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ROBERT JACOBSEN
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10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 ROBERT JACOBSEN, an individual,)
14)
Plaintiff,)
15 v.)
16)
MATTHEW KATZER, an individual, and)
17 KAMIND ASSOCIATES, INC., an Oregon)
corporation dba KAM Industries,)
18)
Defendants.)
19)
20)

No. C06-1905-JSW
**MOTION FOR LEAVE TO FILE
SECOND SURREPLY**
Courtroom: 2, 17th Floor
Judge: Hon. Jeffrey S. White

21
22 Plaintiff Robert Jacobsen seeks leave to file a Second Surreply to Defendants' Motion to
23 Dismiss Claims 1, 2, and 3 from the Second Amended Complaint. The Federal Circuit issued
24 relevant case law in April 2008 and later. Plaintiff respectfully asks the Court for leave to file this
25 Surreply so that the Court may consider his arguments relating to this new precedent.
26 Also, Plaintiff became aware of DigiToys closure after the last hearing. This newly discovered fact
27 is relevant to Plaintiff's arguments in his first Surreply.
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The Second Surreply with its exhibits is in Exhibit A.

Respectfully submitted,

DATED: August 20, 2008

By _____ /s/
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ATTORNEY FOR PLAINTIFF