

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF CONNECTICUT

MICROSOFT CORPORATION)	
)	CIVIL ACTION
Plaintiff)	NO.
)	3:08cv1602(RNC)
vs.)	
)	
KENT JOHNSON, an individual d/b/a)	
COMPATIBLE COMPUTERS,)	
)	January 13, 2009
Defendant.)	
)	
)	

**MOTION FOR PERMISSION TO FILE OPPOSITION TO DEFENDANT'S
MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS**

Plaintiff Microsoft Corporation ("Microsoft") respectfully requests permission to file an Opposition to the Memorandum in Support of Motion to Dismiss filed by Defendant Kent Johnson, an individual d/b/a Compatible Computers ("Defendant"). In support of this motion, Microsoft would show that:

- On December 9, 2008, Defendant filed a Motion to Dismiss [doc. # 11];
- At that time, Defendant failed to file a Memorandum of Law, as required by Local Rule 7(a)(1);
- On December 30, 2008, Microsoft timely filed an Opposition to Defendant's Motion to Dismiss [doc. # 14], noting, among other things, that Defendant failed to submit the required Memorandum of Law or otherwise articulate any bases for his Motion to Dismiss;

- On January 13, 2009, in response to Microsoft's Opposition, Defendant filed a document titled "Memorandum in Support of Motion to Dismiss" ("Defendant's Memorandum"), in which Defendant – for the first time – articulated certain grounds purportedly supporting dismissal of this action.

As a result of Defendant's untimely submission of Defendant's Memorandum, Microsoft would denied the opportunity to respond to the merits of Defendant's arguments if it were not granted permission to oppose same.

WHEREFORE, Microsoft respectfully requests permission to file an Opposition to Defendant's Memorandum within ten (10) days of Defendant's filing of Defendant's Memorandum.

THE PLAINTIFF,
MICROSOFT CORPORATION

By: /s/
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