

**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 TO POSTPONE BRIEFING AND RULING ON PLAINTIFF'S
MOTION FOR POST-JUDGMENT ROYALTIES**

The Defendants Google Inc., Target Corporation, IAC Search & Media, Inc., Gannett Co., Inc. and AOL Inc. (collectively "Defendants"), respectfully request that the briefing and consideration of Plaintiff's Motion for an Award of Post-Judgment Royalties (D.N. 822) be postponed until after the Court has ruled on all the parties' pending post-trial motions under Federal Rules of Civil Procedure 50, 52, and 59:

- Renewed Motion for Judgment as a Matter of Law on Invalidity or New Trial (D.N. 820);
- Renewed Motion for Judgment as a Matter of Law on Non-Infringement or New Trial (D.N. 831);
- Renewed Motion for Judgment as a Matter of Law on Damages or a New Trial (D.N. 833);
- Motion for New Trial on the Dollar Amount of Past Damages by I/P Engine, Inc. (D.N. 825);
- Motion for Judgment under Rule 52(B) and a New Trial under Rule 59 by I/P Engine, Inc. (D.N. 835).

In the alternative, should the Court not postpone briefing altogether until after a ruling on the parties' other post-trial motions, Defendants request that the Court postpone the deadline for

the opposition to Plaintiff's Motion for an Award of Post-Judgment Royalties to February 28, 2013.

The grounds and authorities in support of this Motion are set forth in the accompanying Brief In Support of Defendants' Motion to Postpone Briefing and Ruling on Plaintiff's Motion for Post-Judgment Royalties. A proposed order is attached as **Exhibit 1**.

DATED: December 21, 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 to Postpone Briefing and Ruling on Plaintiff's Motion for Post-Judgment Royalties. Counsel's meet-and-confer efforts included a telephonic meet-and-confer on December 21, 2012.

/s/ Stephen E. Noona
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CERTIFICATE OF SERVICE

I hereby certify that on December 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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