

1 GILL SPERLEIN (172887)
 2 THE LAW FIRM OF GILL SPERLEIN
 3 584 Castro Street, Suite 849
 4 San Francisco, California 94114
 5 Telephone: (415) 487-1211 X32
 6 Facsimile: (415) 252-7747
 7 legal@titanmedia.com

8 Attorney for Plaintiff
 9 IO GROUP, INC.

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN JOSE DIVISION**

)	
)	CASE NO. C-06-3926 (HRL)
IO GROUP, INC., a California corporation,)	
)	ADMINISTRATIVE MOTION FOR
Plaintiff,)	LEAVE TO FILE SUPPLEMENTAL
)	BRIEF EXPLAINING RELEVANCE OF
vs.)	RECENTLY ISSUED AUTHORITY;
)	AND [PROPOSED] ORDER
)	
VEOH NETWORKS, Inc, a California Corporation,)	
)	
Defendant.)	
)	
)	

21 Pursuant to Local Civil Rule 7-11, Plaintiff Io Group, Inc. submits this Motion for Leave
 22 to File a Supplemental Brief presenting recent authority to the Court and explaining the relevance
 23 of that authority to this matter.

24 Plaintiff attempted to obtain the stipulation of defense counsel, but was unable to reach
 25 them directly and immediately proceeded to file this Administrative Motion since the Court's
 26 ruling on the summary judgment motions may be imminent. Sperlein Declaration at ¶2.

27 On September 4, 2007, having previously been briefed on the Parties' cross motions for
 28 summary judgment, the Court heard oral argument and accepted the matters under submission.

1 On October 16, 2007, the District Court for the Central District of California issued an
2 order granting in part plaintiff's motion for permanent injunction in the case of *Metro-Goldwyn-*
3 *Mayer Studios, Inc. v. Grokster, Ltd*, No. CV 01-8541, CV 01-9923, Doc. No. 1287 (C.D. Cal.
4 October 16, 2007). *Id.* at ¶3.

5
6 Because both parties cited *Metro-Goldwyn-Mayer Studios, Inc. v. Grokster, Ltd.*, 545 U.S.
7 913 (2005) in their respective moving papers and because the *Grokster* district court order further
8 clarifies the Ninth Circuit's ruling in *A&M Records v. Napster, Inc.* 239 F.3d 1004, another case
9 cited to and relied upon by both parties, plaintiff moves this Court for leave to file the short
10 supplemental brief attached hereto as Exhibit A and along with a copy of the District Court's
11 Order.
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13 Respectfully submitted,

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16 Dated: *October 22, 2007*

/s/ Gill Sperlein
Gill Sperlein (CA Bar Number 172887)
THE LAW FIRM OF GILL SPERLEIN
Attorneys for Plaintiff, Io Group, Inc.

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20 **[PROPOSED] ORDER**

21 Having read and considered Plaintiff's Motion for Leave to File Supplemental Brief and
22 any opposition thereto and finding good cause therefore,

23 IT IS HERBY ORDERED that Plaintiff may file the attached Supplemental Brief.
24

25
26 Dated: _____

HONORABLE HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE