

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

**DEFENDANTS' MOTION TO PRECLUDE DR. OPHIR FRIEDER FROM
TESTIFYING REGARDING UNTIMELY OPINIONS THAT WERE NOT DISCLOSED
IN HIS ORIGINAL EXPERT REPORT AND OPINIONS THAT HE NOW CONCEDES
ARE INCORRECT**

Defendants AOL Inc. ("AOL"), Google Inc. ("Google"), IAC Search & Media, Inc. ("IAC Search"), Gannett Co., Inc. ("Gannett") and Target Corporation ("Target") (collectively "Defendants") respectfully request that the Court strike all opinions that were not disclosed in the Expert Report of Ophir Frieder on Infringement of U.S. Patent Nos. 6,314,420 and 6,775,664 served on July 25, 2012. The grounds and authorities in support of this Motion are set forth in the accompanying Memorandum In Support of Defendants' Motion to Preclude Dr. Ophir Frieder from Testifying Regarding Untimely Opinions That Were Not Disclosed in His Original Expert Report and Opinions That He Now Concedes Are Incorrect, and the Declaration of Jennifer Ghaussy in Support of Defendants' Motion to Preclude Dr. Ophir Frieder from Testifying Regarding Untimely Opinions That Were Not Disclosed in His Original Expert Report and Opinions That He Now Concedes Are Incorrect and the associated Exhibits. A proposed order is attached is attached as **Exhibit 1**.

DATED: September 21, 2012

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CERTIFICATE OF SERVICE

I hereby certify that on September 21, 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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