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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
OPPOSITION TO MOTION FOR
LEAVE TO FILE MEMORANDUM IN
EXCESS OF TWENTY-FIVE PAGE
LIMIT**

Date: March 14, 2008
Time: 1:30 p.m.
Ct rm: A, 15th Floor

The Honorable Joseph C. Spero

ARGUMENT

1
2 Plaintiff ASIS Internet Services (“ASIS”) seeks leave to file an opposition brief of
3 excessive length. However, ASIS skirts the issue that it is already entitled to a considerable 65
4 pages of briefing (25 pages for its motion for summary adjudication; 25 pages for its opposition
5 to Defendant, AzoogLeads.com, Inc.’s (“AzoogLeads”) motion for summary judgment; and 15 pages
6 for its reply). This is more than enough briefing for the Court to adjudicate the issues. In fact, it
7 is the same number of pages to which AzoogLeads is entitled, and to which AzoogLeads has adhered.
8 There is no reason to reward ASIS for disregarding the rules of the Court, when AzoogLeads has
9 strove to obey them.

10 The lack of ASIS’s good cause becomes more apparent when one examines the context of
11 ASIS’s Motion for Leave to File Memorandum in Excess of Twenty-Five Page Limit (“Motion”).
12 ASIS has ambushed both AzoogLeads and the Court with its Motion, filing it the day before its
13 deadline. ASIS never sought a stipulation from AzoogLeads’s counsel to file an excessive-length
14 brief, nor even notified counsel of its intent to file this Motion. Nor did ASIS ever offer to
15 provide AzoogLeads with a similar increase in page length for AzoogLeads’s reply, so that AzoogLeads could
16 address ASIS’s surplus arguments. Additionally, ASIS brings this Motion while simultaneously
17 ignoring the Court’s rules and procedures regarding motions for summary judgment. As one
18 troubling example, ASIS’s counsel has steadfastly refused to meet-and-confer about a joint
19 statement of facts regarding AzoogLeads’s motion for summary judgment. Yet now, ASIS complains
20 that it needs the additional pages to address these very facts.

21 AzoogLeads recognizes that ASIS has essentially forced the Court to accept its excessive-
22 length breach by attaching it to its Motion on the eve of its deadline to file. Even so, AzoogLeads
23 respectfully requests that the Court not reward this ploy, and at a minimum, grant AzoogLeads
24 additional pages to respond to ASIS’s surplus arguments.

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CONCLUSION

1 For the reasons stated herein, the Court should deny ASIS's request for leave to file a
2 brief of excessive length.
3

4 Dated: January 31, 2008
5

6 Henry M. Burgoyne, III
7 Karl S. Kronenberger
8 Jeffrey M. Rosenfeld
9 Kronenberger Burgoyne, LLP

10 By: _____ /s/_____
11 Jeffrey M. Rosenfeld

12 Attorneys for Defendant,
13 AZOOGLEADS.COM, INC.
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