Defendants request that this Court exercise its discretion and allow the filing of the proposed Supplemental Brief in Opposition to Plaintiff's Motion for Sanctions.

DATED: September 14, 2012

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CERTIFICATE OF SERVICE

I hereby certify that on September 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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