

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

**JOINT MOTION AND MEMORANDUM IN SUPPORT OF JOINT MOTION FOR AN
EXTENSION OF TIME TO RESPOND TO THE COURT'S ORDER ON
OUTSTANDING MOTIONS TO SEAL**

Defendants AOL Inc. (“AOL”), IAC Search & Media, Inc. (“IAC”), Gannett Co., Inc. (“Gannett”), Target Corporation (“Target”), and Google Inc. (“Google”) (collectively “Defendants”), and Plaintiff, I/P Engine, Inc. (“I/P Engine”), by counsel, jointly move this Court for entry of an order granting the parties an extension of time to respond to the Court’s February 7, 2013 Order Regarding Outstanding Motions to Seal Case Documents (Dkt. No. 886) (“Court’s Order on Outstanding Motions to Seal”), and in support thereof state as follows:

1. On February 7, 2013, the Court entered its Order on Outstanding Motions to Seal and directed the parties within seven (7) days to:

- “undertake an assessment of the outstanding motions to seal case records and provide the names and document numbers of motions to seal that are now moot, withdrawn, or that should otherwise be dismissed;”

- “submit a proposed order disposing of any outstanding motions to seal that are moot, withdrawn or otherwise should be dismissed;” and
- “[a]ffirmatively identify, by name and document number, which outstanding motions to seal still need to be resolved by the Court.”

2. Having reviewed the docket, the parties have found a minimum of *thirty five (35) unresolved motions to seal* and have begun reviewing those motions and the documents referenced therein to determine if any motions may be dismissed and whether any documents can be withdrawn, further redacted or made public. In addition, as directed by the Order, the parties are coordinating their efforts. Unfortunately, given the volume of unresolved motions and proposed sealed documents, the parties need additional time to complete their review. As a result, the parties request that this Court grant them leave through February 28, 2013 to respond to the Court’s Order on Outstanding Motions to Seal.

3. Granting the requested extension will not prejudice the Court or the parties and will allow a more orderly disposition of the Outstanding Motions to Seal.

4. Attached as **Exhibit 1** is a proposed agreed order granting the jointly requested extension. The parties will deliver an endorsed agreed order granting the requested relief to the Court by hand for consideration.

WHEREFORE, the parties, by counsel, jointly request that this Court enter the proposed agreed order attached as **Exhibit 1** granting the parties through and including February 28, 2013 to respond to the Court’s Order on Outstanding Motions to Seal.

Dated: February 12, 2013

Respectfully submitted,

/s/ Stephen E. Noona

Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624-3000
Facsimile: (757) 624-3169
senoona@kaufcan.com

Counsel for AOL Inc., Google Inc., IAC Search & Media, Inc., Gannett Co., Inc. and Target Corporation

David Bilsker
David A. Perlson
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, California 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700
davidbilsker@quinnemanuel.com
davidperlson@quinnemanuel.com

Counsel for Google Inc., IAC Search & Media, Inc., Gannett Co., Inc. and Target Corporation

/s/ Stephen E. Noona

Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624-3000
Facsimile: (757) 624-3169
senoona@kaufcan.com

Robert L. Burns
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER, LLP
Two Freedom Square
11955 Freedom Drive

Reston, VA 20190
Telephone: (571) 203-2700
Facsimile: (202) 408-4400

Cortney S. Alexander
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER, LLP
3500 SunTrust Plaza
303 Peachtree Street, NE
Atlanta, GA 94111
Telephone: (404) 653-6400
Facsimile: (415) 653-6444

Counsel for Defendant AOL Inc.

/s/Donald C. Schultz

Donald C. Schultz
W. Ryan Snow
Steven Stancliff
CRENSHAW, WARE & MARTIN, P.L.C.
150 West Main Street, Suite 1500
Norfolk, VA 23510
Telephone: (757) 623-3000
Facsimile: (757) 623-5735
dschultz@cwm-law.com
wrsnow@cwm-law.com
sstancliff@cwm-law.com

Jeffrey K. Sherwood
Kenneth W. Brothers
DICKSTEIN SHAPIRO LLP
1825 Eye Street NW
Washington, DC 20006
Telephone: (202) 420-2200
Facsimile: (202) 420-2201
sherwoodj@dicksteinshapiro.com
brothersk@dicksteinshapiro.com

Counsel for Plaintiff, I/P Engine, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2013, 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:

Donald C. Schultz
W. Ryan Snow
Steven Stancliff
CRENSHAW, WARE & MARTIN, P.L.C.
150 West Main Street, Suite 1500
Norfolk, VA 23510
Telephone: (757) 623-3000
Facsimile: (757) 623-5735
dschultz@cwm-law.com
wrsnow@cwm-law.com
sstancliff@cwm-law.com

Jeffrey K. Sherwood
Kenneth W. Brothers
DICKSTEIN SHAPIRO LLP
1825 Eye Street NW
Washington, DC 20006
Telephone: (202) 420-2200
Facsimile: (202) 420-2201
sherwoodj@dicksteinshapiro.com
brothersk@dicksteinshapiro.com

Counsel for Plaintiff, I/P Engine, Inc.

/s/ Stephen E. Noona
Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624-3000
Facsimile: (757) 624-3169
senoona@kaufcan.com