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KRONENBERGER BURGOYNE, LLP
150 Post Street, Suite 520
San Francisco, CA 94108
www.KronenbergerLaw.com

KRONENBERGER BURGOYNE, LLP
Henry M. Burgoyne, III (CA Bar No. 203748)
Karl S. Kronenberger (CA Bar No. 226112)
Jeffrey M. Rosenfeld (CA Bar No. 222187)
150 Post Street, Suite 520
San Francisco, CA 94108
Telephone: (415) 955-1155
Facsimile: (415) 955-1158

Attorneys for Defendant, AZOOGLEADS.COM, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ASIS INTERNET SERVICES, a California corporation,

Plaintiff,

vs.

OPTIN GLOBAL, INC., a Delaware Corporation, also dba Vision Media Limited Corp., USA Lenders Network, USA Lenders, and USA Debt Consolidation Service; et al.,

Defendants.

Case No. C-05-5124 JCS

**AZOOGLEADS.COM INC.'S
AMENDED NOTICE OF MOTION AND
MOTION FOR LEAVE TO AMEND ITS
RESPONSES TO PLAINTIFF'S
REQUESTS FOR ADMISSION**

Date: April 27, 2007
Time: 9:30 a.m.
Courtroom A, 15th Floor
The Honorable Joseph C. Spero

TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT on April 27, 2007 at 9:30 a.m. or as soon thereafter as the matter may be heard in the above-titled court, located in Courtroom A on the 15th Floor of the United States District Court for the Northern District of California, located at 450 Golden Gate Avenue, San Francisco, CA 94101, defendant, Azoogles.com Inc. ("Azoogles"), will move for leave to amend its responses to plaintiff, ASIS Internet Services' ("ASIS") First Set of Requests for Admission.

This Motion seeks leave of the Court for Azoogles to amend its responses to

1 ASIS's First Set of Requests for Admission.

2 This Motion is based on Azoogle's Memorandum of Points and Authorities in
3 Support of Azoogle's Motion for 1) Protective Order and 2) Leave To Amend Discovery
4 Responses, filed with the Court on March 16, 2007 ("Prior Motion"); the Declaration of
5 Henry M. Burgoyne, III in Support of the Prior Motion, filed with the Court on March 16,
6 2007; the Declaration of Jeffrey M. Rosenfeld In Support of this Motion; all pleadings on
7 file in this case; and such further evidence and arguments that may be presented prior to
8 or at the hearing on this Motion.

9 As set forth more fully in Azoogle's Memorandum of Points and Authorities in
10 Support of Azoogle's Prior Motion, ASIS served its First Set of Requests for Admission
11 on Azoogle on January 23, 2007. Azoogle served its responses to ASIS's First Set of
12 Requests for Admission on March 9, 2007, 15-days after the time prescribed by the
13 Federal Rules of Civil Procedure. Azoogle has repeatedly asked ASIS to stipulate that
14 Azoogle's responses to ASIS's Requests for Admission serve to amend any admissions
15 effected by Azoogle's tardy responses. Ninth Circuit jurisprudence makes clear that
16 leave to amend such responses is freely granted, particularly as here, where ASIS
17 cannot, as a matter of law, demonstrate any prejudice resulting from Azoogle's failure to
18 serve its responses sooner. Accordingly, Azoogle moves the Court for leave to amend
19 its responses to ASIS's First Set of Requests for Admission.

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Dated: March 23, 2007

Henry M. Burgoyne
Karl S. Kronenberger
Jeffrey M. Rosenfeld
Kronenberger Burgoyne, LLP

By: _____ /s/
Jeffrey M. Rosenfeld

Attorneys for Defendant,
AZOOGLEADS.COM INC.

