IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTERMEC TECHNOLOGIES CORP., a Delaware corporation,	)	
Plaintiff/Counterclaim Defendant,	)	C.A. No. 07-272-SLR/LPS
v.	)	**JURY TRIAL DEMANDED**
PALM, INC., a Delaware corporation,	)	
Defendant/Counterclaim Plaintiff.	)	

PALM INC.'S MOTION TO STRIKE EVIDENCE AND ARGUMENT PERTAINING TO THE INTERMEC "TRAKKER" PRODUCT

Defendant/Counterclaimant Palm, Inc. ("Palm") respectfully moves to strike evidence and argument pertaining to the Intermec "Trakker" product. The motion is made on the ground that the Trakker evidence and argument was submitted unjustifiably late, it is not covered by any expert report, is not admissible evidence and permitting Intermec to rely on that evidence and argument will prejudice Palm, Inc., as more fully set forth in Palm's MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PALM INC.'S MOTION TO STRIKE EVIDENCE AND ARGUMENT PERTAINING TO THE INTERMEC "TRAKKER" PRODUCT, and related papers filed concurrently herewith, and such other evidence or argument as Palm Inc. may submit to the court in connection with this Motion.

Counsel for Palm attempted to reach counsel for plaintiff by phone and email regarding the instant Motion. As of the time of filing, plaintiff had not communicated its position on the Motion.

Respectfully submitted,

POTTER ANDERSON & CORROON LLP

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Dated: October 16, 2009
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CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on October 16, 2009, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I further certify that on October 16, 2009, the attached document was Electronically Mailed to the following person(s):

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